

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: SB 249  
 (S) Publish Date: 3/23/10

Identifier (file name): SB249-DOA-ETS-03-22-10 Dept. Affected: DOA  
 Title "An Act relating to official action by electronic transmission, to records, and to public records." RDU Enterprise Technology Services  
 Component Enterprise Technology Services  
 Sponsor Senator Ellis  
 Requester (S) STA Component Number 2082

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>								
<b>CHANGE IN REVENUES ( )</b>								

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** *(Attach a separate page if necessary)*  
 This bill refines the definition of "electronic record" as defined in AS 40.21.150(4) and (6) to specifically include text messages, instant messages, electronic mail, or any other form of communication not directly involving the physical transmission of paper that creates a record that can be retained, retrieved, and reviewed by a recipient of the communication and that can be reproduced in paper form through an automated process. Currently the department has processes in place to meet the requirements of this bill with the exception of instant messages and text messages. Analysis continued on next page.

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 Division Enterprise Technology Services Date/Time 3/22/10 12:00 PM  
 Approved by: Rachael Petro, Deputy Commissioner Date 3/22/2010  
Department of Administration

**ANALYSIS CONTINUATION**

Text and instant messaging are services provided by third party vendors. To date, there is no method in place for automatic archiving of data transmitted using instant messaging. Instant messaging software currently operates on a vendor policy of “no storage, no retrieval”. Manual storage by the user is the only known method of saving instant messages. It is believed that text message data can be retrieved via either the phone's internal storage or a vendor's server/backup storage. However, any retrieval of text messages are dependent on the vendor's retention of data. Costs associated with retrieving text messages through vendors and producing such data are unknown at this time.