

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: CSHB 83(JUD)
 Fiscal Note Number: 1
 (H) Publish Date: 3/5/13

Identifier: HB083-LAW-CIV-02-01-13
 Title: FEDERAL REGULATIONS & EXECUTIVE
 ORDERS
 Sponsor: KELLER
 Requester: (H) Judiciary

Department: Department of Law
 Appropriation: Civil Division
 Allocation: Opinions, Appeals and Ethics
 OMB Component Number: 2716

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2014 Request	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	FY 2014	FY 2014					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

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Division	Administrative Services Division	Date:	02/01/2013 12:00 AM
Approved By:	Michael C. Geraghty, Attorney General	Date:	02/01/13
	Department of Law		

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. CSHB 83(JUD)

Analysis

The bill would amend Alaska's statutes to provide that a federal statute, regulation, Presidential executive order, or secretarial order that is unconstitutional or improperly adopted may not be considered to preempt a state law.

The bill provides that "[t]he attorney general shall continue to review federal statutes, regulations, presidential executive orders, and secretarial orders that may be in conflict with and that may preempt state law." If the attorney general finds that any (1) preempt a state law and (2) are unconstitutional or were improperly adopted, the bill would require the attorney general to report that to the house and senate committees with jurisdiction over judicial matters. The bill would require that the report include (1) a copy of the offending federal provision; (2) a copy of the conflicting state law; (3) an opinion explaining the federal provision's constitutional flaw or adoption problem, the conflict with the state law, the preemptive effect that the federal provision would have if it were properly adopted, and the consequences if the state law were preempted; and (4) other relevant information.

The bill provides that, in response to the attorney general's report, the legislative committees may consider whether to take legislative action.