

**HB**

**130**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 5/3/95

FURTHER:

DATE TURNED INTO OFFICE: 5-4-95

The Finance Committee considered CS FOR HOUSE BILL NO. 130(FIN) am(reengrossed)  
 "An Act relating to the adoption, amendment, and repeal of regulations."

and recommends:

- be replaced with 5 CS CS HB 130 (FIN)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:
- same title
  - new title
- House Bill:
- same title
  - technical change
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓	<i>[Signature]</i>	✓		
<i>[Signature]</i>	✓	<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal

<i>See listing</i>			

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

FISCAL NOTES

RE: HB 130 REGULATION ADOPTION PROCEDURES & REVIEW

<u>No.</u>	<u>Dept.</u>	<u>Date</u>	<u>Amount</u>
1.	DOA	2/13/95	0
<del>2.</del>	<del>Gov./Elections</del>	<del>2/02/95</del>	<del>0</del>
3.	DNR (Parks & Rec)	2/07/95	0
6.	Gov./Lt.Gov.	2/13/95	73.7
10.	DC&ED (Banking)	3/30/95	0
11.	DC&ED (Licensing)	4/03/95	0
12.	DC&ED (Insurance)	3/30/95	0
18.	DEC (Solid Waste)	4/26/95	10.0
19.	DEC (Wastewater)	4/24/95	4.5
20.	DEC (Drink.Water)	4/24/95	6.0
21.	DEC (Seafood San.)	4/24/95	6.5
22.	DEC (Palmer Lab.)	4/24/95	3.2
23.	DPS (Comm.Office)	4/17/95	5.0
24.	DOR	4/25/95	20.0
25.	DC&ED (APUC)	4/24/95	0
26.	DOE	4/24/95	0
27.	DEC (Contam.Sites)	4/24/95	0
28.	DEC (Gov.Prep.)	4/24/95	0
29.	DEC (U.G.Tanks)	4/24/95	0
30.	DEC (Indust.Prep)	4/24/95	0
31.	DH&SS (Comm.Office)	4/25/95	0
32.	DF&G (L.Entry)	4/24/95	0
33.	Gov. (HumanRights)	4/24/95	0
*34	Gov./Elections	2/02/95	0
*35	Gov.(Gov.Coord)	4/21/95	0
*36	DOLaw	4/25/95	0
*37	DOTPF	4/25/95	0

\*Applied to CSHB 130 (Fin).

Prepared by Senate Finance  
5/4/95

*#34 Replaces #2.*

FISCAL NOTE

Revision Date: 4/12/95 Department Affected: DOT&PF  
Title: " An Act relating to the adoption, amendment, and repeal of regulations BRU: D & C  
Sponsor: Representative Kelly Component: E & O  
Requestor: Representative Kelly 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
TOTAL OPERATING:	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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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
TOTAL FUNDING:	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: (Attach a separate page if necessary)

Minimal additional duties imposed by this legislation will be absorbed within the existing structure of present staff responsibilities.

Prepared by: Loren Rasmussen, P.E.

Phone: 465-2960

Division: Engineering and Operations Standards

Date: April 25, 1995

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

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: April 25, 1995

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Page 1 of 1

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# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: 4/25/95 Dept. Affected: Department of Law  
 Title: An Act relating to the adoption, amendment and BRU: Legal Services  
repeal of regulations. Component: Operations  
 Sponsor: Representative Kelly  
 Requester: Representative Kelly COMPONENT SERIAL NO. 0093

### Expenditures/Revenues (Thousands of Dollars)

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
<b>OPERATING EXPENDITURES</b>						
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						
CHANGE IN REVENUES						

### 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						
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: \$ 0.0

### POSITIONS

FULL-TIME	0.01	0.01	0.01	0.01	0.01	0.01
PART-TIME						
TEMPORARY						

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

The Judiciary Committee Substitute for HB 130 has resolved the legal problems referred to in the Department of Law's 2/06/95 fiscal note comments on the original version of the bill. Although there may be some minor delay in the final enactment of regulations changes, caused by the additional attention that agencies will be required to give to public comments, this added attention (and attendant minimal cost) is worth the delay. There will not be a fiscal impact for the Department of Law.

Prepared by: Richard I. Peoues, Director Phone: 465-3672  
 Division: Administrative Services Division 110 Date: 4/25/95  
 Approved by Commissioner: Bruce M. Gattuso, Attorney General Date: 4/25/95  
 Agency: Department of Law

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# FISCAL NOTE

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: 4/21/95 Dept. Affected: Office of the Governor  
 Title: An act relating to the adoption, amendment, and repeal of regulations BRU: Office of Management and Budget  
 Component: Governmental Coordination  
 Sponsor: Representative Kelly  
 Requester: \_\_\_\_\_ COMPONENT SERIAL NO. 18

**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	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE** (Thousands of Dollars)

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 Receipts	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)

This legislation would not add additional tasks that would require a fiscal note. The division's current procedures for promulgating regulations meet the intent of this bill.

Prepared by: Kerry Howard Analyst *Kerry Howard*  
 Division: Governmental Coordination  
 Approved by Commissioner: *David Kramer*  
 Agency: \_\_\_\_\_

Phone: 465-3562  
 Date: 4/21/95  
 Date: \_\_\_\_\_

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FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: "A Ac: relating to agency review of public comment on the adoption, amendment, repeal of regulations: ..."  
Sponsor: Representative Kelly  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Elective Operations  
Component: Elections  
COMPONENT SERIAL NO. 0021

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	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						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES						
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CHANGE IN						
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FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \_\_\_\_\_

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

Prepared by: David Koivuniemi, Acting Director  
Division: Division of Elections

Phone: 465-5405  
Date: 2-2-95

Approved by Commissioner: Lieutenant Governor Fran Ulmer  
Agency: Office of the Governor

Date: \_\_\_\_\_

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# FISCAL NOTE

No. 33

Bill Version: CS HB 130(FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Dept. Affected Governor

BRU: Human Rights Commission

Title: Relating to agency review or public  
comment on the adopt. am. and ...

Sponsor: Rep. Kelly

Requestor: \_\_\_\_\_

Components: \_\_\_\_\_

Serial # \_\_\_\_\_

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	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</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>REVENUE</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>

**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund	0.0	0.0	0.0	0.0	0.0	0.0
Federal Fund	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>

**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)**

see attached analysis

Prepared by: House Finance Committee

Rep. Mark Hanley, Co-Chair *MH*

Rep. Richard Foster, Co-Chair *RF*

Date: 4/24/95

Phone: 465-4939

Phone: 465-3789

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# FISCAL NOTE

No. 32

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Bill Version: CS HB 130 (FIN)  
(H) Publish Date: 4/28/95

Revision Date: 4/24/95 Dept. Affected: Fish and Game  
 Title: Agency review of public comment on the adoption, amendment, and repeal of regulations BRU: Commercial Fisheries (Limited) Entry Commission  
 Sponsor: Rep. Kelly Component: Limited Entry Program Administration  
 Requester: Rep. Kelly COMPONENT SERIAL NO. 0471

(Thousands of Dollars)

Expenditures/Revenues	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
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						
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CHANGE IN REVENUES ( )						
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(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 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

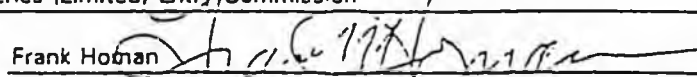
Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact. CFEC exempt under AS44.62.040(c) of CSHB 130 (JUD).

Prepared By: Roger Kolden Phone: 789-6160  
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/24/95  
 Approved by Commissioner: Frank Homan   
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/24/95

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FISCAL NOTE

No. 31

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Bill Version: CS HB 130 (FIN)  
(H) Publish Date: 4/28/95

Revision Date: \_\_\_\_\_ Dept. Affected: Health and Social Services  
 Title: An Act relating to the adoption, amendment, and  
repeal of regulations BRU: Administrative Services  
 Sponsor: Representative Kelly Component: Commissioner's Office  
 Requestor: House (FIN) COMPONENT SERIAL NO. 317  
 See also (SN#): \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	0.0					
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES	0.0					
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

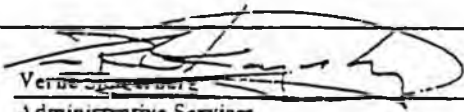
POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

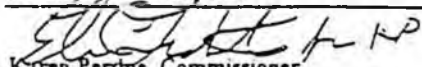
Estimate of any current year (FY95) cost: 0.0

ANALYSIS: (Attach a separate page if necessary)

Previous cost estimates were based on the requirement to develop an economically feasible method of complying with proposed regulatory actions. This version of the bill deletes this requirement.

Prepared by:   
 Division: Administrative Services

Phone: 465-3331  
 Date: 04/19/95

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

Date: 4/25/95

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FISCAL NOTE

No. 30

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: Regulation adoption procedures and review  
Sponsor: House Finance KELLY JAMES  
Requestor: \_\_\_\_\_

Department Affected: Environmental Conservation  
BRU: Soil Prevention and Response  
Component: Industry Preparedness Program

COMPONENT SERIAL NO. 1922

Expenditures/Revenues: (Thousands of Dollars)

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
<b>OPERATING EXPENDITURES</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>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 CF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 CF	0.0	0.0	0.0	0.0	0.0	0.0
1005 CF/Program Receipt	0.0	0.0	0.0	0.0	0.0	0.0
1006 CF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
1079 State Tank	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.)

The Industry Preparedness Program (IPP) currently prepares a written summary of agency responses to public comments on proposed regulations or changes to regulations. Therefore, the proposed amendment to HB 130 requiring a written response to comments will result in no additional operating costs for this program.

Prepared by: Larry Jones  
Division: Director, Division of Administrative Services

Phone: 465-5010  
Date: 4/24/95

Approved by Commissioner: [Signature]  
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

No. 29

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: Regulation adoption procedures and review  
Sponsor: House Finance KELLY JAMES  
Requestor: \_\_\_\_\_

Department Affected: Environmental Conservation  
BRU: Soil Prevention and Response  
Component: Underground Storage Tanks Program

COMPONENT SERIAL NO. 1207

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.01	0.01	0.01	0.01	0.01	0.01
TRAVEL	0.01	0.01	0.01	0.01	0.01	0.01
CONTRACTUAL	0.01	0.01	0.01	0.01	0.01	0.01
SUPPLIES	0.01	0.01	0.01	0.01	0.01	0.01
EQUIPMENT	0.01	0.01	0.01	0.01	0.01	0.01
LAND&STRUCTURES	0.01	0.01	0.01	0.01	0.01	0.01
GRANTS.CLAIMS	0.01	0.01	0.01	0.01	0.01	0.01
MISCELLANEOUS	0.01	0.01	0.01	0.01	0.01	0.01
TOTAL OPERATING	0.01	0.01	0.01	0.01	0.01	0.01

CAPITAL EXPENDITURES	0.01	0.01	0.01	0.01	0.01	0.01
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CHANGE IN REVENUES	0.01	0.01	0.01	0.01	0.01	0.01
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FUND SOURCE

1001 Federal Receipts	0.01	0.01	0.01	0.01	0.01	0.01
1003 GF Match	0.01	0.01	0.01	0.01	0.01	0.01
1004 GF	0.01	0.01	0.01	0.01	0.01	0.01
1005 GF/Program Receipts	0.01	0.01	0.01	0.01	0.01	0.01
1006 GF/MHTIA	0.01	0.01	0.01	0.01	0.01	0.01
1079 Storage Tank	0.01	0.01	0.01	0.01	0.01	0.01
TOTAL	0.01	0.01	0.01	0.01	0.01	0.01

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

POSITIONS:

FULL-TIME	01	01	01	01	01	01
PART-TIME	01	01	01	01	01	01
TEMPORARY	01	01	01	01	01	01

ANALYSIS: (Attach a separate page if necessary.)

The Underground Storage Tank Program currently prepares a written summary of agency responses to public comments on proposed regulations or changes to regulations. Therefore, the proposed amendment to HB 130 requiring a written response to comments will result in no additional operating costs for this program.

Prepared by: Larry Jones  
Division: Director, Division of Administrative Services

Phone: 465-5010  
Date: 4/24/95

Approved by: Commissioner  
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

No. 28

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: Regulation adoption procedures and review  
Sponsor: House Finance KELLY JAMES  
Requestor: \_\_\_\_\_

Department Affected: Environmental Conservation  
BRU: Soil Prevention and Response  
Component: Government Preparedness and Response

COMPONENT SERIAL NO. 1923

Expenditures/Revenues:	(Thousands of Dollars)					
	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING EXPENDITURES						
PERSONAL SERVICES	0.01	0.01	0.01	0.01	0.01	0.01
TRAVEL	0.01	0.01	0.01	0.01	0.01	0.01
CONTRACTUAL	0.01	0.01	0.01	0.01	0.01	0.01
SUPPLIES	0.01	0.01	0.01	0.01	0.01	0.01
EQUIPMENT	0.01	0.01	0.01	0.01	0.01	0.01
LAND&STRUCTURES	0.01	0.01	0.01	0.01	0.01	0.01
GRANTS.CLAIMS	0.01	0.01	0.01	0.01	0.01	0.01
MISCELLANEOUS	0.01	0.01	0.01	0.01	0.01	0.01
TOTAL OPERATING	0.01	0.01	0.01	0.01	0.01	0.01
CAPITAL EXPENDITURES	0.01	0.01	0.01	0.01	0.01	0.01
CHANGE IN REVENUES	0.01	0.01	0.01	0.01	0.01	0.01

FUND SOURCE

1002 Federal Receipts	0.01	0.01	0.01	0.01	0.01	0.01
1003 GF Match	0.01	0.01	0.01	0.01	0.01	0.01
1004 GF	0.01	0.01	0.01	0.01	0.01	0.01
1005 GF/Program Receipt	0.01	0.01	0.01	0.01	0.01	0.01
1006 GF/MHTIA	0.01	0.01	0.01	0.01	0.01	0.01
1079 Store Tank	0.01	0.01	0.01	0.01	0.01	0.01
TOTAL	0.01	0.01	0.01	0.01	0.01	0.01

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

POSITIONS:

FULL-TIME	01	01	01	01	01	01
PART-TIME	01	01	01	01	01	01
TEMPORARY	01	01	01	01	01	01

ANALYSIS: (Attach a separate page if necessary.)

The Government Preparedness and Response Program (GPRP) currently prepares a written summary of agency responses to public comments on proposed regulations or changes to regulations. Therefore, the proposed amendment to HB 130 requiring a written response to comments will result in no additional operating costs for this program.

Prepared by: Larry Jones  
Division: Director, Division of Administrative Services

Phone: 465-5010  
Date: 4/24/95

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

Date: 4/24/95

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# FISCAL NOTE

№ 27

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: Regulation adoption procedures and review  
Sponsor: House Finance KELLY JAMES  
Requestor: \_\_\_\_\_

Department Affected: Environmental Conservation  
BRU: Spill Prevention and Response  
Component: Contaminated Sites Remediation Program

COMPONENT SERIAL NO. 1431

Expenditures/Revenues:	(Thousands of Dollars)					
	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES	0.01	0.01	0.01	0.01	0.01	0.01
TRAVEL	0.01	0.01	0.01	0.01	0.01	0.01
CONTRACTUAL	0.01	0.01	0.01	0.01	0.01	0.01
SUPPLIES	0.01	0.01	0.01	0.01	0.01	0.01
EQUIPMENT	0.01	0.01	0.01	0.01	0.01	0.01
LAND&STRUCTURES	0.01	0.01	0.01	0.01	0.01	0.01
GRANTS.CLAIMS	0.01	0.01	0.01	0.01	0.01	0.01
MISCELLANEOUS	0.01	0.01	0.01	0.01	0.01	0.01
<b>TOTAL OPERATING</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>
<b>CHANGE IN REVENUES</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>

**FUND SOURCE**

1002 Federal Receipts	0.01	0.01	0.01	0.01	0.01	0.01
1003 GF Match	0.01	0.01	0.01	0.01	0.01	0.01
1004 GF	0.01	0.01	0.01	0.01	0.01	0.01
1005 GF/Program Receipt	0.01	0.01	0.01	0.01	0.01	0.01
1006 GF/MHTIA	0.01	0.01	0.01	0.01	0.01	0.01
1079 Store Tank	0.01	0.01	0.01	0.01	0.01	0.01
<b>TOTAL</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>

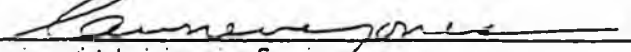
Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS:**

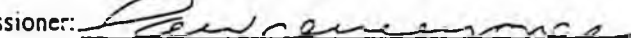
FULL-TIME	01	01	01	01	01	01
PART-TIME	01	01	01	01	01	01
TEMPORARY	01	01	01	01	01	01

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

The Contaminated Sites Remediation Program currently prepares a written summary of agency responses to public comments on proposed regulations or changes to regulations. Therefore, the proposed amendment to HB 130 requiring a written response to comments will result in no additional operating costs for this program.

Prepared by: Larry Jones   
Division: Director, Division of Administrative Services

Phone: 465-5010  
Date: 4/24/95

Approved by Commissioner:   
Agency: Department of Environmental Conservation

Date: 4/24/95

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# FISCAL NOTE

o. 26  
 Bill Version: CS HB 130 (FIN)  
 (H) Publish Date: 4/28/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: April 24, 1995

Title: Regulation Adoption Procedures and Review

Sponsor: Representative Kelly

Requester: House Finance Committee

Department Affected: Education

BRU: Executive Administration

Component: Commissioner's Office

COMPONENT SERIAL NO. 195

**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						
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REVENUE FUND SOURCE:						
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**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTLA						
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: \$ 0.0

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

As currently written, CSHB 130 (JUD) exempts "boards and commissions and the office of the ombudsman" from Sec. 3 and Sec. 6. As the State Board of Education is the regulatory body for the department and as the Board is excluded from this legislation, CSHB 130 (JUD) will have no fiscal impact on the department.

Prepared by: Harry Gamble, Education Administrator

Phone: 465-2851

Division: Commissioner's Office

Date: April 24, 1995

Approved by Commissioner: [Signature]

Shirley J. Holloway, Ph.D.

Agency: Education

Date: April 24, 1995

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# FISCAL NOTE

No. 25

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Dept. Affected Commerce and Economic

BRU: APUC

Title: Relating to agency review or public  
comment on the adopt. am. and ...

Sponsor: Rep. Kelly

Requestor: \_\_\_\_\_

Components: \_\_\_\_\_

Serial # 364

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	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	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE	0.0	0.0	0.0	0.0	0.0	0.0
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**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund	0.0	0.0	0.0	0.0	0.0	0.0
Federal Fund	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>

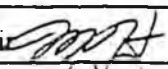
**POSITIONS :**

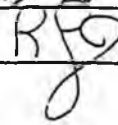
Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

see attached analysis

Prepared by: House Finance Committee

Rep. Mark Hanley, Co-Chair 

Rep. Richard Foster, Co-Chair 

Date: 4/24/95

Phone: 465-4939

Phone: 465-3789

**COMMITTEE COPY**

# ISCAL NOTE

No. 24  
 Bill Version: CS HB 130 (FIN)  
 (H) Publish Date: 4/28/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: 4/25/95 Dept. Affected: Revenue  
 Title: Regulation Adoption and Review BRU: ALL  
 Component: ALL  
 Sponsor: Rep. Kallv/James  
 Requester: (H)JUD COMPONENT SERIAL NO. 115

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

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	20.0	20.0	20.0	20.0	20.0	20.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	20.0	20.0	20.0	20.0	20.0	20.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>

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

**POSITIONS**

FULL-TIME						
PART-TIME	1	1	1	1	1	1
TEMPORARY						

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

The cost associated with CS HB 130 (JUD) is based upon the Departments estimate of 8-10 regulation projects/year. Each project is estimated to require 1-2 weeks of staff time to accomplish. Averaging 1.5 weeks per regulation review, 15 weeks of staff time would be required to implement. With decreasing staff resources, increases associated with this Bill and others pertaining to the same general subject will eventually sum to additional full-time staff to implement regulation reform.

Prepared by: Bob Baratko Phone: 465-2312  
 Division: Administrative Services Date: 4/25/95  
 Approved by Commissioner: Deborah Voigt Date: 4/25/95  
 Agency: Department of Revenue

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# FISCAL NOTE

NO. 23

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

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

Revision Date: 4/13/95  
 Title: An Act relating to agency review of public comment on the adoption, amendment and...  
 Sponsor: Rep. Kelly  
 Requestor: H. Judiciary

Dept. Affected: Public Safety  
 BRU: Statewide  
 Component: Commissioner's Office  
 COMPONENT SERIAL NO. 523

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

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
<b>OPERATING</b>						
PERSONAL SERVICES	50	50	50	50	50	50
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>
<b>CAPITAL EXPENDITURES</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>CHANGE IN REVENUES ( )</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
Revenue Code						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE	50	50	50	50	50	50
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
<b>TOTAL</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>

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.)**

The amount requested is an estimate, approximately .75 staff months of effort will be necessary to comply with the record of public comment requirements in the bill.

Prepared By: Ken Bischoff  
 Division: Administrative Services  
 Approved by Commissioner: Ronald L. Otte  
 Agency: Ronald L. Otte, Dept. of Public Safety

Phone: 465-4336  
 Date: 4/13/95  
 Date: 4/17/95

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FISCAL NOTE

No. 22

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: Examination by the Administrative Review Committee  
Sponsor: Repres. Kelly, James  
Requestor: \_\_\_\_\_

Department Affected: Environmental Conservation  
BRU: Environmental Health  
Component: Palmer Laboratory

COMPONENT SERIAL NO. 651

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	2.5	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.5	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.2	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
TOTAL OPERATING	3.2	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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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	3.2	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
TOTAL	3.2	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: 5 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.)

Pesticide regulations need revision and laboratory sample fee schedules will need to be established in the next year.

Prepared by: Larry Jones  
Division: Director, Division of Administrative Services

Phone: 465-5010  
Date: 4/24/95

Approved by Commissioner: Larry Jones  
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

No. 121

Bill Version: CS HB 130 (FIN)

(H) Publish Date: 4/28/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: Examination by the Administrative Review Committee  
Sponsor: Repres. Kelly, James  
Requestor: \_\_\_\_\_

Department Affected: Environmental Conservation  
BRJ: Environmental Health  
Component: Seafood/Sanitation

COMPONENT SERIAL NO. 1936

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	5.0	2.5	2.5	2.5	2.5	2.5
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	1.0	0.5	0.5	0.5	0.5	0.5
SUPPLIES	0.5	0.2	0.2	0.2	0.2	0.2
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
TOTAL OPERATING	6.5	3.2	3.2	3.2	3.2	3.2
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0

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	6.5	3.2	3.2	3.2	3.2	3.2
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
TOTAL	6.5	3.2	3.2	3.2	3.2	3.2

Estimate of any current year (FY95) cost: 5 0.0

POSITIONS:

FULL-TIME	.05	.02	.02	.02	.02	.02
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)  
Component regulations have not been revised in several years. In FY 96 it is anticipated that at least one set of seafood and one set of sanitation regulations will be revised. One set of sanitation regulations will be revised per year in subsequent fiscal years.

Prepared by: Kit Ballentine  
Division: Environmental Health

Phone: 465-5280  
Date: 4/25/95

Approved by Commissioner: [Signature]  
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

No. 20  
 Bill Version: CS HB 130 (FIN)  
 (H) Publish Date: 4/28/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Environmental  
 Title: An Act to the adoption, amendment, and  
repeal of regulations Conservation  
 Sponsor: Rep. Kelly, James BRU: Environmental Quality  
 Requestor: \_\_\_\_\_ Compose: Public Drinking Water

COMPONENT SERIAL NO. 1425

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	6.0	6.0	6.0	6.0	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>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE

1002 Federal Receipts	4.5	4.5	4.5	4.5	0.0	0.0
1003 GF Match	1.5	1.5	1.5	1.5	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>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY95) cost: 5 0.0

POSITIONS:

FULL-TIME	0.1	0.1	0.1	0.1	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)  
 The department estimates that it will require 0.1 FTE of staff time to prepare a written response to comments on a typical revision of the Drinking Water Regulations.

Prepared by: Deena Henkins Phone: 465-5300  
 Division: Environmental Quality Date: 4/24/95

Approved by: [Signature] Date: 4/24/95  
 Agency: Department of Environmental Conservation

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FISCAL NOTE

No. 19  
 Bill Version: CS HB 130 (FIN)  
 (H) Publish Date: 4/28/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Environmental  
 Title: An Act relating to the adoption, Conservation  
amendment, and repeal of regulations  
 BRU: Environmental Quality  
 Sponsor: Rep. Kelly, James Compose: Wastewater & Water Treatment  
 Requestor: \_\_\_\_\_

COMPONENT SERIAL NO. \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	4.5	4.5	4.5	4.5	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
TOTAL OPERATING	4.5	4.5	4.5	4.5	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

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	4.5	4.5	4.5	4.5	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
TOTAL	4.5	4.5	4.5	4.5	0.0	0.0

Estimate of any current year (FY95) cost: 5 0.0

POSITIONS:

FULL-TIME	0.05	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.)

The department estimates that it will require approximately 0.05 FTE of staff time to prepare a written response to comments on a typical revision of the Wastewater Regulations.

Prepared by: Deena Henkins

Phone: 465-5312

Division: Environmental Quality

Date: 4/24/95

Approved by: [Signature]

Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

No. 18  
 Bill Version: CS HB 130 (FIN)  
 (H) Publish Date: 4/28/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: An Act relating to the adoption, amendment and repeal of regulations  
 Sponsor: Rep. Kelly and James  
 Requestor: \_\_\_\_\_

Department Affected: Environmental Conservation  
 BRU: Environmental Quality  
 Component: Solid Waste

COMPONENT SERIAL NO. \_\_\_\_\_

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	10.0	2.0	2.0	2.0	10.0	2.0
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>10.0</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>	<b>10.0</b>	<b>2.0</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

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	10.0	2.0	2.0	2.0	10.0	2.0
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>10.0</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>	<b>10.0</b>	<b>2.0</b>

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

POSITIONS:

FULL-TIME	.2	.03	.03	.03	.2	.03
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

The department estimates that for major regulation revisions occurring about every four years, about 0.2 FTE of staff time is required. Minor revisions are estimated to cost about 0.03 FTE.

Prepared by: Deena Henkins  
 Division: Environmental Quality

Phone: 465-5312  
 Date: 4/25/95

Approved by Commissioner: *Lawrence Jones*  
 Agency/Department of Environmental Conservation

Date: 4/26/95

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5/4/95 - Amend.  
p. 5 line 16  
Adopted

CORRECTION

Discard CSHB 130 (FIN) AM

and retain this corrected version.

5054 CS FOR HOUSE BILL NO. 130(FIN) ~~am(reengrossed)~~

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 5/1/95

Offered: 4/28/95

Sponsor(s): REPRESENTATIVES KELLY, James, Kohring, Rokeberg, Therriault

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the adoption, amendment, and repeal of regulations."

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

3 \* Section 1. AS 24.20.460(4) is amended to read:

4 (4) to examine all administrative regulations, including proposed  
 5 regulations, amendments, and orders of repeal, to determine if they properly  
 6 implement legislative intent and to provide comments on them to the governor and  
 7 state agencies;

8 \* Sec. 2. AS 44.62.040(a) is amended to read:

9 (a) Subject to (c) of this section, every [EVERY] state agency that [WHICH]  
 10 by statute possesses regulation-making authority shall submit to the lieutenant governor  
 11 for filing a certified original and one duplicate copy of every regulation or order of  
 12 repeal adopted by it, except one that

13 (1) establishes or fixes rates, prices, or tariffs;

14 (2) relates to the use of public works, including streets and highways,  
 15 under the jurisdiction of a state agency if the effect of the order is indicated to the

1 public by means of signs or signals; or

2 (3) is directed to a specifically named person or to a group of persons  
3 and does not apply generally throughout the state.

4 \* Sec. 3. AS 44.62.040 is amended by adding a new subsection to read:

5 (c) Before submitting the regulations and orders of repeal to the lieutenant  
6 governor under (a) of this section, every state agency that by statute possesses  
7 regulation making authority, except boards and commissions and the office of the  
8 ombudsman, shall submit to the governor for review a copy of every regulation or  
9 order of repeal adopted by the agency, except regulations and orders of repeal  
10 identified in (a)(1) - (2). The governor may review the regulations and orders of  
11 repeal received under this subsection. The governor may return the regulations and  
12 orders of repeal to the adopting agency before they are submitted to the lieutenant  
13 governor for filing under (a) of this section, (1) if they are inconsistent with the  
14 faithful execution of the laws or (2) to enable the adopting agency to respond to  
15 specific issues raised by the Administrative Regulation Review Committee. The  
16 governor may not delegate the governor's review authority under this subsection to a  
17 person other than the lieutenant governor.

18 \* Sec. 4. AS 44.62.190(a) is amended to read:

19 (a) At least 30 days before the adoption, amendment, or repeal of a regulation,  
20 notice of the proposed action shall be

21 (1) published in the newspaper of general circulation or trade or  
22 industry publication that the state agency prescribes and in the Alaska Administrative  
23 Journal; in the discretion of the state agency giving the notice, the requirement of  
24 publication in a newspaper or trade or industry publication may be satisfied by using  
25 a combination of publication and broadcasting; when broadcasting the notice, an  
26 agency may use an abbreviated form of the notice if the broadcast provides the name  
27 and date of the newspaper or trade or industry journal where the full text of the notice  
28 can be found;

29 (2) mailed to every person who has filed a request for notice of  
30 proposed action with the state agency;

31 (3) if the agency is within a department, mailed or delivered to the

- 1 commissioner of the department;
- 2 (4) when appropriate in the judgment of the agency,
- 3 (A) mailed to a person or group of persons whom the agency
- 4 believes is interested in the proposed action; and
- 5 (B) published in the additional form and manner the state
- 6 agency prescribes;
- 7 (5) furnished the Department of Law together with a copy of the
- 8 proposed regulation, amendment, or order of repeal for the department's use in
- 9 preparing the opinion required after adoption and before filing by AS 44.62.060;
- 10 (6) furnished to all incumbent State of Alaska legislators and the
- 11 Legislative Affairs Agency;
- 12 (7) furnished to the standing committee of each house of the legislature
- 13 having legislative jurisdiction over the subject matter treated by the regulation under
- 14 the Uniform Rules of the Alaska State Legislature, together with a copy of the
- 15 proposed regulation, amendment, or order of repeal for the committee's use in
- 16 conducting the review authorized by AS 24.05.182;
- 17 (8) furnished to the staff of the Administrative Regulation Review
- 18 Committee, together with a copy of the proposed regulation, amendment, or order
- 19 of repeal and, if preparation of an appropriation increase estimate is required by
- 20 AS 44.62.195, a copy of the estimate.
- 21 \* Sec. 5. AS 44.62.210(a) is amended to read:
- 22 (a) On the date and at the time and place designated in the notice the agency
- 23 shall give each interested person or the person's authorized representative, or both, the
- 24 opportunity to present statements, arguments, or contentions in writing, with or without
- 25 opportunity to present them orally. The state agency may accept material presented
- 26 by any form of communication authorized by this chapter and shall consider all
- 27 factual, substantive, and other relevant matter presented to it before adopting,
- 28 amending, or repealing a regulation. When considering the factual, substantive, and
- 29 other relevant matter, the agency shall pay special attention to the cost to private
- 30 persons of the proposed regulatory action.
- 31 \* Sec. 6. AS 44.62 is amended by adding a new section to read:

1           Sec. 44.62.215. RECORD OF PUBLIC COMMENT. In the drafting, review,  
2 or other preparation of a proposed regulation, amendment, or order of repeal, an  
3 agency, other than a board or commission and the office of the ombudsman, shall keep  
4 a record of its use or rejection of factual or other substantive information that is  
5 submitted in writing as public comment and that is relevant to the accuracy, coverage,  
6 or other aspect of the proposed regulatory action.

7 \* Sec. 7. AS 44.62.230 is amended to read:

8           Sec. 44.62.230. PROCEDURE ON PETITION. Upon receipt of a petition  
9 requesting the adoption, amendment, or repeal of a regulation under AS 44.62.180 -  
10 44.62.290, a state agency shall, within 30 days, deny the petition in writing or schedule  
11 the matter for public hearing under AS 44.62.190 - 44.62.215 [AS 44.62.190 -  
12 44.62.210]. However, if the petition is for an emergency regulation, and the agency  
13 finds that an emergency exists, the requirements of AS 44.62.040(c) and 44.62.190 -  
14 44.62.215 [AS 44.62.190 - 44.62.210] do not apply, and the agency may submit the  
15 regulation to the lieutenant governor immediately after making the finding of  
16 emergency and putting the regulation into proper form.

17 \* Sec. 8. AS 44.62.250 is amended to read:

18           Sec. 44.62.250. EMERGENCY REGULATIONS. A regulation or order of  
19 repeal may be adopted as an emergency regulation or order of repeal if a state agency  
20 makes a written finding, including a statement of the facts that constitute the  
21 emergency, that the adoption of the regulation or order of repeal is necessary for the  
22 immediate preservation of the public peace, health, safety, or general welfare. The  
23 requirements of AS 44.62.040(c), 44.62.060, [AS 44.62.060] and 44.62.190 - 44.62.215  
24 [44.62.190 - 44.62.210] do not apply to the initial adoption of emergency regulations;  
25 however, upon adoption of an emergency regulation the adopting agency shall  
26 immediately submit a copy of it to the lieutenant governor for filing and for  
27 publication in the Alaska Administrative Register, and within five days after filing by  
28 the lieutenant governor the agency shall give notice of the adoption in accordance with  
29 AS 44.62.190(a). Failure to give the required notice by the end of the 10th day  
30 automatically repeals the regulation.

31 \* Sec. 9. AS 44.62.260 is amended to read:

1                   Sec. 44.62.260. LIMITATION ON EFFECTIVE PERIOD OF EMERGENCY  
2 REGULATIONS. (a) A regulation adopted as an emergency regulation does not  
3 remain in effect more than 120 days unless the adopting agency complies with  
4 AS 44.62.040(c), 44.62.060, [AS 44.62.060] and 44.62.190 - 44.62.215 [44.62.190 -  
5 44.62.210] either before submitting the regulation to the lieutenant governor or during  
6 the 120-day period.

7                   (b) Before the expiration of the 120-day period, the agency shall transmit to  
8 the lieutenant governor for filing a certification that AS 44.62.040(c), 44.62.060,  
9 [AS 44.62.060] and 44.62.190 - 44.62.215 [44.62.190 - 44.62.210] were complied with  
10 before submitting the regulation to the lieutenant governor, or that the agency complied  
11 with those sections within the 120-day period. Failure to so certify repeals the  
12 emergency regulation; it may not be renewed or refiled as an emergency regulation.

13 \* Sec. 10. AS 46.03.020 is amended by adding a new subsection to read:

14                   (b) Notwithstanding another provision of law to the contrary, when adopting  
15 a regulation relating to the control, prevention, and abatement of air, water, or land or  
16 subsurface land pollution, the department shall give special <sup>attention</sup> ~~consideration~~ to public *Adopted*  
17 comments concerning the cost of compliance with the regulation and to alternate  
18 practical methods of complying with the statute being interpreted or implemented by  
19 the regulation.

20 \* Sec. 11. APPLICABILITY FOR REGULATIONS. The changes made to AS 44.62 and  
21 AS 46.03.020 by this Act do not apply to the adoption, amendment, or repeal of a regulation  
22 unless the adoption, amendment, or repeal is first noticed under AS 44.62.200 on or after the  
23 effective date of this Act.

# Alaska State Legislature

REPRESENTATIVE

PETER KELLY

Mailing Address:

119 N. Cushman, Suite 203

Fairbanks, Alaska 99701

(907) 456-8161

Write in Juneau

Updated 4/27/95, 4:00 pm

State Capitol  
Juneau, Alaska

99801-1182

(907) 465-2327

House District 31

## House Of Representatives

April 27, 1995

House Finance

The Honorable

Mark Hanley, Chairman

### Fiscal Note Summary:

<u>Department</u>	<u>House CS (STA)</u>	<u>CS (FIN)</u>
Governor - Executive Operations		0
Governor - Lieutenant Governor	73.7	73.7
Governor - Office of Management & Budget	38.4	0
Governor - Elections	0	0
Department of Administration	0	0
Governor - Human Rights Commission	40.0	0
Department of Law	*	0
Department of Education	37.8	0
Department of Health and Social Services	74.2	0
Department of Health and Social Services	20	0
Department of Health and Social Services		0
DCED / Insurance	50.0	0
DCED Alaska Public Utilities Commission	30.4	0
Department of Natural Resources	0	0
Department of Fish and Game, limited entry.	15.0	0
Department of Fish and Game, Admin Support	78.0	0
Department of Public Safety	10	5
Department of Transportation / P. F.	21.8	0
DCED / Banking, Securities & Corporations		0
DCED / Occupational Licensing	152.3	0
Department of Revenue	33.6	20
ADEC, Spill Prevention and Response, Contaminated Sites		0
ADEC, Spill Prevention and Response, Government Preparedness		0
ADEC, Spill Prevention and Response, Underground Storage Tanks		0
ADEC, Spill Prevention and Response, Industry Preparedness		0
ADEC, Environmental Quality, Wastewater & Water Treatment		4.5
ADEC, Environmental Quality, Public Drinking Water		6.0
ADEC, Environmental Quality, Solid Waste		10
ADEC, Environmental Health, Seafood/Sanitation		6.5
ADEC, Environmental Health, Palmer Laboratory		3.2
<b>Total</b>	<b>641.6</b>	<b>124.4</b>

5-4-95  
Not  
Offered

9-LS0440AS.1  
Bannister  
5/4/95

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR DONLEY

TO: CSHB 130(FIN) am (reengrossed)

SENATE FINANCE  
COMMITTEE

Amendment Number: 1  
Bill Number: HR 130  
Sponsor: Donley Date: 5/4/95  
Logged In By: J. J. [Signature]

1 Page 3, following line 20:

2 Insert a new bill section to read:

3 **\*\* Sec. 5.** AS 44.62.200(b) is amended to read:

4 (b) A regulation that is adopted, amended, or repealed may vary in content  
5 from the summary specified in (a)(3) of this section if the subject matter of the  
6 regulation remains the same and the [ORIGINAL] notice was written so as to assure  
7 that members of the public are reasonably notified of the proposed subject of agency  
8 action in order for them to determine whether their interests could be affected by  
9 agency action on that subject."

10 Renumber the following bill sections accordingly.

11 Page 3, line 31:

12 Delete "a new section"

13 Insert "new sections"

14 Page 3, following line 31:

15 Insert a new section to read:

16 "Sec. 44.62.213. SUPPLEMENTAL NOTICE AND PUBLIC  
17 PROCEEDINGS. (a) Notwithstanding AS 44.62.200(b), if a state agency rewrites  
18 a proposed regulation, amendment of a regulation, or order of repeal after the agency  
19 has complied with AS 44.62.190, 44.62.200, and 44.62.210, and if the rewriting is a  
20 significant change in the substance of the regulation, amendment, or order, before  
21 adoption the agency shall provide notice and opportunity for public comment under  
22 AS 44.62.190, 44.62.200, and 44.62.210 for the rewritten regulation, amendment, or

1 order of repeal.

2 (b) If a state agency does not provide the notice and opportunity for public  
3 comment under (a) of this section for a rewritten proposed regulation, amendment, or  
4 order of repeal, the agency shall prepare a written explanation of the reasons why the  
5 requirement of (a) of this section does not apply. When the adopted regulation,  
6 amendment, or order of repeal is published in the Alaska Administrative Journal, the  
7 lieutenant governor shall include the agency explanation with the text or a summary  
8 of the text of the regulation, amendment, or order of repeal.

9 (c) Notwithstanding AS 44.62.300, if a court determines that notice and an  
10 opportunity for public comment was required under (a) of this section for the  
11 rewriting of a proposed regulation, amendment, or order of repeal, and if the state  
12 agency did not provide the notice and opportunity for public comment, the court may  
13 order the relief, other than monetary damages, that is appropriate under the  
14 circumstances, including the invalidation of the regulation, amendment, or order of  
15 repeal.

16 (d) This section does not apply to regulations

17 (1) adopted by the Board of Fisheries, the Board of Game, or the  
18 Alaska Commercial Fisheries Entry Commission;

19 (2) adopted under AS 44.62.260 to make emergency regulations  
20 permanent; or

21 (3) that are necessary to meet federal requirements."

22 Page 4, line 1:

23 Delete "Sec. 44.62.215"

24 Insert "Sec. 44.62.217"

25 Page 5, lines 20 - 21:

26 Delete "The changes made to AS 44.62 and AS 46.03.020 by this Act"

27 Insert "AS 44.62.040, 44.62.190, 44.62.200, 44.62.210, 44.62.213, 44.62.217,  
28 44.62.230, 44.62.250, 44.62.260, and AS 46.03.020, as amended or enacted by this Act,"

# Alaska State Legislature

REPRESENTATIVE  
PETER KELLY

Mailing Address:

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Fairbanks, Alaska 99701

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While in Juneau  
State Capitol  
Juneau, Alaska  
99801-1182  
(907) 465-2327

House District 31

## House Of Representatives

### Sponsor Statement

#### Committee Substitute for HB 130 (FIN)

The creation of regulations heretofore have been carried out within the bureaus of state government beyond the light of public scrutiny. Though public input has always been a part of the regulation process, the system is inherently flawed. Regulations have the force of law, but in our form of government law must emanate from the people through their elected officials, and therein lies the flaw.

In the current system, unelected regulation writers have the last word in the process, not the people. HB 130 attempts to remedy this by bringing elected officials back into the loop and making them politically accountable to the people for the regulations that impact their lives.

HB 130 enables the Legislature's "Administrative Regulation Review Committee" to provide comments directly to the governor. The governor may return regulations to agencies for incorporation of comments by the Administrative Regulation Review Committee. The Governor may delegate this authority only to the Lieutenant Governor. The governor will bear the spotlight of public opinion for regulations. The legislature will share this spotlight if it chooses to ignore regulations of concern to the public.

Individuals impacted by regulations often feel their comments and input is ignored by an agency. HB 130 adds guidance and direction for agency review and response to public comments. Statutory guidance assists agencies to focus on public comment important to their task of making specific laws and public policy passed by the legislature, rather than setting public policy. HB 130 also asks agencies to record their response to written public comment.

HB 130 begins the process of regulatory reform. It is intended to do no harm to the existing regulation process, and to make the best changes possible to the Administrative Procedures Act, within the limits set by the Alaska Constitution, and separation of power between the executive and legislative branches of government.

HB 130 clearly demonstrates the Nineteenth Legislature's sincerity and commitment to reforming the regulatory law making process.

# Alaska State Legislature

REPRESENTATIVE  
PETER KELLY

Mailing Address:  
119 N. Cushman, Suite 203  
Fairbanks, Alaska 99701  
(907) 455-8161



While in Juneau  
State Capitol  
Juneau, Alaska  
99801-1182  
(907) 465-2327

House District 31

## House Of Representatives

Date: May 4, 1995

Before: Co-Chairman Steve Frank  
Co-Chairman Rick Halford  
Senate Finance Committee

From: Representative Pete Kelly

Re: Sectional Analysis HB 130(FIN)am(reengrossed)

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HB 130 Goals: 1) Elected official over the making of regulatory laws.  
2) Public light into the process.  
3) Response to public comments, with particular emphasis on the cost of a regulation

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### Sectional Analysis

#### Section 1.

AS 24.20.460 establishes the powers of the Legislature's Administrative Regulation Review Committee. This amendment brings the ARRC "into the loop" enabling them to comment on proposed regulations, not just final regulations, and to provide comments directly to the Governor.

In Section 3 these comments are one of the listed reasons that a Governor or the Lieutenant Governor can return the final regulation to an agency.

#### Section 2.

Housekeeping.

#### Section 3.

Allows the Governor to stop a regulation before it is filed, and return it to an agency. This is accepted practice at this time, but it is not now a part of the Administrative Procedures Act. HB 130 (FIN) allows the Governor to delegate this authority only to the Lieutenant Governor, not to an unelected commissioner or staff member.

In Section 3 we have provided two reasons for returning a regulation. The first is the executive authority spelled out in the constitution "if they are inconsistent with the faithful execution of the laws." This constitutional language is particularly attractive because it reflects my concerns about conflicting regulations and statutes.

The second reason the Governor or Lieutenant Governor can return a regulation is to give the agency the opportunity to address the concerns raised by the Legislature's Administrative Regulation Review Committee.

#### Section 4.

This section makes sure that the Legislature's Administrative Regulation Review Committee receives a copy of the proposed regulation. Currently they just receive a notice and summary of the regulation.

---

Sections 1, 2 and 4 address the persistent complaint that there is no one to blame for a regulation gone awry. The administration says, "The legislature made me do it." The Legislature says, "those bureaucrats just mucked up a perfectly good law, they just don't listen to us."

HB 130 produces closure on this problem. Section 3 places the Governor clearly at the top of the regulation writing food chain, but the legislature is also fully noticed (section 4), and now if the legislature fails to comment (section 1), it must shoulder part of the blame.

---

#### Section 5.

Section 5 strengthens the public hearing requirement. It directs agencies to pay attention to factual and substantive comment. It also requires an agency to pay attention to people's testimony regarding the cost of the proposed regulation.

Agency staff have the technical expertise to understand the **benefits** they are trying to achieve. It is the private sector, however that has the expertise in issues relating to the **cost** of regulations. Asking agencies to listen to this expertise, and to dwell on the facts surrounding the cost of the proposed regulatory ideas, will best help agencies distinguish between good ideas, and ideas that sound good.

Focusing on cost in this manner is a concept harvested from our extensive discussions with the administration.

Section 6.

A new section is added to the Administrative Procedures Act requiring agencies, (not boards and commissions with regulatory authority) to record their use or rejection of substantive written public comment.

The public comment process is very important. Important enough for agencies to take the time to track the substantive written comment that they receive, and to have the courtesy to note which comments helped in the rewrite of the regulation, and which comments were not used in the thought process for developing the regulation.

Section 7, 8, 9.

Housekeeping.

Section 10.

The Alaska Department of Environmental Conservation is asked to give special consideration to the public comment they receive regarding the cost of their proposed regulations. They are also asked to carefully consider alternate methods of complying with the statute being interpreted or implemented by the regulation.

The administration suggested that many of the public concerns regarding regulations are focused on the Department of Environmental Conservation, and recommended the language in this section. It is softer language than my initial suggestion, but recognizes the complexity of the Departments relationship to federal mandates from the EPA.

Section 11.

The changes in this act are to take effect on regulations noticed after the effective date of this legislation. This prevents the added cost of changing the rules on regulations now going through the administrative procedures for adoption and filing.

# SENATE COMMITTEE REPORT

DATE: 5/1/95

FURTHER: Finance

DATE TURNED INTO OFFICE: \_\_\_\_\_

State Affairs Committee considered CSHB 130(FIN) am (reengrossed)

"An Act relating to letters of intent by legislative committees and to the adoption, amendment, and repeal of regulations."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

**Senate Bill:**  
 same title  
 new title  
**House Bill:**  
 same title  
 technical change  
 new: SCR# \_\_\_\_\_

SIGNING <u>DO</u> PASS	SP	OTHER RECOMMENDATIONS	NR	DNP	AM
CHAIR:					

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

**FISCAL NOTE**

Revision Date: 4/12/95

Department Affected: DOT&PF

Title: " An Act relating to the adoption, amendment, and repeal of regulations BRU:

D & C

Sponsor: Representative Kelly

Component: E & O

Requestor: Representative Kelly

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
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REVENUE FUND SOURCE	0	0	0	0	0	0
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**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: (Attach a separate page if necessary)**

Minimal additional duties imposed by this legislation will be absorbed within the existing structure of present staff responsibilities.

Prepared by: \_\_\_\_\_  
Loren Rasmussen, P.E.

Phone: 465-2960

Division: Engineering and Operations Standards

Date: April 25, 1995

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

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: April 25, 1995

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# FISCAL NOTE

No 12

3: /ersion: CSHB 130 (JUD)

(H) Publish Date: 4/12/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: Regulation Adoption Procedures and Review

Department: Commerce and Economic Development  
BRU: Insurance  
Component: Operations

Sponsor: Representative Kelly  
Requestor: Representative Kelly

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						
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CHANGE IN REVENUES						
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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	0	0	0	0	0	0
FULL-TIME						
PART-TIME						
TEMPORARY						

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

Prepared by:	Joan Brown, Administrative Officer <i>J. Brown</i>	Phone: 465-2597
Division:	Insurance	Date: 3/30/95
Approved by Commissioner:	William L. Hensley <i>W. Hensley</i>	Date: <u>3/30/95</u>
Agency:	Commerce and Economic Development	

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# FISCAL NOTE

N<sup>o</sup> 11

Bill Version: CSHB 130 (JUD)

(H) Publish Date: 4/12/95

**STATE OF ALASKA**

**1995 LEGISLATIVE SESSION**

Revision Date: March 30, 1995 Department: Commerce and Economic Development  
 Title: An Act relating to review of public comment on BRU: Occupational Licensing  
regulations; examination of regulations by ARRC, etc. Component: Operations  
 Sponsor: Representative Kelly  
 Requestor: Representative Kelly 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						
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
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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)

CSHB 130 requires a state agency to make new written determinations for each regulations project adopted. The Division of Occupational Licensing anticipates that the new requirements will be met with existing division staff and resources; therefore, no costs are included in this fiscal note.

Prepared by: JoAnne Cummings, Regulations Specialist Phone: 465-2144  
 Division: Occupational Licensing Date: 3/30/95  
 Approved by Commissioner: William L. Hensley Date: 4/13/95  
 Agency: Commerce and Economic Development

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# FISCAL NOTE

No. 10

Version: CSHB 130 (JUD)

(H) Publish Date: 4/12/95

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

Revision Date: \_\_\_\_\_  
Title: Regulation Adoption Procedures and Review

Department Affected: Commerce and Economic Development  
BRU: Banking, Securities and Corporations  
Component: Banking, Securities and Corporations

Sponsor: Representative Kelly  
Requestor: \_\_\_\_\_

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>

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ( )	0	0	0	0	0	0
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**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: \$ \_\_\_\_\_

**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: William F. Kirkpatrick, Director  
Division: Banking, Securities and Corporations

Phone: 465-2521  
Date: 3-30-95

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

Date: 3/30/95

FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

No. 6  
Bill Version: HB 130  
(H) Publish Date: 3/20/95

Revision Date: 2/13/95  
Title: "A Act relating to agency review of public comment on the adoption, amendment, repeal of regulations; ..."  
Sponsor: Representative Kelly  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Executive Operations  
Component: Office of the Lieutenant Governor

COMPONENT SERIAL NO. 0011

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	58.0	70.4	72.4	74.8	77.0	79.6
TRAVEL						
CONTRACTUAL	.9	.9	.9	.9	.9	.9
SUPPLIES	.2	.2	.2	.2	.2	.2
EQUIPMENT	4.6	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	73.7	71.5	73.5	75.9	78.1	80.7

CAPITAL EXPENDITURES						
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CHANGE IN						
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FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	73.7	71.5	73.5	75.9	78.1	80.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	73.7	71.5	73.5	75.9	78.1	80.7

POSITIONS

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: 0

ANALYSIS: (Attach a separate page if necessary.)  
See attached

Prepared by: John Lindback, Chief of Staff *John Lindback* Phone: 465-4081  
Division: Office of the Lieutenant Governor Date: \_\_\_\_\_

Approved by Commissioner: Lieutenant Governor Frank Miller *Frank Miller*  
Agency: Office of the Governor Date: 2/13/95

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HB130 Analysis:

HB130 expands the existing "ministerial and mandatory" role of the Lieutenant Governor in the regulation process. HB130 requires the Lieutenant Governor to determine which regulations will be accepted for filing and which will be returned to the agencies. The expanded responsibilities will necessitate an additional staff position. The position, staff assistant rg. 21, will be responsible for the related research and analysis pertaining to each regulatory proposal.

Fiscal note assumes merit increases with each fiscal year.

Personal Services:		68.0
Contractual:		
Communication, postage, courier		.9
Supplies:		.2
Equipment:		4.6
Phone	.5	
Work station set-up	1.2	
IBM PC/Monitor, token ring	2.9	

# FISCAL NOTE

No. 3

Bill Version: HB 130

(H) Publish Date: 3/20/95

STATE OF ALASKA

1995 LEGISLATIVE SESSION

Revision Date: Original

Dept Affected: Natural Resources

Title: ARRC review of public comment on the adoption of regulations

BRU: Parks & Recreation Management

Component: Parks Management

Sponsor: Representative Kelly

Requestor: \_\_\_\_\_

Component Serial No. 452

**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/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) 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)

The preparation of regulations for public review, the conduct of the public process and submission of the regulations to the Department of Law will require some additional duties of existing staff. No additional funding needed.

Prepared by: Peter J. Panarese  
 Division: Parks & Outdoor Recreation  
 Approved by Commissioner: \_\_\_\_\_  
 Agency: Natural Resources

Phone: 762-2603  
 Date: 4-Feb-95  
 Date: 2/7/95

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FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

No. 2  
Bill Version: HB 130  
(H) Publish Date: 3/20/95

Revision Date: \_\_\_\_\_  
Title: "A Act relating to agency review of public comment on the adoption, amendment, repeal of regulations; ..."  
Sponsor: Representative Kelly  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Elective Operations  
Component: Elections  
COMPONENT SERIAL NO. 0021

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	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						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES						
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CHANGE IN						
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FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \_\_\_\_\_

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

Prepared by: David Koivuniemi, Acting Director  
Division: Division of Elections

Phone: 465-5405  
Date: 2-2-95

Approved by Commissioner: Lieutenant Governor Fran Ulmer  
Agency: Office of the Governor

Date: \_\_\_\_\_

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Rev 11/93

FISCAL NOTE

No. 1

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Bill Version: HB 130  
(H) Publish Date: 3/20/95

Revision Date: \_\_\_\_\_  
Title: "An Act relating to agency review of public comment..."

Department Affected: Administration  
BRU: Various  
Component: Various

Sponsor: Rep. Kelly  
Requestor: Rep. Kelly

COMPONENT SERIAL NO. 45

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						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ( )	0	0	0	0	0	0
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FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ -0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)  
There is no fiscal impact to the Department of Administration.

Prepared by: Sharon Barten  
Division: Administrative Services

Phone: 465-2277  
Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer  
Agency: Department of Administration

Date: 2/13/95

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