

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: SCS CSHB 140(JUD)
Fiscal Note Number: 3
(S) Publish Date: 4/17/14

Identifier: HB140SCSCS(JUD)-OOG-OMB-04-15-2013
Title: REGULATIONS: NOTICE, REVIEW, COMMENT
Sponsor: REINBOLD
Requester: Senate Judiciary

Department: Various (for Fiscal Notes only)
Appropriation: Various
Allocation: Executive Branch
OMB Component Number: 0

Expenditures/Revenues

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

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	0.0	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	0.0	***	***	***	***	***

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Updated to reflect the changes in the Senate Judiciary Committee Substitute. The CS exempts the Board of Game (BOG) and the Board of Fisheries (BOF), the Regulatory Commission of Alaska (RCA), the Alaska Oil & Gas Conservation Commission (AOGCC).

Prepared By:	Arnold Liebelt, Policy Analyst	Phone:	(907)465-4676
Division:	Office of Management and Budget	Date:	04/16/2014 12:00 PM
Approved By:	Karen Rehfeld, Director	Date:	04/16/2014
Agency:	Office of Management and Budget		

FISCAL NOTE ANALYSIS #3

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. SCS CSHB 140(JUD)

Analysis

SCSCSHB 140(JUD)

Section 2 of the bill would allow the governor to have the authority to return regulations to the agency before they can be filed and certified under the Administrative Procedure Act for two reasons: 1) the regulations are inconsistent with statute; and 2) to have the agency respond to specific concerns raised by the Administrative Regulation Review Committee. Existing law exempts all boards and commissions. The CS exempts the Board of Game, Board of Fisheries, AOGCC, and the RCA. These exemptions would significantly reduce the overall fiscal impact.

The bill would further require that a state agency provide the estimated annual cost, based on a good faith effort to estimate the costs in the aggregate for each of the following categories using the information available to the state agency, to:

- a) private persons to comply with the proposed action;
- b) other state agencies to comply with the proposed action; and
- c) municipalities to comply with the proposed action.

There are 162 municipalities in Alaska. Estimating the annual cost to these municipalities is not a function that agencies are staffed to perform. State employees implement and execute state programs. They are not required nor have the capacity to provide a meaningful estimate of the annual costs to private persons and to municipalities of state action. For a state agency to determine the estimated annual cost and to provide this information to private persons and to municipalities would be a large undertaking and would require additional staff and economic consultants, depending on the size and complexity of the regulations project.

This bill will cause a fiscal impact for all departments, boards, commissions, and other state entities, other than those specifically exempted by the bill. Agencies that are expected to be more impacted include the Department of Natural Resources, Department of Environmental Conservation, and the Department of Commerce, Community and Economic Development. These agencies expect additional positions and resources will be needed in order to comply with the bill.