

**HB**

**234**

TONY KNOWLES  
GOVERNOR



P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 465-3500  
Fax (907) 465-3532

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

March 6, 1995

The Honorable Gail Phillips  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Speaker Phillips:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to administrative adjudication under the Administrative Procedure Act (APA).

This bill would make changes to the APA in order to streamline, and cut costs of, administrative adjudication. Technical amendments to the affected sections are also made in the bill for clarification and simplification. The changes made in this bill will assist in reducing costs and providing more clarity to participants in administrative adjudications.

Sections 1, 2, and 9 of the bill allow the use of certified, rather than registered mail. The latter is more expensive and provides no better notice than the former. Registered mail costs \$2 more than certified, and is metal-tagged to allow for easier tracing if it is lost in transit; it is more appropriately used when the actual contents of the mail are valuable or irreplaceable. Section 1 of the bill also provides for service of a statement of issues by mailing to the last address provided by the applicant.

Under existing AS 44.62.410(a), the place of a hearing is determined by the senate districts as they existed in 1959 (i.e., Southeastern Senate District). In a note following that statute, the revisor of statutes has noted that those old senate districts are somewhat similar to the boundaries of judicial districts established under AS 22.10.010. Section 3 of the bill amends AS 44.62.410(a) to change the terminology to instead refer to the comparable judicial district.

Section 4 of the bill provides for routine telephonic participation in hearings. Current law gives any party veto power over telephonic hearings. In this electronic age, telephonic

participation should be routinely allowed absent some due process reason compelling personal attendance. This change will allow substantial savings to the state and respondents.

In sec. 5 of the bill, reimbursement for witness subsistence expenses is raised from \$15 a day, set in 1959, to the compensation amount paid to state employees. The new rate was chosen because court rules for witness travel compensation require compensation at "the rate allowed state employees." In sec. 5, the source of that rate is identified. Sections 5 and 6 of the bill contain technical changes to make other witness fee provisions of AS 44.62.430 more understandable.

Section 7 of the bill provides express authorization for discovery. Presently, the APA provides a limited and cumbersome process for taking depositions, and no other discovery is authorized.

Section 8 of the bill provides an express statement of the burden and standard of proof. A consistent standard is needed because hearing officers are now assigning varying standards of proof: either the "preponderance of the evidence" standard or the "clear and convincing evidence" standard. The "preponderance of the evidence" standard is the most appropriate. In Amerada Hess Pipeline v. Alaska Public Utilities Commission, 711 P.2d 1170, 1179 n.14 (Alaska 1986), the Alaska Supreme Court held that "[a] party in an administrative proceeding can assume that preponderance of the evidence is the standard of proof unless otherwise stated."

The "clear and convincing" standard of proof is rarely used by the Alaska courts. At common law, this higher standard was used in cases involving fraud; oral contracts to make a will; specific performance on an oral contract; and proceedings to modify written transactions. However, Alaska has departed from the common law so that no more than a preponderance of the evidence is necessary to establish fraud. Dairy Queen v. Travelers Indemnity, 748 P.2d 1169 (Alaska 1988); Gabaig v. Gabaig, 717 P.2d 835, 839 n. 4 (Alaska 1986); Saxton v. Harris, 395 P.2d 71, 72 (Alaska 1964). In Cavanah v. Martin, 590 P.2d 41 (Alaska 1979), the court reversed a lower court decision that required clear and convincing proof of a claim against an estate, holding that such claims need only be proved by a preponderance of the evidence.

A judicial determination to waive children's court jurisdiction over a juvenile, and to subject the juvenile to adult criminal court jurisdiction, is based on a preponderance of the evidence standard of proof. W.M.F. v. State, 723 P.2d 1298 (Alaska 1986). In Avery v. State, the court held that the use of a preponderance standard was appropriate in a parole revocation hearing. 616 P.2d 872, 874 (Alaska 1980). In order to adjudicate a child as a

The Honorable Gail Phillips  
Page 3

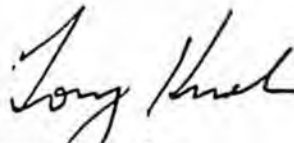
child in need of aid (which generally results in state custody over the child for a period of years), the preponderance standard applies. Children's Rule 15(c). The clear and convincing standard does not apply unless the court is also terminating parental rights. Id.

The Alaska Supreme Court has held that the use of the preponderance standard, rather than the clear and convincing standard was proper in attorney discipline cases. In re Walton, 676 P.2d 1078, 1085 n. 11 (Alaska 1983); In re Robson, 575 P.2d 771 (Alaska 1978); cf. In re Hanson, 532 P.2d 303 (Alaska 1975) ("clear and convincing" standard applied to judicial discipline case).

Section 10 of the bill clarifies the time period for requesting reconsideration of an agency decision. Some respondents (including those represented by attorneys) have viewed AS 44.62.540(a) as allowing a full 30 days to file a petition for reconsideration, giving no time for the agency to review the petition and determine whether to order reconsideration. The amended language will clearly inform a respondent of the limited time in which he or she may file a petition for reconsideration. The amended language was taken from comparable court rules. See Civil Rule 77(k) and App. Rule 506(b).

I urge your favorable action on this bill.

Sincerely,



Tony Knowles  
Governor

HOUSE COMMITTEE REPORT

3/20/95

(7)

Date Referred: March 6, 1995

FURTHER REFERRALS:

Judiciary

Date of Committee Action: March 18

The STATE AFFAIRS Committee considered:

HB 234

HOUSE BILL NO. 234

ADMINISTRATIVE ADJUDICATIONS

"An Act relating to administrative adjudication under the Administrative Procedure Act."

recommends it be replaced with the following committee substitute \_\_\_\_\_ [ ] the same title [ ] a new title

[ ] additional referral to \_\_\_\_\_ Committee  
 [ ] attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
 [ ] fiscal note(s) \_\_\_\_\_ [ ] fiscal note(s) \_\_\_\_\_

[ ] zero fiscal note(s) \_\_\_\_\_ (15) [ ] zero fiscal note(s) (4) CEI, (2) DOE, Admin. }  
 DEC, F&G, H&SS, Labor, Law, P.S. }  
 3/16/95-DSTPF, DNR - 3/8/95

| SIGNING WITH RECOMMENDATIONS |          | DP  | DNP | NR  | AM |
|------------------------------|----------|-----|-----|-----|----|
| <i>Jeannette James</i>       | JAMES    | ✓   |     |     |    |
| <i>James Green</i>           | GREEN    | ✓   |     |     |    |
| <i>Ivan Robinson</i>         | ROBINSON |     |     | ✓   |    |
|                              |          | (3) |     | (1) |    |
|                              |          |     |     |     |    |
|                              |          |     |     |     |    |
|                              |          |     |     |     |    |
|                              |          |     |     |     |    |
|                              |          |     |     |     |    |

CHAIR'S SIGNATURE *Jeannette James*  
 James

# FISCAL NOTE

No. 15  
 Bill Version: HL 234  
 (H) Publish Date: 3/8/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: Original  
 Title: Amend APA Hearing Procedures

Dept Affected: Natural Resources  
 BRU: Management & Administration  
 Component: Commissioner's Office

Sponsor: \_\_\_\_\_  
 Requestor: Governor Component Serial No. 423

| Expenditures/Revenues       | (Thousands of Dollars) |      |      |      |      |      |
|-----------------------------|------------------------|------|------|------|------|------|
| OPERATING EXPENDITURES      | FY96                   | FY97 | FY98 | FY99 | FY00 | FY01 |
| PERSONAL SERVICES           |                        |      |      |      |      |      |
| TRAVEL                      |                        |      |      |      |      |      |
| CONTRACTUAL                 |                        |      |      |      |      |      |
| SUPPLIES                    |                        |      |      |      |      |      |
| EQUIPMENT                   |                        |      |      |      |      |      |
| LAND & STRUCTURES           |                        |      |      |      |      |      |
| GRANTS, CLAIMS              |                        |      |      |      |      |      |
| MISCELLANEOUS               |                        |      |      |      |      |      |
| <b>TOTAL OPERATING</b>      | 0.0                    | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |
| <b>CAPITAL EXPENDITURES</b> | 0.0                    | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |
| <b>CHANGE IN REVENUES</b>   | 0.0                    | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |

| FUND SOURCE              | (Thousands of Dollars) |     |     |     |     |     |
|--------------------------|------------------------|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |                        |     |     |     |     |     |
| 1003 GF Match            |                        |     |     |     |     |     |
| 1004 GF                  |                        |     |     |     |     |     |
| 1005 GF/Program Receipts |                        |     |     |     |     |     |
| 1006 GF/MTIA             |                        |     |     |     |     |     |
| Other                    |                        |     |     |     |     |     |
| <b>TOTAL</b>             | 0.0                    | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY95) cost: \$ None

| POSITIONS | FY96 | FY97 | FY98 | FY99 | FY00 | FY01 |
|-----------|------|------|------|------|------|------|
| 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 is no anticipated fiscal impact for the Department of Natural Resources with implementation of this legislation.

Prepared by: Nico Bus, Acting Legislative Liaison Phone: 465-2406  
 Division: Support Services Date: 22-Feb-95  
 Approved by Commissioner: Nico Bus & John R. Smith Date: 2-22-95  
 Agency: Natural Resources

**COMMITTEE COPY**

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**  
 For further distribution information call the Governor's Legislative Office

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

## FISCAL NOTE

Revision Date: 2/10/95

Department Affected: DOT&amp;PF

Title: "An Act relating to administrative adjudication under the APA."

BRU: D &amp; C

Sponsor: Governor

Component: E &amp; O

Requestor:

Component Serial Number: 547

## EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING               | FY96 | FY97 | FY98 | FY99 | FY00 | FY01 |
|-------------------------|------|------|------|------|------|------|
| 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       | 0    | 0    | 0    | 0    | 0    | 0    |
| GRANTS, CLAIMS          | 0    | 0    | 0    | 0    | 0    | 0    |
| MISCELLANEOUS           | 0    | 0    | 0    | 0    | 0    | 0    |
| <b>TOTAL OPERATING:</b> | 0    | 0    | 0    | 0    | 0    | 0    |

|         |   |   |   |   |   |   |
|---------|---|---|---|---|---|---|
| CAPITAL | 0 | 0 | 0 | 0 | 0 | 0 |
|---------|---|---|---|---|---|---|

|                     |   |   |   |   |   |   |
|---------------------|---|---|---|---|---|---|
| REVENUE FUND SOURCE | 0 | 0 | 0 | 0 | 0 | 0 |
|---------------------|---|---|---|---|---|---|

## FUNDING: (Thousands of Dollars)

|                          |   |   |   |   |   |   |
|--------------------------|---|---|---|---|---|---|
| 1002 FEDERAL RECEIPTS    | 0 | 0 | 0 | 0 | 0 | 0 |
| 1003 GF MATCH            | 0 | 0 | 0 | 0 | 0 | 0 |
| 1004 GF                  | 0 | 0 | 0 | 0 | 0 | 0 |
| 1005 GF/PROGRAM RECEIPTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 1006 GF/MHTIA            | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER                    | 0 | 0 | 0 | 0 | 0 | 0 |
| <b>TOTAL FUNDING:</b>    | 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 |

Estimate of current year (FY95) impact: None

**ANALYSIS:** There would be some minor cost savings. The changes would improve the administrative hearing process for both for the state and the party appealing. DOT & PF conducts very few of these types of hearings only one maybe every couple of years.

Prepared by: Loren Rasmussen, P.E.

Phone: 465-2960

Division: Engineering and Operations Standards

Date: Feb. 22, 1995

Approved by Commissioner: Joseph L. Perkins, P.E.

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: Feb. 22, 1995

**COMMITTEE COPY** PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
For further distribution information call the Governor's Legislative Office

# FISCAL NOTE

No. 13  
 Bill Version: HB 234  
 (H) Publish Date: 3/6/95

## STATE OF ALASKA 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: Amend APA Hearing Procedures DPS Statewide Support  
 \_\_\_\_\_ Component: Commissioner's Office  
 Sponsor: Rules/Governor  
 Requestor: Governor's Office COMPONENT SERIAL NO. 0523

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

| OPERATING                     | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|-------------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES             |       |       |       |       |       |       |
| TRAVEL                        |       |       |       |       |       |       |
| CONTRACTUAL                   |       |       |       |       |       |       |
| SUPPLIES                      |       |       |       |       |       |       |
| EQUIPMENT                     |       |       |       |       |       |       |
| LAND & STRUCTURES             |       |       |       |       |       |       |
| GRANTS, CLAIMS                |       |       |       |       |       |       |
| MISCELLANEOUS                 |       |       |       |       |       |       |
| <b>TOTAL OPERATING</b>        | -0-   | -0-   | -0-   | -0-   | -0-   | -0-   |
| <b>CAPITAL EXPENDITURES</b>   | -0-   | -0-   | -0-   | -0-   | -0-   | -0-   |
| <b>CHANGE IN REVENUES ( )</b> | -0-   | -0-   | -0-   | -0-   | -0-   | -0-   |
| <small>Revenue Code</small>   |       |       |       |       |       |       |

**FUNDING: (Thousands of Dollars)**

|                          |     |     |     |     |     |     |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |     |     |     |     |     |     |
| 1003 GF Match            |     |     |     |     |     |     |
| 1004 GF                  |     |     |     |     |     |     |
| 1005 GF/Program Receipts |     |     |     |     |     |     |
| 1006 GF/MHTIA            |     |     |     |     |     |     |
| Other                    |     |     |     |     |     |     |
| <b>TOTAL</b>             | -0- | -0- | -0- | -0- | -0- | -0- |

Estimate of current year (FY 95) impact: \$ \_\_\_\_\_

**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.)**  
 No fiscal impact is anticipated to the Department of Public Safety

Prepared By: Lee Ann Lucas, Special Assistant to the Commissioner Phone: 465-4322  
 Division: Commissioner's Office Date: 2/23/95  
 Approved by Commissioner: *Ronald L. Otte* Date: 2/23/95  
 Agency: Ronald L. Otte, Dept. of Public Safety

**COMMITTEE COPY** PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO.

ANALYSIS CONTINUATION:

to the comparable judicial district.

Section 4 of the bill provides for routine telephonic participation in hearings. Current law gives any party veto power over telephonic hearings. In this electronic age, telephonic participation should be routinely allowed absent some due process reason compelling personal attendance. This change will allow substantial savings to the state and respondents.

Sections 5 and 6 of the bill contain technical changes to make the witness fee provisions of AS 44.62.430 more understandable. For example, AS 44.62.430(c)(1) authorizes "fees," but does not state how to calculate the amount. The statute taken as a whole indicates an intention to use the court fee structure. Existing AS 44.62.430(c)(2), relating to travel expenses, is amended by sec. 5 of the bill to directly refer the reader to the state reimbursement rates used for the majority of state employees.

Section 7 of the bill provides express authorization for discovery. Presently, the APA provides a limited and cumbersome process for taking depositions, and no other discovery is authorized.

Section 8 of the bill provides an express statement of the burden and standard of proof. A consistent standard is needed because hearing officers are now assigning varying standards of proof: either the "preponderance of the evidence" standard or the "clear and convincing evidence" standard. The "preponderance of the evidence" standard is the most appropriate. In Amerada Hess Pipeline v. Alaska Public Utilities Commission, 711 P.2d 1170, 1179 n.14 (Alaska 1986), the Alaska Supreme Court held that "[a] party in an administrative proceeding can assume that preponderance of the evidence is the standard of proof unless otherwise stated."

The "clear and convincing" standard of proof is rarely used by the Alaska courts. At common law, this higher standard was used in cases involving fraud; oral contracts to make a will; specific performance on an oral contract; and proceedings to modify written transactions. However, Alaska has departed from the common law so that no more than a preponderance of the evidence is necessary to establish fraud.

Section 10 of the bill clarifies the time period for requesting reconsideration of an agency decision. Some respondents (including those represented by attorneys) have viewed AS 44.62.540(a) as allowing a full 30 days to file a petition for reconsideration, giving no time for the agency to review the petition and determine whether to order reconsideration. The amended language will clearly inform a respondent of the limited time in which he or she may file a petition for reconsideration. The amended language was taken from comparable court rules.

The changes included in the bill will reduce costs for state agencies and the public, and clarify and simplify certain sections of the APA. In an era of rising costs and falling revenues this is an important improvement in how the state conducts its business. To the extent that the Department of Law represents state agencies in administrative adjudications the bill will help contain the department's costs.

**COMMITTEE COPY**

# FISCAL NOTE

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Department of Law  
 Title: "An Act relating to administrative adjudication  
under the Administrative Procedure Act." BRU: Legal Services  
 Sponsor: Rules by Request of the Governor Component: Operations  
 Requester: Governor's Office/OMB COMPONENT SERIAL NO. 0093

**Expenditures/Revenues (Thousands of Dollars)**

| OPERATING EXPENDITURES        | FY 96      | FY 97      | FY 98      | FY 99      | FY 00      | FY 01      |
|-------------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES             |            |            |            |            |            |            |
| TRAVEL                        |            |            |            |            |            |            |
| CONTRACTUAL                   |            |            |            |            |            |            |
| SUPPLIES                      |            |            |            |            |            |            |
| EQUIPMENT                     |            |            |            |            |            |            |
| LAND & STRUCTURES             |            |            |            |            |            |            |
| GRANTS, CLAIMS                |            |            |            |            |            |            |
| MISCELLANEOUS                 |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b>        | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |
| <b>CAPITAL EXPENDITURES</b>   |            |            |            |            |            |            |
| <b>CHANGE IN REVENUES ( )</b> |            |            |            |            |            |            |

**FUND SOURCE (Thousands of Dollars)**

| FUND SOURCE           | FY 96      | FY 97      | FY 98      | FY 99      | FY 00      | FY 01      |
|-----------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts |            |            |            |            |            |            |
| 1003 GF Match         |            |            |            |            |            |            |
| 1004 GF               |            |            |            |            |            |            |
| 1005 Program Receipts |            |            |            |            |            |            |
| 1006 GF/MHTIA         |            |            |            |            |            |            |
| Other                 |            |            |            |            |            |            |
| <b>TOTAL</b>          | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY95) cost: \$ 0093

**POSITIONS**

| POSITIONS | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL-TIME | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   |
| PART-TIME |       |       |       |       |       |       |
| TEMPORARY |       |       |       |       |       |       |

**ANALYSIS:** (Attach a separate page if necessary)

This bill would make changes to the Administrative Procedure Act (APA) in order to streamline, and cut costs of, administrative adjudication. Technical amendments to the affected sections are also made in the bill for clarification and simplification. The changes made in this bill will assist in reducing costs and providing more clarity to participants in administrative adjudications.

Sections 1,2, and 9 of the bill allow the use of certified, rather than registered mail. The latter is more expensive and provides no better notice than the former.

Under existing AS 44.62.410(a), the place of a hearing is determined by the senate districts as they existed in 1959 (i.e., Southeastern Senate District). In a note following that statute, the revisor of statutes has noted that those old senate districts are somewhat similar to the boundaries of judicial districts established under AS 22.10.010. Section 3 of the bill amends AS 44.62.410(a) to change the terminology to instead refer

Prepared by: Richard I. Peques, Director Phone: 465-3672  
 Division: Administrative Services Division Date: 2/23/95  
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 2/23/95  
 Agency: Department of Law

**COMMITTEE COPY** PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information, call the Governor's Legislative Office

# FISCAL NOTE

No. 11  
 II Version: HB 234  
 (H) Publish Date: 3/6/95

**STATE OF ALASKA  
 1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_  
 Title: "An act relating to administrative adjudication under the Administrative Procedure Act"  
 Sponsor: Rules Committee  
 Requestor: Governor

Department Affected: Labor  
 BRU: All  
 Component: All  
 COMPONENT SERIAL NO. 340

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

| OPERATING              | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES      |       |       |       |       |       |       |
| TRAVEL                 |       |       |       |       |       |       |
| CONTRACTUAL            |       |       |       |       |       |       |
| SUPPLIES               |       |       |       |       |       |       |
| EQUIPMENT              |       |       |       |       |       |       |
| LAND & STRUCTURES      |       |       |       |       |       |       |
| GRANTS, CLAIMS         |       |       |       |       |       |       |
| MISCELLANEOUS          |       |       |       |       |       |       |
| <b>TOTAL OPERATING</b> | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   |

|         |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|
| CAPITAL |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|

|                                 |  |  |  |  |  |  |
|---------------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUE FUND SOURCE # |  |  |  |  |  |  |
|---------------------------------|--|--|--|--|--|--|

**FUNDING:** (Thousands of Dollars)

|                         |     |     |     |     |     |     |
|-------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts   |     |     |     |     |     |     |
| 1003 GF Match           |     |     |     |     |     |     |
| 1004 GF                 |     |     |     |     |     |     |
| 1005 GF/Program Receipt |     |     |     |     |     |     |
| 1006 GF/MHTIA           |     |     |     |     |     |     |
| Other                   |     |     |     |     |     |     |
| <b>TOTAL</b>            | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

**POSITIONS:**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

Estimate of current year (FY95) impact: \$ None

**ANALYSIS:** (Attach a separate page if necessary)

This Bill would make changes to the Administrative Procedures Act to streamline and reduce the cost of the administrative adjudication process. There would not be a fiscal impact on the department.

Prepared by: Arbe Williams, Director Phone: 465-2720  
 Division: Administrative Services Date: 2/27/95  
 Approved by Commissioner: Tom Cashen, Commissioner  
 Agency: Department of Labor Date: 2/27/95

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**  
 For further distribution information call the Governor's Legislative Office

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

No. 10  
Bill Version: HR 234  
(H) Publish Date: 3/6/95

Revision Date: \_\_\_\_\_  
Title: Amend APA Hearing Procedures  
Sponsor: Governor  
Requestor: \_\_\_\_\_

Dept. Affected: Health and Social Services  
BRU: Administrative Services  
Component: Commissioner's Office  
COMPONENT SERIAL NO. 317  
See also (SN#): \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

| OPERATING              | FY96       | FY97       | FY98       | FY99       | FY00       | FY01       |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      |            |            |            |            |            |            |
| TRAVEL                 |            |            |            |            |            |            |
| CONTRACTUAL            |            |            |            |            |            |            |
| SUPPLIES               |            |            |            |            |            |            |
| EQUIPMENT              |            |            |            |            |            |            |
| LAND & STRUCTURES      |            |            |            |            |            |            |
| GRANTS, CLAIMS         |            |            |            |            |            |            |
| MISCELLANEOUS          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                         |  |  |  |  |  |  |
|-------------------------|--|--|--|--|--|--|
| CHANGES IN REVENUES ( ) |  |  |  |  |  |  |
|-------------------------|--|--|--|--|--|--|

FUND SOURCE

(Thousands of Dollars)

|                          |            |            |            |            |            |            |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |
| 1004 GF                  |            |            |            |            |            |            |
| 1005 GF/Program Receipts |            |            |            |            |            |            |
| 1006 GF/MHTIA            |            |            |            |            |            |            |
| Other (please specify)   |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

POSITIONS:

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact on the Department of Health and Social Services if this bill were to become law.

Prepared by: Janet Clarke  
Division: Administrative Services

Phone: 465-3082  
Date: 02/27/95

Approved by Commissioner:   
Agency: Department of Health & Social Services

Date: 2/28/95

**COMMITTEE COPY** PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
For further distribution information, call the Governor's Legislative Office

# FISCAL NOTE

No. 9  
 Bill Vers. : HB 234  
 (H) Publish Date: 3/6/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title: Amend APA Hearing Procedures BRU: Administration and Support  
 Component: Commissioner's Office

Sponsor: \_\_\_\_\_  
 Requester: \_\_\_\_\_ COMPONENT SERIAL NO. 477

**Expenditures/Revenues** (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96      | FY 97      | FY 98      | FY 99      | FY 00      | FY 01      |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| TRAVEL                 | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| CONTRACTUAL            | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| SUPPLIES               | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| EQUIPMENT              | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| LAND & STRUCTURES      | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| GRANTS, CLAIMS         | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| MISCELLANEOUS          | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                        |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES ( ) |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |            |            |            |            |            |            |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |
| 1004 GF                  |            |            |            |            |            |            |
| 1005 GF/Program Receipts |            |            |            |            |            |            |
| 1006 GF/MHTIA            |            |            |            |            |            |            |
| Other                    |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY95) cost:  $\downarrow$  0.0

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: Gen. Bruce Deery Phone: 465-8143  
 Division: Commissioner's Office Date: 2/28/95  
 Approved by Commissioner: [Signature] Date: 2/27/95  
 Agency: \_\_\_\_\_

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Bill Version: 8 HB 234  
(H) Publish Date: 3/6/95

Revision Date: \_\_\_\_\_ Dept. Affected: EDUCATION  
 Title: An Act amending APA Hearing BRU: ACPE  
 Procedures: \_\_\_\_\_ Component: Program Administration  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Sponsor: \_\_\_\_\_  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 212

**Expenditures/Revenues:** (Thousands of Dollars)

| OPERATING              | FY96       | FY97       | FY98       | FY99       | FY00       | FY01       |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      |            |            |            |            |            |            |
| TRAVEL                 |            |            |            |            |            |            |
| CONTRACTUAL            |            |            |            |            |            |            |
| SUPPLIES               |            |            |            |            |            |            |
| EQUIPMENT              |            |            |            |            |            |            |
| LAND & STRUCTURES      |            |            |            |            |            |            |
| GRANTS, CLAIMS         |            |            |            |            |            |            |
| MISCELLANEOUS          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|         |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|
| CAPITAL |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| REVENUE FUND SOURCE: |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

**FUNDING:** (Thousands of Dollars)

|                          |            |            |            |            |            |            |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |
| 1004 GF                  | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| 1005 GF/Program Receipts |            |            |            |            |            |            |
| 1006 GF/MHTIA            |            |            |            |            |            |            |
| Other:                   |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

**POSITIONS:**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

Estimate of current year (FY95) impact: \$ 00

**ANALYSIS:** (Attach a separate page if necessary)

ACPE would not be impacted by these changes. Zero fiscal impact.

Prepared by: Gillian R. Hays  
 Division: Alaska Commission on Postsecondary Education  
 Approved by Executive Director: Joe L. McCormick  
 Agency: ACPE

Phone: 465-6740  
 Date: Feb. 23, 1995  
 Date: Feb. 23, 1995

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information call the Governor's Legislative Office

# FISCAL NOTE

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: Amend APA Hearing Procedures  
 Sponsor: Governor Knowles  
 Requester: Governor Knowles

Department Affected: Education  
 BRU: Executive Administration  
 Component: Commissioner's Office

COMPONENT SERIAL NO. 185

**Expenditures/Revenues:**

(Thousands of Dollars)

| OPERATING              | FY 96      | FY 97      | FY 98      | FY 99      | FY 00      | FY 01      |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      |            |            |            |            |            |            |
| TRAVEL                 |            |            |            |            |            |            |
| CONTRACTUAL            |            |            |            |            |            |            |
| SUPPLIES               |            |            |            |            |            |            |
| EQUIPMENT              |            |            |            |            |            |            |
| LAND & STRUCTURES      |            |            |            |            |            |            |
| GRANTS, CLAIMS         |            |            |            |            |            |            |
| MISCELLANEOUS          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                |  |  |  |  |  |  |
|----------------|--|--|--|--|--|--|
| <b>CAPITAL</b> |  |  |  |  |  |  |
|----------------|--|--|--|--|--|--|

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>REVENUE FUND SOURCE:</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

**FUNDING:**

(Thousands of Dollars)

|                          |            |            |            |            |            |            |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |
| 1004 GF                  |            |            |            |            |            |            |
| 1005 GF/Program Receipts |            |            |            |            |            |            |
| 1006 GF/MHTIA            |            |            |            |            |            |            |
| Other                    |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

**POSITIONS:**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

Estimate of current year (FY95) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

This legislation makes limited changes to the Administrative Procedure Act in order to streamline administrative adjudication. These changes will clarify and simplify the APA, but will have little fiscal impact on the department.

Prepared by: Sheila Peterson, Special Assistant Phone: 465-2803  
 Division: Commissioner's Office Date: February 25, 1995  
 Approved by Commissioner: Mike Maher  
 Agency: Education Date: February 25, 1995

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information call the Governor's Legislative Office

# FISCAL NOTE

No. 6  
 Bill Version: HB 234  
 (H) Publish Date: 3/6/95

**STATE OF ALASKA  
 1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_  
 Title: ..relating to administrative adjudication  
under the Admin Procedure Act  
 Sponsor: n/a  
 Requestor: Gov Office

Department Affected: Environmental  
Conservation  
 BRU: Administration  
 Component: Commissioner's Office

COMPONENT SERIAL NO. 633

Expenditures/Revenues: (Thousands of Dollars)

| OPERATING EXPENDITURES        | FY 96      | FY 97      | FY 98      | FY 99      | FY 00      | FY 01      |
|-------------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES             | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| TRAVEL                        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| CONTRACTUAL                   | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| SUPPLIES                      | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| EQUIPMENT                     | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| LAND&STRUCTURES               | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| GRANTS,CLAIMS                 | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| MISCELLANEOUS                 | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| <b>TOTAL OPERATING</b>        | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |
| <b>CAPITAL EXPENDITURES</b>   | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |
| <b>CHANGE IN REVENUES ( )</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

FUND SOURCE

|                         |            |            |            |            |            |            |
|-------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts   | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| 1003 GF Match           | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| 1004 GF                 | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| 1005 GF/Program Receipt | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| 1006 GF/MHTIA           | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| Other                   | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| <b>TOTAL</b>            | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY95) cost: \$ 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.)

Prepared by: Larry Jones *Lawrence Jones*  
 Division: Director, Information and Administrative Services

Phone: 465-5010  
 Date: 2/24/95

Approved by Commissioner: \_\_\_\_\_  
 Agency: Department of Environmental Conservation Date: \_\_\_\_\_

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

**COMMITTEE COPY** For distribution information, call the Governor's Legislative Office

# FISCAL NOTE

o. 5  
 Bill Version: HB 234  
 (H) Publish Date: 3/6/95

**STATE OF ALASKA  
 1995 LEGISLATIVE SESSION**

Revision Date: February 21, 1995 Department: Commerce and Economic Development  
 Title: An Act relating to administrative adjudication BRU: Occupational Licensing  
 under the Administrative Procedure Act Component: Operations  
 Sponsor: Governor  
 Requestor: Governor COMPONENT SERIAL #: 1844

| Expenditures/Revenues  | (Thousands of Dollars) |       |       |       |       |       |
|------------------------|------------------------|-------|-------|-------|-------|-------|
| OPERATING EXPENDITURES | FY 96                  | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
| PERSONAL SERVICES      |                        |       |       |       |       |       |
| TRAVEL                 |                        |       |       |       |       |       |
| CONTRACTUAL            |                        |       |       |       |       |       |
| SUPPLIES               |                        |       |       |       |       |       |
| EQUIPMENT              |                        |       |       |       |       |       |
| LAND & STRUCTURES      |                        |       |       |       |       |       |
| GRANTS, CLAIMS         |                        |       |       |       |       |       |
| MISCELLANEOUS          |                        |       |       |       |       |       |
| <b>TOTAL OPERATING</b> | 0.0                    | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                    |  |  |  |  |  |  |
|--------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES |  |  |  |  |  |  |
|--------------------|--|--|--|--|--|--|

| FUND SOURCE              | (Thousands of Dollars) |     |     |     |     |     |
|--------------------------|------------------------|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |                        |     |     |     |     |     |
| 1003 GF Match            |                        |     |     |     |     |     |
| 1004 General Fund        |                        |     |     |     |     |     |
| 1005 GF/Program Receipts |                        |     |     |     |     |     |
| 1006 GF/MHTIA            |                        |     |     |     |     |     |
| Other                    |                        |     |     |     |     |     |
| <b>TOTAL</b>             | 0.0                    | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 95) cost: \$ 0.0

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

The bill makes several amendments to the Administrative Procedure Act; however, these changes will not require increased funding to implement. Establishing a "preponderance of the evidence" as a standard to be used in administrative hearings may even reduce investigative costs however, it is premature to estimate the impact of this standard.

Prepared by: Jennifer Strickler, Admin. Officer Phone: 465-2144  
 Division: Occupational Licensing Date: 2/21/95  
 Approved by Commissioner: William L. Hensley Date: 2/20/95  
 Agency: Commerce and Economic Development

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

**COMMITTEE COPY**

# FISCAL NOTE

No. 4  
 Version: HB 234  
 Publish Date: 3/6/95

**STATE OF ALASKA  
 1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_  
 Title: Administrative Procedure Act  
 Sponsor: Rules Committee  
 Requestor: Governor

Department: Commerce and Economic Development  
 BRU: Insurance  
 Component: Operallons  
 COMPONENT SERIAL NO. #354

| Expenditures/Revenues  | (Thousands of Dollars) |       |       |       |       |       |
|------------------------|------------------------|-------|-------|-------|-------|-------|
| OPERATING EXPENDITURES | FY 96                  | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
| PERSONAL SERVICES      |                        |       |       |       |       |       |
| TRAVEL                 |                        |       |       |       |       |       |
| CONTRACTUAL            |                        |       |       |       |       |       |
| SUPPLIES               |                        |       |       |       |       |       |
| EQUIPMENT              |                        |       |       |       |       |       |
| LAND & STRUCTURES      |                        |       |       |       |       |       |
| GRANTS, CLAIMS         |                        |       |       |       |       |       |
| MISCELLANEOUS          |                        |       |       |       |       |       |
| <b>TOTAL OPERATING</b> | 0.0                    | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                    |  |  |  |  |  |  |
|--------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES |  |  |  |  |  |  |
|--------------------|--|--|--|--|--|--|

| FUND SOURCE              | (Thousands of Dollars) |     |     |     |     |     |
|--------------------------|------------------------|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |                        |     |     |     |     |     |
| 1003 GF Match            |                        |     |     |     |     |     |
| 1004 General Fund        |                        |     |     |     |     |     |
| 1005 GF/Program Receipts |                        |     |     |     |     |     |
| 1006 GF/MHTIA            |                        |     |     |     |     |     |
| Other                    |                        |     |     |     |     |     |
| <b>TOTAL</b>             | 0.0                    | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 95) cost: \$ 0.0

| POSITIONS | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL-TIME | 0     | 0     | 0     | 0     | 0     | 0     |
| PART-TIME |       |       |       |       |       |       |
| TEMPORARY |       |       |       |       |       |       |

**ANALYSIS:** (Attach a separate page if necessary)  
 No fiscal impact.

|                           |   |                 |
|---------------------------|---|-----------------|
| Prepared by:              | Joan Brown, Administrative Officer <i>[Signature]</i> | Phone: 465-2597 |
| Division:                 | Insurance   | Date: 2/23/95   |
| Approved by Commissioner: | William L. Hensley <i>[Signature]</i>                 | Date: 2/24/95   |
| Agency:                   | Commerce and Economic Development                     |                 |

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**  
 For further distribution information, call the Governor's Legislative Office

# FISCAL NOTE

No. 3  
 Bill Version: HB 234  
 (H) Publish Date: 3/6/95

**STATE OF ALASKA**  
**1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_  
 Title: Administrative Adjudication under the Administrative Procedure Act  
 Sponsor: Rules Committee  
 Requestor: \_\_\_\_\_

Department Affected: Commerce and Economic Development  
 BRU: Banking, Securities and Corporations  
 Component: \_\_\_\_\_  
**COMPONENT SERIAL NO. 1233**

**Expenditures/Revenues:** (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96    | FY 97    | FY 98    | FY 99    | FY 00    | FY 01    |
|------------------------|----------|----------|----------|----------|----------|----------|
| 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      | 0        | 0        | 0        | 0        | 0        | 0        |
| GRANTS, CLAIMS         | 0        | 0        | 0        | 0        | 0        | 0        |
| MISCELLANEOUS          | 0        | 0        | 0        | 0        | 0        | 0        |
| <b>TOTAL OPERATING</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |

|                             |   |   |   |   |   |   |
|-----------------------------|---|---|---|---|---|---|
| <b>CAPITAL EXPENDITURES</b> | 0 | 0 | 0 | 0 | 0 | 0 |
|-----------------------------|---|---|---|---|---|---|

|                               |   |   |   |   |   |   |
|-------------------------------|---|---|---|---|---|---|
| <b>CHANGE IN REVENUES ( )</b> | 0 | 0 | 0 | 0 | 0 | 0 |
|-------------------------------|---|---|---|---|---|---|

**FUND SOURCE** (Thousands of Dollars)

|                          |          |          |          |          |          |          |
|--------------------------|----------|----------|----------|----------|----------|----------|
| 1002 Federal Receipts    | 0        | 0        | 0        | 0        | 0        | 0        |
| 1003 GF Match            | 0        | 0        | 0        | 0        | 0        | 0        |
| 1004 GF                  | 0        | 0        | 0        | 0        | 0        | 0        |
| 1005 GF/Program Receipts | 0        | 0        | 0        | 0        | 0        | 0        |
| 1006 GF/MHTIA            | 0        | 0        | 0        | 0        | 0        | 0        |
| Other                    | 0        | 0        | 0        | 0        | 0        | 0        |
| <b>TOTAL</b>             | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |

Estimate of current year (FY 95) cost: \$ 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.)

None.

Prepared by: Willis F. Kirkpatrick, Director  
 Division: Banking, Securities and Corporations  
 Approved by Commissioner: William L. Henslev  
 Agency: Commerce and Economic Development

Phone: 465-2521  
 Date: 2-23-95  
 Date: 2/24/95

**COMMITTEE COPY**  
 PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information call the Governor's Legislative Office

# FISCAL NOTE

No. 2  
 Bill Version: HB 234  
 (H) Publish Date: 3/6/95

**STATE OF ALASKA**  
**1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_  
 Title: "Relating to administrative adjudication under the  
Administrative Procedures Act"  
 Sponsor: Rules Committee  
 Requestor: Governor

Department Affected: Commerce and Economic Development  
 BRU: Alaska Public Utilities Commission  
 Component: \_\_\_\_\_  
 COMPONENT SERIAL NO. 364

**Expenditures/Revenues:** (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96    | FY 97    | FY 98    | FY 99    | FY 00    | FY 01    |
|------------------------|----------|----------|----------|----------|----------|----------|
| 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      | 0        | 0        | 0        | 0        | 0        | 0        |
| GRANTS, CLAIMS         | 0        | 0        | 0        | 0        | 0        | 0        |
| MISCELLANEOUS          | 0        | 0        | 0        | 0        | 0        | 0        |
| <b>TOTAL OPERATING</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |

|                             |   |   |   |   |   |   |
|-----------------------------|---|---|---|---|---|---|
| <b>CAPITAL EXPENDITURES</b> | 0 | 0 | 0 | 0 | 0 | 0 |
|-----------------------------|---|---|---|---|---|---|

|                               |   |   |   |   |   |   |
|-------------------------------|---|---|---|---|---|---|
| <b>CHANGE IN REVENUES ( )</b> | 0 | 0 | 0 | 0 | 0 | 0 |
|-------------------------------|---|---|---|---|---|---|

**FUND SOURCE** (Thousands of Dollars)

|                          |          |          |          |          |          |          |
|--------------------------|----------|----------|----------|----------|----------|----------|
| 1002 Federal Receipts    | 0        | 0        | 0        | 0        | 0        | 0        |
| 1003 GF Match            | 0        | 0        | 0        | 0        | 0        | 0        |
| 1004 GF                  | 0        | 0        | 0        | 0        | 0        | 0        |
| 1005 GF/Program Receipts | 0        | 0        | 0        | 0        | 0        | 0        |
| 1006 GF/MHTIA            | 0        | 0        | 0        | 0        | 0        | 0        |
| Other                    | 0        | 0        | 0        | 0        | 0        | 0        |
| <b>TOTAL</b>             | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |

Estimate of current year (FY 95) cost: \$ 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.)

According to AS 42.05.161(a), the Alaska Public Utilities Commission is exempt from the administrative adjudication provisions of the Administrative Procedures Act (APA) except for judicial review under AS 42.05.551(a).

The judicial review provisions of the APA are not affected by this bill.

Prepared by: Robert A. Lohr, Executive Director  
 Division: \_\_\_\_\_

Phone: 276-6222  
 Date: 2/21/95

Approved by Commissioner: William L. Hensley  
 Agency: Commerce and Economic Development

Date: 2/24/95

**COMMITTEE COPY**

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information call the Governor's Legislative Office

**FISCAL NOTE****STATE OF ALASKA  
1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to administrative adjudication under the  
Administrative Procedure Act." BRU: Various  
 Component: Various  
 Sponsor: \_\_\_\_\_  
 Requestor: \_\_\_\_\_ **COMPONENT SERIAL NO. 45**

**Expenditures/Revenues**

(Thousands of Dollars)

| <b>OPERATING EXPENDITURES</b> | <b>FY 96</b> | <b>FY 97</b> | <b>FY 98</b> | <b>FY 99</b> | <b>FY 00</b> | <b>FY 01</b> |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| PERSONAL SERVICES             | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| TRAVEL                        | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| CONTRACTUAL                   | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| SUPPLIES                      | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| EQUIPMENT                     | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| LAND & STRUCTURES             | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| GRANTS, CLAIMS                | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| MISCELLANEOUS                 | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          | 0.0          |
| <b>TOTAL OPERATING</b>        | <b>0.0</b>   | <b>0.0</b>   | <b>0.0</b>   | <b>0.0</b>   | <b>0.0</b>   | <b>0.0</b>   |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**FUND SOURCE**

(Thousands of Dollars)

|                                |            |            |            |            |            |            |
|--------------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts          |            |            |            |            |            |            |
| 1003 GF Match                  |            |            |            |            |            |            |
| 1004 GF                        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| 1005 GF/Program Receipts       |            |            |            |            |            |            |
| 1006 GF/MHTIA                  |            |            |            |            |            |            |
| 1081 Information Services Fund |            |            |            |            |            |            |
| <b>Total</b>                   | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of current year (FY 95) cost: \$ 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)

This bill will have minimal impact on the Department of Administration.

Prepared by: Sharon Barton, Director  
 Division: Administrative Services

Phone: 465-2277

Date: 2/27/95

Approved by Commissioner: Mark Bover  
 Agency: Administration

Date: 2/28/95**COMMITTEE COPY** PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office