

HB

114

# HOUSE COMMITTEE REPORT

(7)

Date Referred: January 25, 1989

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: \_\_\_\_\_

The STATE AFFAIRS Committee recommends that:

HOUSE BILL NO. 114 [LEG COUNCIL REVIEW OF COURT OPINIONS]  
"An Act relating to the examination of regulations and of opinions and decisions issued by courts and agencies on the law of the state."

[ ] be replaced with \_\_\_\_\_ [ ] the same title  
[ ] a new title

[ ] have attached amendment(s)

- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact
- zero fiscal note
- zero with analysis

APPROVES PREVIOUS:

- fiscal note(s) published: \_\_\_\_\_
- zero fiscal notes(s) published: \_\_\_\_\_

SIGNING DO PASS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNING OTHER THAN DO PASS:  
(Do Not Pass, No Recommendation, Amend)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman's signature

Item 2

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act relating to the examination of regulations and of opinions and decisions...  
Sponsor: House Judiciary  
Requestor: House State Affairs

Affect Agency Legislative Affairs Agency  
BRU: Legislative Council BRU  
Components Legal Services

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services	0	0	0	0	0	0
Travel	0	0	0	0	0	0
Contractual	0	0	0	0	0	0
Supplies	0	0	0	0	0	0
Equipment	0	0	0	0	0	0
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	0	0	0	0	0	0
Federal Fund						
Other						
TOTAL	0	0	0	0	0	0

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

There would not be a fiscal impact for the Division of Legal Services under the Legislative Council BRU relating to adding examination of common law. However, it should be noted that the annual examination of administrative regulations and final decisions adopted under the Administrative

Prepared By: Pamela Stoops, Director Phone: 465-3850  
Division: Administrative Services Date: 2/6/89

Approved By: Warren Endicott, Executive Director  
Agency: Legislative Affairs Agency Date: 2/6/89

DISTRIBUTION (BY PREPARER)  
LEGISLATIVE FINANCE  
LEGISLATIVE SPONSOR

REQUESTOR  
OFFICE OF MANAGEMENT & BUDGET  
AGENCY (IES)

CONTINUATION OF FISCAL NOTE - HB 114

ANALYSIS (continued)

Procedure Act is not currently being done by Legal Services for Legislative Council.

The Administrative Regulation Review Committee is in charge of administrative regulations.

There are insufficient funds at this time to support the attorney time needed to fully examine the administrative regulations and Administrative Procedures Act. A substantial fiscal impact would be realized to comply with these aspects of this statute.

# Alaska State Legislature



House of Representatives  
House Judiciary Committee

P. O. Box V  
State Capitol  
Juneau, Alaska 99811  
~~(907) 586-2300~~  
465-4968, 465-4986

February 7, 1989

MEMORANDUM

TO: Rep. Red Boucher  
Chair, State Affairs Committee

FROM: Rep. Max Gruenberg and Rep. Peter Goll, Co-Chairmen  
Judiciary Committee

Re: Analysis of HB 114, relating to the examination  
of regulations and of opinions and decisions issued by  
courts and agencies on the law of the state

HB 114 would amend AS 24.20.065(a). That statute requires the legislative council to annually review judicial and administrative decisions and administrative regulations for their effect on state law. HB 114 amends the statute to include a review for the effects of court decisions on state common law (non-statutory) provisions.

Thank you for providing a prompt hearing on the bill.

## TABLE OF CONTENTS

### HB 114: Leg Council Review of Court Opinions

- Item 1: HB 114 by The Judiciary Committee
- Item 2: Fiscal Note and Analysis
- Item 3: Memorandum from the Judiciary Committee  
February 7, 1989

HOUSE COMMITTEE ON STATE AFFAIRS

RECAP OF  
HB 114

Leg Council Review of Court Opinions

Received January 25, 1989  
by the Judiciary Committee

Heard February 14, 1989

Passed Out of Committee February 14, 1989  
5 Do Pass  
1 No Recommendation

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 15, 1989

FURTHER REFERRALS:

Date of Committee Action: \_\_\_\_\_

The JUDICIARY Committee considered:

HB 114

HOUSE BILL NO. 114 [LEG COUNCIL REVIEW OF COURT OPINIONS]
"An Act relating to the examination of regulations and of opinions and decisions issued by courts and agencies on the law of the state."

RECOMMENDS:

- [ ] replacing with \_\_\_\_\_ [ ] the same title [ ] a new title
[ ] the attached amendment(s)
[X] do pass
[ ] do not pass
[ ] no recommendation
[ ] individual recommendations
[ ] additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- [ ] fiscal impact
[ ] zero fiscal note
[ ] zero with analysis

APPROVES PREVIOUS:

- [ ] fiscal note(s) published:
[X] zero fiscal notes(s) published:
LENN SELLICKS 2/15/89

SIGNING DO PASS:

Handwritten signatures: Peter J... Terry Martin, Cliff Davidson, Mike Hill, J. Ellis, Mike Davis

SIGNING OTHER THAN DO PASS: (Do Not Pass, No Recommendation, Amend)

Blank lines for signatures under 'SIGNING OTHER THAN DO PASS'

Handwritten signature of Peter J...
Chairman's signature

*House Judiciary  
Sponsored bill*

*now in H. File*

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act relating to the examination  
of regulations and of opinions and decisions...  
Sponsor: House Judiciary  
Requestor: Senate Finance

Affect Agency: Legislative Affairs Agency  
BRU: Legislative Council BRU  
Components: Legal Services

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services	0	0	0	0	0	0
Travel	0	0	0	0	0	0
Contractual	0	0	0	0	0	0
Supplies	0	0	0	0	0	0
Equipment	0	0	0	0	0	0
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	0	0	0	0	0	0
Federal Fund						
Other						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Zero fiscal impact.

Prepared By: Pamela Stoops, Director  
Division: Administrative Services

*Pamela Stoops*

Phone: 465-3850  
Date: 4/10/89

Approved By: Warren Endicott, Executive Director  
Agency: Legislative Affairs Agency

*Warren Endicott*

Date: 4/10/89

DISTRIBUTION (BY PREPARER)  
LEGISLATIVE FINANCE  
LEGISLATIVE SPONSOR

REQUESTOR  
OFFICE OF MANAGEMENT & BUDGET  
AGENCY (IES)