

CS FOR HOUSE BILL NO. 182(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/19/12

Referred: Rules

**Sponsor(s): REPRESENTATIVES JOHANSEN, Kerttula, Hawker, Petersen, Lynn, Gara, Costello,
Tammie Wilson, Millett, Tuck, Holmes, Gardner**

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to electronic publication of certain municipal notices and publication**
2 **and electronic distribution of reports by state agencies."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 29.45.020(a) is amended to read:

5 (a) If a municipality levies and collects property taxes, the governing body
6 shall provide the following notice:

7 **"NOTICE TO TAXPAYER**

8 For the current fiscal year the (city)(borough) has been allocated the
9 following amount of state aid for school and municipal purposes under
10 the applicable financial assistance Acts:

11 PUBLIC SCHOOL FUNDING PROGRAM (AS 14.17) \$

12 STATE AID FOR RETIREMENT OF SCHOOL \$

13 CONSTRUCTION DEBT (AS 14.11.100)

14 COMMUNITY REVENUE SHARING PROGRAM \$

(AS 29.60.850 - 29.60.879)

TOTAL AID \$

The millage equivalent of this state aid, based on the dollar value of a mill in the municipality during the current assessment year and for the preceding assessment year, is:

	MILLAGE EQUIVALENT	PREVIOUS YEAR	THIS YEAR
PUBLIC SCHOOL FUNDING	MILLS	MILLS	
PROGRAM ASSISTANCE			
STATE AID FOR RETIREMENT	MILLS	MILLS	
OF SCHOOL CONSTRUCTION			
DEBT			
COMMUNITY REVENUE	MILLS	MILLS	
SHARING PROGRAM			
TOTAL MILLAGE EQUIVALENT	MILLS	MILLS"	

Notice shall be provided by

(1) furnishing a copy of the notice with tax statements mailed for the fiscal year for which aid is received; or

(2) publishing in a newspaper of general circulation in the municipality a copy of the notice once each week for a period of three successive weeks, with publication to occur not later than 45 days after the final adoption of the municipality's budget; **instead of newspaper publication, a municipality may by ordinance provide for electronic publication by posting the notice for three consecutive weeks on a municipal Internet website accessible to the public.**

* Sec. 2. AS 29.45.330(a) is amended to read:

(a) A municipality shall

(1) annually present a petition for judgment and a certified copy of the foreclosure list for the previous year's delinquent taxes in the superior court for judgment;

(2) publish the foreclosure list for four consecutive weeks in a newspaper of general circulation distributed in the municipality, **on a municipal**

1 **Internet website accessible to the public**, or, if there is no newspaper of general
 2 circulation distributed in the municipality **and no municipal Internet website**, post
 3 the list at three public places for at least 30 days;

4 (3) within 10 days after the first publication or posting, mail to the last
 5 known owner of each property as the owner's name and address appear on the list a
 6 notice advising of the foreclosure proceeding in which a petition for judgment of
 7 foreclosure has been filed and describing the property and the amount due as stated on
 8 the list.

9 * **Sec. 3.** AS 29.45.440(a) is amended to read:

10 (a) At least 30 days before the expiration of the redemption period, the clerk
 11 or the clerk's designee shall publish a redemption period expiration notice. The notice
 12 must contain the date of judgment, the date of expiration of the period of redemption,
 13 and a warning that all properties ordered sold under the judgment, unless redeemed,
 14 shall be deeded to the municipality immediately on expiration of the period of
 15 redemption and that every right or interest of a person in the properties will be
 16 forfeited forever to the municipality. The notice appears once a week for four
 17 consecutive weeks in a newspaper of general circulation distributed in the
 18 municipality **or on a municipal Internet website accessible to the public**. If there is
 19 no newspaper of general circulation distributed in the municipality **and no municipal**
 20 **Internet website**, the notice is posted in three public places for at least four
 21 consecutive weeks. The clerk shall send a copy of the notice by certified mail to each
 22 record owner of property against which a judgment of foreclosure has been taken and,
 23 if the assessed value of the property is more than \$10,000, to all holders of mortgages
 24 or other liens of record on the property. The notice shall be mailed within five days
 25 after the first publication. The mailing shall be sufficient if mailed to the property
 26 owner and to the holder of a mortgage or recorded lien at the last address of record.

27 * **Sec. 4.** AS 44.99 is amended by adding new sections to read:

28 **Article 3A. Distribution of Agency Reports.**

29 **Sec. 44.99.360. Electronic distribution.** (a) A state agency that produces and
 30 distributes a report shall, if the agency has the technological capability to do so,
 31 provide copies electronically and post the report on the agency's Internet website in a

1 manner accessible to the public. An agency may not produce print copies of reports
2 except as

3 (1) required

4 (A) under AS 14.56.120;

5 (B) by agreement; or

6 (C) by federal law; or

7 (2) requested under AS 44.99.370 or specifically approved by the head
8 of a state agency or the head's designee.

9 (b) Except as provided in (a) of this section, electronic distribution and
10 electronic posting on a state agency's Internet website fulfills any obligation in state
11 law to publish, prepare, present, or submit a report.

12 **Sec. 44.99.370. Print copy requests.** A person may obtain a print copy of a
13 report from the state library distribution and data access center under AS 14.56.170.

14 **Sec. 44.99.380. Graphic design for annual reports.** Notwithstanding
15 AS 44.99.200, when preparing annual reports, a state agency may not

16 (1) print color copies unless color is needed for the reader to
17 understand the material;

18 (2) hire contractors to provide photographs or graphics unless

19 (A) no agency employee qualified to perform the work is
20 available; or

21 (B) the agency would use fewer state resources by hiring a
22 contractor.

23 **Sec. 44.99.390. Definitions.** In AS 44.99.360 - 44.99.390,

24 (1) "report" means an official document that a state agency is required
25 by law to prepare and distribute to the legislature or the public without a specific
26 request;

27 (2) "state agency" means a department, institution, board, commission,
28 division, authority, public corporation, committee, or other administrative unit of the
29 executive branch of state government, including the University of Alaska, the Alaska
30 Railroad Corporation, the Alaska Permanent Fund Corporation, and the Alaska
31 Housing Finance Corporation.