

**HOUSE BILL NO. 275**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HAWKER, Gattis, Kreiss-Tomkins, Hughes, Holmes

Introduced: 1/24/14

Referred: Community and Regional Affairs, State Affairs

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to electronic publication of certain municipal notices and to**  
2 **publication 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:

**"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	\$

1 (AS 29.60.850 - 29.60.879)

2 TOTAL AID \$

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

	MILLAGE EQUIVALENT	
	PREVIOUS YEAR	THIS YEAR
8 PUBLIC SCHOOL FUNDING	... .MILLS	... .MILLS
9 PROGRAM ASSISTANCE		
10 STATE AID FOR RETIREMENT	... .MILLS	... .MILLS
11 OF SCHOOL CONSTRUCTION		
12 DEBT		
13 COMMUNITY REVENUE	... .MILLS	... .MILLS
14 SHARING PROGRAM		
15 TOTAL MILLAGE EQUIVALENT	... .MILLS	... .MILLS"

16 Notice shall be provided by

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

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

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

26 (a) A municipality shall

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

30 (2) publish the foreclosure list for four consecutive weeks in a  
 31 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 or  
 11        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 44.62.175(a) is amended to read:

28                    (a) The lieutenant governor shall develop and supervise the Alaska Online  
 29        Public Notice System, to be maintained on the state's site on the Internet. The  
 30        lieutenant governor shall prescribe the form of notices posted on the system by state  
 31        agencies. The Alaska Online Public Notice System must include

- 1 (1) notices of proposed actions given under AS 44.62.190(a);
- 2 (2) notices of state agency meetings required under AS 44.62.310(e),  
3 even if the meeting has been held;
- 4 (3) notices of solicitations to bid issued under AS 36.30.130;
- 5 (4) notices of state agency requests for proposals issued under  
6 AS 18.55.255, 18.55.320; AS 36.30.210; AS 37.05.316; AS 38.05.120; and  
7 AS 43.40.010;
- 8 (5) executive orders and administrative orders issued by the governor;
- 9 (6) written delegations of authority made by the governor or the head  
10 of a principal department under AS 44.17.010;
- 11 (7) the text or a summary of the text of a regulation or order of repeal  
12 of a regulation for which notice is given under AS 44.62.190(a), including an  
13 emergency regulation or repeal regardless of whether it has taken effect;
- 14 (8) notices required by AS 44.62.245(b) regarding an amended version  
15 of a document or other material incorporated by reference in a regulation;
- 16 (9) a summary of the text of recently issued published opinions of the  
17 attorney general;
- 18 (10) a list of vacancies on boards, commissions, and other bodies  
19 whose members are appointed by the governor;
- 20 (11) in accordance with AS 39.52.240(h), advisory opinions of the  
21 attorney general; [AND]
- 22 (12) notices required by AS 26.30.010(d) and (e) regarding  
23 applications for military facility zones; and
- 24 (13) reports of state agencies, if required under AS 44.99.250.

25 \* **Sec. 5.** AS 44.99 is amended by adding new sections to read:

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

27 **Sec. 44.99.250. Electronic distribution and posting.** (a) A state agency that  
28 produces and distributes a report shall, if the agency has the technological capability to  
29 do so, provide copies electronically and post the report on the Alaska Online Public  
30 Notice System (AS 44.62.175). An agency may not produce print copies of reports  
31 except as

1 (1) required  
 2 (A) under AS 14.56.120;  
 3 (B) by agreement; or  
 4 (C) by federal law; or  
 5 (2) requested under AS 44.99.260 or specifically approved by the head  
 6 of a state agency or the head's designee.

7 (b) Except as provided in (a) of this section, electronic distribution and  
 8 electronic posting on the Alaska Online Public Notice System (AS 44.62.175) fulfills  
 9 any obligation in state law to publish, prepare, or present a report, and electronic  
 10 distribution fulfills any obligation in state law to submit a report.

11 **Sec. 44.99.260. Print copy requests.** A person may obtain a print copy of a  
 12 report from the state library distribution and data access center under AS 14.56.170.

13 **Sec. 44.99.270. Graphic design for reports.** Notwithstanding AS 44.99.200,  
 14 when preparing reports, a state agency may not hire contractors to provide  
 15 photographs or graphics unless

- 16 (1) no agency employee qualified to perform the work is available; or  
 17 (2) the agency would use fewer state resources by hiring a contractor.

18 **Sec. 44.99.290. Definitions.** In AS 44.99.250 - 44.99.290,

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

22 (2) "state agency" means a department, institution, board, commission,  
 23 division, authority, public corporation, committee, or other administrative unit of the  
 24 executive branch of state government, including the University of Alaska, the Alaska  
 25 Railroad Corporation, the Alaska Permanent Fund Corporation, and the Alaska  
 26 Housing Finance Corporation.