

COMMITTEE REPORT

SENATE

3/9/81

FURTHER: None

Date: March 13, 1981

Mr. President:

The Committee on FINANCE has had SB 6
establishing the Alaska Administrative Journal

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

~~do pass~~ [] do not pass

do pass with attached amendments(s)

replace with CS for SB 6 (Judiciary) same title
[] new title

and recommends do pass with attached Finance Amendment

[] AND attaches a "Letter of Intent" [] New Fiscal Note

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Wm. J. ...
L. ...
...
...

...

...
CHAIRMAN

SENATE AMENDMENT

By Senate Finance Committee

To: CS SENATE BILL No. 6 (Judiciary)

To: _____ HOUSE BILL No. _____

PAGE: 1 LINE: 25

Delete ";".

Add "AS 18.55.255, AS 18.55.320, AS 19.10.190, AS 19.40.020,
AS 35.15,030, AS 37.05.315(d), AS 38.05.120, AS 43.40.010,
and AS 46.11.030;"

Change every reference from "lieutenant governor" to "commissioner
of administration".

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 6
 Title An Act establishing the Alaska Administrative Journal & providing for an effective
 Requested by Senate Judiciary date _____

Date 2/19/81

II. FISCAL DETAIL

Agency Affected Office of the Governor
 Program Category Affected Office of the Lieutenant Governor
 BRU, Program, or Subprogram(s) Affected Office of the Lieutenant Governor

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	16.1	69.7	76.7	84.4		
200 TRAVEL		1.2	1.3	1.4		
300 CONTRACTUAL	29.0	116.0	127.6	140.4		
400 COMMODITIES	2	6	7	8		
500 EQUIPMENT	1.9	3	3	4		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	47.2	187.8	206.6	227.4		

FUNDING (Thousands of Dollars)

GENERAL FUND	47.2	0	0	0		
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
PROGRAM RECEIPTS		187.8	206.6	227.4		

POSITIONS


FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

ASSUME:

- 1) Approximate number of administrative journal subscriptions would equal (or exceed) those subscriptions to the Alaska Administrative Code (AAC)-- currently 1000.
- 2) Start-up costs for the last quarter of FY 81 (if effective start-up occurs after the beginning of FY 82, new equipment needs should be carried forward).

(Continued)

IV. DATE February 19, 1981 PREPARED BY Danith Anderson *Danith A. Anderson* 
 AGENCY Office of the Lieutenant Governor
 PHONE 465-3520
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

- 3) Inflation for FY 82 @8% and FY 83, FY 84 @10%.
- 4) One new administrative assistant (Personal Services Range 16B) and a Secretary I (Range 10B) would be required to handle the coordination and organization of this publication. Travel to the National Administrative Codes and Registers Conference for the administrative assistant. Contractual Services includes some telephone, postage and first-class mailing costs, printing and binding (based on current contract for printing the AAC), advertising and equipment rentals. Commodities and Equipment are budgeted as basic supplies for newly-created staff support positions.

Program Receipts (through journal subscription) are designed to pay for the entire cost of this publication after initial start-up.

Formulas for contractual services estimate:

- 1) Postage & Mailing (assume 1000 journal subscriptions)

26 mailings/year, average 30 pages (back-to-back) cost =
 .80 1st class mail each. $.80 \times 1000 \times 30 = \$24,000$

- 2) Printing & Binding

26 mailings with typesetting costs based on the current cost of printing the AAC

$\frac{\$49.30/\text{page} \times \text{pages typeset}}{1000 \text{ subscribers}}$

Assume 60 pages typeset (or 30 back-to-back for mailing purposes)

$\frac{\$49.30 \times 60}{1000} = \2.96 each

$\$2.96 \times 1000 \text{ subscribers} \times 26 \text{ issues} = \$76,960$

Original Sponsors: Fahrenkamp, Bennett
and Kelly

Offered: 3/9/81
Referred: Finance

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 6 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Administrative Jour-
7 nal; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 44.62 is amended by adding a new section to article 3 to
10 read:

11 Sec. 44.62.175. ADMINISTRATIVE JOURNAL. (a) The lieutenant
12 governor shall publish an Alaska Administrative Journal every two
13 weeks. The journal shall include but is not limited to the following:

14 (1) notices of proposed actions given under AS 44.62.190(a);

15 (2) when it becomes available, the text of regulations for
16 which notice is given under AS 44.62.190(a) if the regulations do not
17 exceed 16 legal-size, typewritten pages; in order to remain within
18 budgetary limits, the lieutenant governor may reduce this page limita-
19 tion;

20 (3) notices of state agency meetings required under AS 44.-
21 62.310(e);

22 (4) notices of solicitations to bid issued under AS 37.05.-
23 230;

24 (5) notices of state agency requests for proposals under
25 AS 37.05.230;

26 (6) executive orders and administrative orders issued by the
27 governor; and

28 (7) written delegations of authority made by the governor or
29 by the head of a principal department under AS 44.17.010.

1 (b) When (1) a state agency gives a notice which is to be pub-
2 lished in the journal under (a)(1) or (3) - (5) of this section, (2)
3 the governor issues an executive or administrative order, or (3) the
4 g. rnor or the head of a principal department makes a written delega-
5 tion of authority under AS 44.17.010, a copy of the notice, order, or
6 delegation shall also be sent at the same time to the lieutenant gover-
7 nor for publication in the journal and to every person who has filed a
8 request for a copy of the notices, orders or delegations with the state
9 agency and has indicated that he wishes to receive it for the purpose
10 of publishing it. If the notice sent to the person is for a proposed
11 regulation, an amendment to a regulation or a repeal of a regulation,
12 the state agency shall also furnish a copy of the proposed regulation,
13 amendment, or order of repeal, except that if the regulation has not
14 yet been drafted in its entirety, a copy need not be furnished at the
15 time notice is given but a copy must be furnished at the same time as
16 one is furnished to the Department of Law under AS 44.62.190(a)(5).

17 (c) The lieutenant governor shall sell subscriptions to the
18 journal at a price reasonably calculated to offset the cost of its
19 publication and distribution.

20 (d) If the lieutenant governor determines that the journal's
21 purpose of providing an all-inclusive medium for publishing public
22 notice of proposed agency actions for which public notice is required
23 by law is being met by private publication and is likely to continue to
24 be so met, he shall discontinue publication of the journal.

25 (e) A regulation, amendment to a regulation, or order of repeal,
26 except an emergency regulation or order of repeal, adopted under
27 AS 44.62.250, may not take effect unless notice of the proposed action
28 has been published either in the journal as prescribed by this section,
29 or, if publication of the journal has been discontinued under (d) of

1 this section, in a private publication.

2 (f) A person may not maintain an action based on publication or
3 lack of publication of any information in the journal, or in a private
4 publication if publication of the journal has been discontinued under
5 (d) of this section.

6 (g) In this section, "journal" means the Alaska Administrative
7 Journal.

8 * Sec. 2. AS 44.62.300 is amended to read:

9 Sec. 44.62.300. COURT REVIEW. An interested person may get a
10 judicial declaration on the validity of a regulation by bringing an
11 action for declaratory relief in the superior court. In addition to
12 any other ground the court may declare the regulation invalid (1) for a
13 substantial failure to comply with AS 44.62.010 - 44.62.320 except a
14 failure to publish a notice of proposed action in the Alaska Adminis-
15 trative journal in accordance with AS 44.62.175, or (2) in the case of
16 an emergency regulation or order of repeal, upon the ground that the
17 facts recited in the statement do not constitute an emergency under
18 AS 44.62.250.

19 * Sec. 3. The lieutenant governor shall begin publication of the Alaska
20 Administrative Journal no later than 120 days after the effective date of
21 this Act.

22 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
23 070(c).

Introduced: 1/13/81
Referred: Judiciary and Finance

BY FAHRENKAMP, BENNETT AND
KELLY

1 IN THE SENATE

2 SENATE BILL NO. 6

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Administrative Jour-
7 nal; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 44.62 is amended by adding a new section to article 3 to
10 read:

11 Sec. 44.62.175. ADMINISTRATIVE JOURNAL. (a) The lieutenant
12 governor shall publish an Alaska Administrative Journal every two
13 weeks. The journal shall include but is not limited to the following:

14 (1) notices of proposed actions given under AS 44.62.190(a);

15 (2) when it becomes available, the text of regulations for
16 which notice is given under AS 44.62.190(a) if the regulations do not
17 exceed 16 legal-size, typewritten pages; in order to remain within
18 budgetary limits, the lieutenant governor may reduce this page limita-
19 tion;

20 (3) notices of state agency meetings required under AS 44.-
21 62.310(e);

22 (4) notices of solicitations to bid issued under AS 37.05.-
23 230;

24 (5) notices of state agency requests for proposals under
25 AS 37.05.230;

26 (6) executive orders and administrative orders issued by the
27 governor; and

28 (7) written delegations of authority made by the governor or
29 by the head of a principal department under AS 44.17.010.

1 (b) When (1) a state agency gives a notice which is to be pub-
2 lished in the journal under (a)(1) or (3) - (5) of this section, (2)
3 the governor issues an executive or administrative order, or (3) the
4 governor or the head of a principal department makes a written delega-
5 tion of authority under AS 44.17.010, a copy of the notice, order, or
6 delegation shall also be sent at the same time to the lieutenant gover-
7 nor for publication in the Alaska Administrative Journal and to every
8 person who has filed a request for a copy of the notices, orders or
9 delegations with the state agency and has indicated that he wishes to
10 receive it for the purpose of publishing it. If the notice sent to the
11 person is for a proposed regulation, an amendment to a regulation or a
12 repeal of a regulation, the state agency shall also furnish a copy of
13 the proposed regulation, amendment, or order of repeal, except that if
14 the regulation has not yet been drafted in its entirety, a copy need
15 not be furnished at the time notice is given but a copy must be fur-
16 nished at the same time as one is furnished to the Department of Law
17 under AS 44.62.190(a)(5).

18 (c) The lieutenant governor shall sell subscriptions to the
19 Alaska Administrative Journal at a price reasonably calculated to
20 offset the cost of its publication and distribution.

21 (d) If the lieutenant governor determines that the journal's
22 purpose of providing an all-inclusive medium for publishing public
23 notice of proposed agency actions for which public notice is required
24 by law is being met by private publication and is likely to continue to
25 be so met, he shall discontinue publication of the Alaska Administra-
26 tive Journal.

27 (e) A regulation, amendment to a regulation, or order of repeal,
28 except an emergency regulation or order of repeal, adopted under AS 44.
29 62.250, may not take effect unless notice of the proposed action has

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

been published either in the Alaska Administrative Journal as prescribed by this section, or, if publication of the Alaska Administrative Journal has been discontinued under (d) of this section, in a private publication.

* Sec. 2. AS 44.62.200 is amended by adding a new subsection to read:

(c) The summary specified in (a)(3) of this section must be approved by the lieutenant governor as adequate for publication in the Alaska Administrative Journal before notice is given under AS 44.62.-190.

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-070(c), except that the lieutenant governor shall begin publication of the Alaska Administrative Journal during the week of September 15, 1981.

Alaska State Legislature

SENATOR BETTYE FAHRENKAMP
CHAIRMAN, RESOURCES COMMITTEE

4016 EVERGREEN
FAIRBANKS ALASKA 99701

907-479-3550



Senate

WHILE ON JUNEAU
POUCH V
JUNEAU, ALASKA 99811
OFFICE 907-465-3723
RESOURCES COMMITTEE
907-465-3834
HOME 907-789-9182

MEMORANDUM

TO: Senator Don Bennett, Chairman
Senate Finance Committee

FROM: Senator Bettye Fahrenkamp

RE: Background Information on:
SB 6, "Establishing the Alaska Administrative
Journal; and providing for an effective date."

DATE: March 12, 1981

Purpose

The purpose of this legislation is to place in one publication all the information required to be made public by state agencies. The publication would be available on a subscription basis and would provide a service to the people of the state without increasing the drain on public coffers. The bill, as now written, has the support of the lieutenant governor's office and the Attorney General's office.

The bill would increase the political openness in the state. Alaska is too large to continue the word-of-mouth network of communication that exists when there is no single place in which to gather all notifications.

The bill is intended to emphasize the policy stated in AS 44.62.312. "It is the policy of the state that

- (1) The governmental units mentioned in 310(a) of this chapter exist to aid in the conduct of the people's business;
- (2) It is the intent of the law that actions of those units be taken openly and that their deliberations be conducted openly;
- (3) The people of this state do not yield their sovereignty to the agencies which serve them;
- (4) The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know;
- (5) The people's right to remain informed shall be protected so that they may retain control over the instruments they have created."

Analysis

Section 1. New section added to article 3, AS 44.62:

Sec. 44.62.175. ADMINISTRATIVE JOURNAL

- a) The journal shall be published every two weeks and will include notices of action, text of regulations, state agency meetings, bid invitations, requests for proposals, and executive and administrative orders.
- b) Any notice required under a) will be sent to the lieutenant governor and to any person requesting a copy for the purposes of publication, unless the regulation has not been drafted, in which case it must be sent at the same time it is submitted to the Department of Law.
- c) The lt. governor shall sell subscriptions to the journal at a price to offset the cost of publishing.
- d) The lt. governor may discontinue publication of the journal if the requirements for the journal are met by a private publication.
- e) No regulation, amendment to a regulation or order of repeal, except emergency regulations or repeals, will take effect unless notice is published in the journal.
- f) A person may not maintain a legal action based on publication, or lack of publication, in the journal.
- g) The Alaska Administrative Journal is referred to as "journal" in this section

Section 2. AS 44.62.300 is amended:

Sec. 44.62.300. COURT REVIEW

Failure to publish a notice of proposed action in the journal is not grounds for action for declaratory relief in the superior court.

Section 3. Publication shall begin no later than 120 days after the effective date of the bill.

Section 4. The Act takes place immediately.

Discussion

The bill will identify those items of public interest which the public has difficulty obtaining from one source. The intent of the bill, aside from aiding the public, is for the cost of the journal to be offset as much as possible while retaining public access through a reasonable price. This could be a difficulty during the first period of publication and until such time as the journal is widely recognized as an information source.

Original sponsors: Fahrenkamp, Bennett
and Kelly

Offered: 6/9/81
Referred: Finance

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 6 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Administrative Journal;
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 44.62 is amended by adding a new section to article 3 to
10 read:

11 Sec. 44.62.175. ADMINISTRATIVE JOURNAL. (a) The commissioner of
12 administration shall publish an Alaska Administrative Journal every two
13 weeks. The journal shall include but is not limited to the following:

14 (1) notices of proposed actions given under AS 44.62.190(a);

15 (2) when it becomes available, the text of regulations for
16 which notice is given under AS 44.62.190(a) if the regulations do not
17 exceed 16 legal-size, typewritten pages; in order to remain within
18 budgetary limits, the commissioner of administration may reduce this
19 page limitation;

20 (3) notices of state agency meetings required under AS 44.-
21 62.310(e);

22 (4) notices of solicitations to bid issued under AS 37.05.-
23 230;

24 (5) notices of state agency requests for proposals under
25 AS 18.55.255, AS 18.55.320, AS 19.10.190, AS 19.40.020, AS 35.15.030,
26 AS 37.05.230, AS 37.05.315(d), AS 38.05.120, AS 43.40.010, and AS 46.-
27 11.030;

28 (6) executive orders and administrative orders issued by the
29 governor; and

1 (7) written delegations of authority made by the governor or
2 by the head of a principal department under AS 44.17.010.

3 (b) When (1) a state agency gives a notice which is to be pub-
4 lished in the journal under (a)(1) or (3) - (5) of this section, (2)
5 the governor issues an executive or administrative order, or (3) the
6 governor or the head of a principal department makes a written delega-
7 tion of authority under AS 44.17.010, a copy of the notice, order, or
8 delegation shall also be sent at the same time to the commissioner of
9 administration for publication in the journal and to every person who
10 has filed a request for a copy of the notices, orders, or delegations
11 with the state agency and has indicated that he wishes to receive it
12 for the purpose of publishing it. If the notice sent to the person is
13 for a proposed regulation, an amendment to a regulation, or a repeal of
14 a regulation, the state agency shall also furnish a copy of the pro-
15 posed regulation, amendment, or order of repeal, except that if the
16 regulation has not yet been drafted in its entirety, a copy need not be
17 furnished at the time notice is given but a copy must be furnished at
18 the same time as one is furnished to the Department of Law under AS 44.-
19 62.190(a)(5).

20 (c) The commissioner of administration shall sell subscriptions
21 to the journal at a price reasonably calculated to offset the cost of
22 its publication and distribution.

23 (d) If the commissioner of administration determines that the
24 journal's purpose of providing an all-inclusive medium for publishing
25 public notice of proposed agency actions for which public notice is
26 required by law is being met by private publication and is likely to
27 continue to be so met, he shall discontinue publication of the journal.

28 (e) A regulation, amendment to a regulation, or order of repeal,
29 except an emergency regulation or order of repeal, adopted under

1 AS 44.62.250, may not take effect unless notice of the proposed
2 action has been published either in the journal as prescribed by
3 this section, or, if publication of the journal has been discon-
4 tinued under (d) of this section, in a private publication.

5 (f) A person may not maintain an action based on publication or
6 lack of publication of any information in the journal, or in a private
7 publication if publication of the journal has been discontinued under
8 (d) of this section.

9 (g) Publication of notices, orders, or written delegations in the
10 journal does not replace or supplant notices, publications, or adver-
11 tisements required by other provisions of law.

12 (h) In this section, "journal" means the Alaska Administrative
13 Journal.

14 * Sec. 2. AS 44.62.300 is amended to read:

15 Sec. 44.62.300. COURT REVIEW. An interested person may get a
16 judicial declaration on the validity of a regulation by bringing an
17 action for declaratory relief in the superior court. In addition to
18 any other ground, the court may declare the regulation invalid (1) for
19 a substantial failure to comply with AS 44.62.010 - 44.62.320 except a
20 failure to publish a notice of proposed action in the Alaska Adminis-
21 trative Journal in accordance with AS 44.62.175, or (2) in the case of
22 an emergency regulation or order of repeal, upon the ground that the
23 facts recited in the statement do not constitute an emergency under
24 AS 44.62.250.

25 * Sec. 3. The commissioner of administration shall begin publication of
26 the Alaska Administrative Journal no later than 120 days after the effective
27 date of this Act.

28 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
29 070(c).

Original Sponsors: Fahrenkamp, Bennett
and Kelly

Offered: 3/9/81
Referred: Finance

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 6 (Judiciary) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Administrative Jour-
7 nal; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 44.62 is amended by adding a new section to article 3 to
10 read:

11 Sec. 44.62.175. ADMINISTRATIVE JOURNAL. (a) The commissioner of
12 administration shall publish an Alaska Administrative Journal every two
13 weeks. The journal shall include but is not limited to the following:

14 (1) notices of proposed actions given under AS 44.62.190(a);

15 (2) when it becomes available, the text of regulations for
16 which notice is given under AS 44.62.190(a) if the regulations do not
17 exceed 16 legal-size, typewritten pages; in order to remain within
18 budgetary limits, the commissioner of administration may reduce this
19 page limitation;

20 (3) notices of state agency meetings required under AS 44.-
21 62.310(e);

22 (4) notices of solicitations to bid issued under AS 37.05.-
23 230;

24 (5) notices of state agency requests for proposals under
25 AS 18.55.255, AS 18.55.320, AS 19.10.190, AS 19.40.020, AS 35.15.030,
26 AS 37.05.230, AS 37.05.315(d), AS 38.05.120, AS 43.40.010, and AS 46.-
27 11.030;

28 (6) executive orders and administrative orders issued by the
29 governor; and

1 (7) written delegations of authority made by the governor or
2 by the head of a principal department under AS 44.17.010.

3 (b) When (1) a state agency gives a notice which is to be pub-
4 lished in the journal under (a)(1) or (3) - (5) of this section, (2)
5 the governor issues an executive or administrative order, or (3) the
6 governor or the head of a principal department makes a written delega-
7 tion of authority under AS 44.17.010, a copy of the notice, order, or
8 delegation shall also be sent at the same time to the commissioner of
9 administration for publication in the journal and to every person who
10 has filed a request for a copy of the notices, orders or delegations
11 with the state agency and has indicated that he wishes to receive it
12 for the purpose of publishing it. If the notice sent to the person is
13 for a proposed regulation, an amendment to a regulation or a repeal of
14 a regulation, the state agency shall also furnish a copy of the pro-
15 posed regulation, amendment, or order of repeal, except that if the
16 regulation has not yet been drafted in its entirety, a copy need not be
17 furnished at the time notice is given but a copy must be furnished at
18 the same time as one is furnished to the Department of Law under AS 44.-
19 62.190(a)(5).

20 (c) The commissioner of administration shall sell subscriptions
21 to the journal at a price reasonably calculated to offset the cost of
22 its publication and distribution.

23 (d) If the commissioner of administration determines that the
24 journal's purpose of providing an all-inclusive medium for publishing
25 public notice of proposed agency actions for which public notice is
26 required by law is being met by private publication and is likely to
27 continue to be so met, he shall discontinue publication of the journal.

28 (e) A regulation, amendment to a regulation, or order of repeal,
29 except an emergency regulation or order of repeal, adopted under

1 AS 44.62.250, may not take effect unless notice of the proposed action
2 has been published either in the journal as prescribed by this section,
3 or, if publication of the journal has been discontinued under (d) of
4 this section, in a private publication.

5 (f) A person may not maintain an action based on publication or
6 lack of publication of any information in the journal, or in a private
7 publication if publication of the journal has been discontinued under
8 (d) of this section.

9 (g) In this section, "journal" means the Alaska Administrative
10 Journal.

11 * Sec. 2. AS 44.62.300 is amended to read:

12 Sec. 44.62.300. COURT REVIEW. An interested person may get a
13 judicial declaration on the validity of a regulation by bringing an
14 action for declaratory relief in the superior court. In addition to
15 any other ground the court may declare the regulation invalid (1) for a
16 substantial failure to comply with AS 44.62.010 - 44.62.320 except a
17 failure to publish a notice of proposed action in the Alaska Adminis-
18 trative journal in accordance with AS 44.62.175, or (2) in the case of
19 an emergency regulation or order of repeal, upon the ground that the
20 facts recited in the statement do not constitute an emergency under
21 AS 44.62.250.

22 * Sec. 3. The commissioner of administration shall begin publication of
23 the Alaska Administrative Journal no later than 120 days after the effective
24 date of this Act.

25 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 6 (Judiciary)
 Title An Act establishing the Alaska Administrative Journal: effective date:
 Requested by Senate Judiciary Date 3/20/81

II. FISCAL DETAIL

Agency Affected Department of Administration
 Program Category Affected Division of General Services & Supply
 BRU, Program, or Subprogram(s) Affected Division of General Services & Supply
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	40.6	157.8	173.6	191.0		
200 TRAVEL		2.5	2.8	3.1		
300 CONTRACTUAL	9.5	186.0	204.6	225.1		
400 COMMODITIES	.3	1.0	1.1	1.2		
500 EQUIPMENT	7.1	7.1	1.0	1.0		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	57.5	354.4	383.1	421.4		

FUNDING (Thousands of Dollars)

GENERAL FUND	57.5	177.2	191.6	210.7		
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
Program Receipts		177.2	191.5	210.7		

POSITIONS

FULL TIME	5	5	5	5		
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assume that:

1. Estimated journal subscriptions may be equal to Alaska Administrative Code subscriptions (currently 1,000).
2. Journal will require complete reprint twice each month (as opposed to Quarterly updates for the code).
3. Inflation for FY 83 and 84 @ 10%

IV. DATE March 24, 1981 PREPARED BY George Elgee, Director
 AGENCY Division of General Services & Supply
 PHONE 465-2250

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Fahrenkamp
 Office of the Governor Keith Specking

4. Five new positions and associated costs for FY 82: Total - 190.9

- 1 - Program Coordinator - Range 20A
- 1 - Publication Specialist II - Range 16A
- 1 - Publication Technician - Range 12B
- 1 - Correspondence Secretary II - Range 10B
- 1 - Clerk III - Range 8B

5. FY 82 costs in addition to new positions and associated costs:
Total - 163.5

Estimate: 50 page journal (back to back) x 1,000 copies x 26 issues.

- a) Printing, typesetting to be done by Central Duplicating -
Printing & Typesetting - \$103,650
Postage (New Rate) - 44,330
- b) Equipment Leases -
Xerox Copier; Typesetter Interface 15,500

6. Start-up costs for last quarter of FY 81 to include personal services, commodities, office space, equipment leases and purchases. No printing or postage charges during FY 81. If no funds are approved for FY 81, equipment funds must be carried to FY 82.

7. Full funding through Program Receipts is not considered feasible, primarily because the cost per subscription might be prohibitively high (1,000 subscriptions = \$354,400 = \$354.40 per subscription for FY 82. Further, the demand for subscriptions is entirely guesswork at this point, no matter what price is attached to them.

Statistics computed from a nationwide survey indicate the following:

- a) Average cost per journal is \$50 per year;
- b) Average distribution (paid versus free subscriptions);
 - 1,184 paid
 - 460 free
- c) Average length of journal is 2,412 pages per year.
- d) Over 75% of states subsidize their journal publication.

Recommend that Alaska attempt to recover 50% of total cost through Program Receipts, with the balance of 50% be funded by the General Fund.

For FY 82, this approach would put the cost per subscription at \$177.00 each, assuming 1,000 subscriptions are bought.

Impact on Central Duplicating - Will require the following new positions and equipment to typeset and print the Alaska Administrative Journal for FY 82:

Personal Services:

1	-	Duplication Machine Op. I	- Range 11B	\$25,210
1	-	Clerk I	- Range 6B	18,952
1	-	Typesetter Operator	- Range 8B	21,151

Equipment:

1	-	Phototypesetting Machine	-	32,000
---	---	--------------------------	---	--------

Comments: Publishing twice a month will require an extremely efficient operation in terms of obtaining all pertinent material from agencies, compiling data, preparing copy for typesetting, coordinating with typesetter and printer, and finally mailing to subscribers.

1	POSITION TITLE Clerk III			RANGE/STEP 8 B	BARG. UNIT. G.G.	LOCATION Juneau	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY	1433 mo.	17,196						
5	BENEFITS		2,715						
6	FICA		1,054						
7	HEALTH INS.		1,800						
8	TOTAL PERSONAL SERVICES		01	22.8					
9	TRAVEL		02						
10	CONTRACTUAL		03	2.7					
11	COMMODITIES		04	.2					
12	EQUIPMENT		05	.7					
13	OTHER								
14	TOTAL COST			26.4					
15	CODE	FUNDING SOURCE							
		FED RCPTS. 1002							
		GF MATCH. 1003							
		GEN. FUND 1004		13.2					
		I-A RCPTS. 1005							
		PGM RCPTS 1028		13.2					
		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER		COLUMN NO.							

JUSTIFICATION:

Necessary to implement Senate Bill #6 - "An Act Establishing the Alaska Administrative Journal."

This position will provide clerical support as necessary for the production of the Alaska Administrative Journal

Duties to include maintain files of all incoming notices of Administrative Regulations and process Journal for distribution to subscribers in addition to providing general clerical support for Administrative Regulation Staff.

AGENCY Administration PROGRAM Centralized Administrative Services

BRU General Services

13 REQUEST FOR NEW POSITION.

COMPONENT _____

Page _____ of _____

REVISED DATE _____

FY 82

1	POSITION TITLE Correspondence Secretary II			RANGE/STEP 10 B	BARG. UNIT. G.G.	LOCATION Juneau	GOV.	APPROV.	DISAPP.						
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.							
3	TYPE OF EXPENDITURE			JUSTIFICATION:											
	1	2	3												
4	PERSONAL SERVICES:			<p>Necessary to implement Senate Bill #6 - "An Act Establishing the Alaska Administrative Journal."</p> <p>This position will provide typing, proofreading and related support in the publication and final distribution of the Alaska Administrative Journal.</p> <p>Duties to include correspondence to agencies and subscribers in addition to final typing and proofing of the Alaska Administrative Journal.</p>											
5	SALARY	1613 mo.	19,356												
6	BENEFITS		3,056												
7	FICA		1,187												
8	HEALTH INS.		1,800												
9	TOTAL PERSONAL SERVICES	01	25.4												
10	TRAVEL	02													
11	CONTRACTUAL	03	7.2												
12	COMMODITIES	04	.2												
13	EQUIPMENT	05	1.1												
14	OTHER														
15	TOTAL COST		33.9												
15	CODE	FUNDING SOURCE													
16		FED RCPTS. 1002													
17		GF MATCH. 1003													
18		GEN. FUND 1004		17.0											
19		I-A RCPTS. 1005													
20		PGM RCPTS 1028		16.9											
21	CONTINUATION														
22	ADDITION			FOR B&M USE ONLY											
4A KEY NUMBER _____ COLUMN NO. _____															

AGENCY Administration PROGRAM Centralized Administrative Services

BRU General Services

13 REQUEST FOR NEW POSITION.

COMPONENT _____

Page _____ of _____

REVISED DATE _____

FY 82

1	POSITION TITLE Program Coordinator			RANGE/STEP 20 A	BARG. UNIT. G.G.	LOCATION Juneau	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY 3039 mo.		36,468						
5	BENEFITS		5,758						
6	FICA		2,004						
7	HEALTH INS.		1,800						
8	TOTAL PERSONAL SERVICES		01	46.0					
9	TRAVEL		02	2.5					
10	CONTRACTUAL		03	2.7					
11	COMMODITIES		04	.2					
12	EQUIPMENT		05	1.1					
13	OTHER								
14	TOTAL COST			52.5					
JUSTIFICATION:									
Necessary to implement Senate Bill #6 - "An Act Establishing the Alaska Administrative Journal."									
This position will be responsible for the publication and distribution of the proposed Alaska Administrative Journal.									
Responsibilities to include coordination with all agencies required to publish notices in the Journal as specified in CS for Senate Bill #6 Amended.									
	CODE	FUNDING SOURCE							
15		FED RCPTS. 1002							
16		GF MATCH. 1003							
17		GEN. FUND 1004		26.3					
18		I-A RCPTS. 1005							
19		PGM RCPTS 1028		26.2					
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
7A KEY NUMBER _____ COLUMN NO. _____									

AGENCY Administration PROGRAM Centralized Administrative Services

BRU General Services

13 REQUEST FOR NEW POSITION.

COMPONENT _____

Page _____ of _____

REVISED DATE _____

FY 82

1	POSITION TITLE Publications Specialist II			RANGE/STEP 16 A	BARG. UNIT. G.G.	LOCATION Juneau	GOV	APPROV.	DISAPP.					
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG						
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:								
	1	2	3											
4	PERSONAL SERVICES: SALARY 2291		27,492		<p>Necessary to implement Senate Bill #6 - "An Act Establishing the Alaska Administrative Journal."</p> <p>This position will assist the Program Coordinator in publishing the Alaska Administrative Journal.</p> <p>Responsible for the collection, analysis and organization of all notices from agencies into proper format for publishing.</p>									
5	BENEFITS		4,341											
6	FICA		1,685											
7	HEALTH INS.		1,800											
8	TOTAL PERSONAL SERVICES		01	35.3										
9	TRAVEL		02											
10	CONTRACTUAL		03	2.7										
11	COMMODITIES		04	.2										
12	EQUIPMENT		05	1.1										
13	OTHER													
14	TOTAL COST			39.3										
15	CODE	FUNDING SOURCE												
16		FED RCPTS. 1002												
17		GF MATCH. 1003												
18		GEN. FUND 1004			19.7									
19		I-A RCPTS. 1005												
20		PGM RCPTS 1028			19.6									
21	CONTINUATION													
22	ADDITION		FOR B&M USE ONLY											
4A KEY NUMBER _____ COLUMN NO. _____														

AGENCY Administration PROGRAM Centralized Administrative Services

BRU General Services

13 REQUEST FOR NEW POSITION.

COMPONENT _____

Page _____ of _____

REVISED DATE _____

FY 82

1	POSITION TITLE Publication Technician			RANGE/STEP 12 B	BARG. UNIT. G.G.	LOCATION Juneau	GOV.	APPROV.	DRAFT					
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.						
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:								
	1	2	3											
4	PERSONAL SERVICES: SALARY 1814 mo.		21,768		<p>Necessary to implement Senate Bill #6 - "An Act Establishing the Alaska Administrative Journal."</p> <p>This position will provide technical and related support in the publishing and final distribution of the Alaska Administrative Journal.</p> <p>Duties to include review and preparation of formats; cost controls of publications, control of distribution.</p>									
5	BENEFITS		3,437											
6	FICA		1,334											
7	HEALTH INS.		1,800											
8	TOTAL PERSONAL SERVICES 01		28.3											
9	TRAVEL 02													
10	CONTRACTUAL 03		7.2											
11	COMMODITIES 04		.2											
12	EQUIPMENT 05		3.1											
13	OTHER													
14	TOTAL COST		38.8											
15	CODE	FUNDING SOURCE												
16		FED RCPTS. 1002												
17		GF MATCH. 1003												
18		GEN. FUND 1004		19.4										
19		I-A RCPTS. 1005												
20		PGM RCPTS 1028		19.4										
21	CONTINUATION													
22	ADDITION		FOR B&M USE ONLY											
4A KEY NUMBER		COLUMN NO.												

AGENCY Administration PROGRAM Centralized Administrative Services

BRU General Services

13 REQUEST FOR NEW POSITION.

COMPONENT _____

Page _____ of _____

REVISED DATE _____

FY 82