

HB

315

TONY KNOWLES
GOVERNOR

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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 21, 2000

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

Dear Speaker Porter:

The state has made great effort and had much success in taking advantage of today's electronic medium. As part of our ongoing work to keep Alaska in step with the Internet age, this bill I transmit today eliminates the need for the hard copy publishing of the Alaska Administrative Journal and replaces it with the new Alaska Online Public Notice System.

The Alaska Administrative Journal (journal) is a weekly public notice publication of the lieutenant governor's office. It has been available in print by subscription as well as on the Internet. With the increased efficiency and accessibility of the Internet by government agencies and the public, continuing to provide the journal in printed form by weekly subscription is neither time nor cost effective. At this time, there are only 12 subscribers to the journal, a drop from about 125 in 1995. Only one remaining subscriber, a law firm, is based in Alaska.

The lieutenant governor will supervise use of the Alaska Online Public Notice System (system) and prescribe the form for agencies to post required notices on the system. There is no change as to which notices are required to be posted. However, under this bill, posting of public notices will be done directly by agencies, which means the system will be continually updated. The system has an archiving function that will allow a person to locate a particular public notice and verify that it was posted as required.

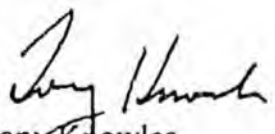
For those who do not have personal computers, the system may be accessed on computers at most libraries and at other state agencies that provide a computer terminal for public use. Additionally, a copy of a public notice that was posted on the system may be obtained from any designated state employee by requesting a printed copy. Finally, the bill does not

The Honorable Brian Porter
January 21, 2000
Page 2

remove existing requirements for publication in other media. State agencies will continue to be required to comply with those requirements relating to printing, posting, and distribution of public notices, such as newspaper notices for solicitations to bid and for meetings covered by the open meetings statutes.

As the result of an Administrative Order, the Alaska Online Public Notice System is already functioning and includes all the information now published in the journal. I urge your prompt and favorable action on this measure.

Sincerely,


Tony Knowles
Governor

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: January 24, 2000

FURTHER REFERRALS:

Date of Committee Action: 2/3/00

The STATE AFFAIRS Committee considered:

HB 315

HOUSE BILL NO. 315

ONLINE SYSTEM REPLACES AK ADMIN JOURNAL

"An Act relating to elimination of the Alaska Administrative Journal and instituting public notice requirements on the Alaska Online Public Notice System; amending public notice publication requirements for certain regulations; and providing for an effective date."

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) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jeannette James</i>	✓			
<i>[Signature]</i>	✓			
<i>Bill Hud</i>	✓			
<i>[Signature]</i>	✓			
<i>Scott Dan</i>	✓			
<i>Val Smalley</i>	✓			
<i>Cherittula</i>	✓			

CHAIR'S SIGNATURE *Jeannette James*



FRAN ULMER
LIEUTENANT GOVERNOR
STATE OF ALASKA

January 25, 2000

Representative Jeannette James
Chair, House State Affairs Committee
State Capitol
Juneau, Alaska 99811-1182


Dear Representative James,

I am writing to request that you schedule, at the earliest possible convenience, a hearing for House Bill 315, "An Act relating to elimination of the Alaska Administrative Journal and instituting public notice requirements on the Alaska Online Public Notice System; amending public notice publication requirements for certain regulations; and providing for an effective date."

The bill would eliminate the requirement that we continue to publish the Alaska Administrative Journal and place in statute a requirement that all agencies publish public notices on the new Online Public Notice System. The attached fact sheet fills in some of the details.

If you have any questions about the legislation, please don't hesitate to contact me or John Lindback, my chief of staff. We can be reached at 465-3520.

Sincerely,


Fran Ulmer
Lieutenant Governor

FACT SHEET

*Legislation to eliminate AK Admin Journal/Replace with Online Public Notice
Lt. Gov. Fran Ulmer/Jan. 21, 2000*

- **The Alaska Administrative Journal has served as a compilation of public notices from state agencies, the great majority of which are also required to be published in the print or broadcast media.**
- **Alaska Administrative Journal subscribership has dramatically declined with the advent of state government making information available to the public on the internet. When Lt. Governor Ulmer first took office, there were about 125 paying subscribers. Subscribership has dropped to 9 corporate and legal businesses, all but one out-of-state.**
- **On June 4, 1999, Gov. Knowles signed Administrative Order 183, which requires all state agencies to post statutorily required public notices on the new Online Public Notice system. The system provides the public with a convenient way to find all public notices in one place on the state web page. The Online Public Notice website is organized in a similar format to the Alaska Administrative Journal.**
- **This legislation would eliminate the requirement that the Lt. Governor's Office produce the Alaska Administrative Journal and replace it with a requirement that the Lt. Governor provide oversight of the Online Public Notice system. It requires agencies by statute to post their public notices in the Online Public Notice system.**
- **The legislation has a zero fiscal note. It replaces one responsibility with another.**

TONY KNOWLES
GOVERNOR



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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

ADMINISTRATIVE ORDER NO. 183

FINDINGS

I, Tony Knowles, Governor of the State of Alaska, make the following findings:

1. One of the goals of my Administration has been to make more information about state government available to Alaskans and to use less paper in accomplishing that goal.
2. Alaskans' use of on-line services has increased so substantially in recent years that a new national study reports that Alaska leads the nation in rate of Internet use.
3. Making notices of meetings or actions of state government available on the Internet will assist Alaskans in understanding what their government is doing and increase their ability to participate in their government.

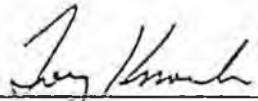
ORDER

Under the authority of art. III, secs. 1 and 24 of the Alaska Constitution, I, Tony Knowles, Governor of the State of Alaska, hereby order the following:

1. No later than July 1, 1999, all departments and other agencies of the executive branch must post on the State of Alaska's Online Public Notice website all new legal notices, notices of public meetings, notices of proposed actions, and other public notices required by statute or regulation.
2. The commissioner of each department of the executive branch must designate one employee to be responsible for posting all public notices of that department and its affiliated agencies on the Online Public Notice website. Each department must provide the name of the designated employee to the Office of the Lieutenant Governor no later than June 10, 1999. If a department's designated employee becomes unable to fulfill these responsibilities for any reason, the department must designate another employee and provide the name of the new designee to the Office of the Lieutenant Governor.

This Order takes effect immediately.

Dated this 4 day of June, 1999.



Tony Knowles
Governor

HB 315 FACT SHEET

*Legislation to eliminate AK Admin Journal/Replace with Online Public Notice
Lt. Gov. Fran Ulmer/Jan. 31, 2000*

- **The Alaska Administrative Journal has served as a compilation of public notices from state agencies**, the great majority of which are also required to be published in the print or broadcast media.
- **Alaska Administrative Journal subscribership has dramatically declined** with the advent of state government making information available to the public on the internet. When Lt. Governor Ulmer first took office, there were about 125 paying subscribers (\$90 a year). Subscribership has dropped to 9 out-of-state businesses. They are: PHICO Ins. Co, RIA Group, Mills Publishing Co., Bureau of National Affairs, West Group, University of Iowa, American Council of Life Insurance, Allstate Insurance Company and CCH Inc.
- **On June 4, 1999, Gov. Knowles signed Administrative Order 183**, which requires all state agencies to post statutorily required public notices on the new Online Public Notice system. The system provides the public with a convenient way to find all public notices in one place on the state web page. The Online Public Notice website is organized in a similar format to the Alaska Administrative Journal.
- **This legislation would eliminate the requirement that the Lt. Governor's Office produce the Alaska Administrative Journal and replace it with a requirement that the Lt. Governor provide oversight of the Online Public Notice system.** It requires agencies by statute to post their public notices in the Online Public Notice system.
- **The legislation has a zero fiscal note.** It replaces one responsibility with another.

Sectional Analysis
HB 315

Replacing Alaska Administrative Journal (AAJ) with Online Public Notice System
Office of the Lt. Governor/January 28, 2000

Section 1

Replaces requirement in the state procurement code that invitations to bid be published in the AAJ with a requirement that they be published on the Alaska Online Public Notice System.

Section 2

Replaces requirement that certain advisory opinions of the attorney general be published in the AAJ with a requirement that they be published on the Alaska Online Public Notice System.

Section 3

Repeals the AAJ section in the Administrative Procedures Act and replaces it with provisions that public notices be published on the Online Public Notice System.

All notices now required to be published in the AAJ will be required to be published online. Those notices include:

- a.) Adoption, amendment or repeal of regulations.
- b.) State agency meetings that must be publicly noticed.
- c.) Invitations to bid required to be noticed under provisions of the state procurement code.
- d.) Notices of state RFPs issued under statutes related to housing and urban renewal, state procurement code, grants to named recipients, public land and the motor fuel tax.
- e.) Executive orders and administrative orders issued by the Governor.
- f.) Written delegations of authority made by the Governor and commissioners of state departments.
- g.) Text or summary of the text of regulations that are noticed under the Administrative Procedures Act.
- h.) Notices required under the Administrative Procures Act related to documents and materials incorporated by reference in a regulation.
- i.) Summaries of the text of recently issued formal opinions and advice memos from the attorney general and the entire text of certain opinions.
- j.) Vacancies on boards and commissions whose members are appointed by the Governor.

This section specifies that the Lieutenant Governor supervise the system and establish the form for notices. It also requires the Lieutenant Governor ensure that a permanent.

public, electronic archive of notices published on the system be made available to the public.

Section 4

Amends the portion of the Administrative Procedures Act dealing with adoption and/or changes of regulations to delete the AAJ and insert the Online Public Notice System.

Section 5

Amends section of the Administrative Procedures Act dealing with contents of notices to delete reference to the AAJ and insert reference to the Online Public Notice System.

Section 6

Amends section of the Administrative Procedures Act relating to material incorporated by reference into regulations to delete requirement for notice in the Administrative Journal and insert requirement for publishing on the Online Public Notice System.

Section 7

Amends section of Administrative Procedure Act dealing with public meetings to delete reference to publication in the AAJ and insert reference to publication on the Online Public Notice System.

Section 8

Instructs reviser to delete all references in the Alaska Administrative Code to the Alaska Administration Journal and replace it with Alaska Online Public Notice System.

Section 9

Immediate effective date.

Bill History/Action Display

BILL: HB 315 SHORT TITLE: ONLINE SYSTEM REPLACES AK ADMIN JOURNAL
 BILL VERSION:
 SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

CURRENT STATUS: (H) STA STATUS DATE: 1/24/00

TITLE: "An Act relating to elimination of the Alaska Administrative Journal and instituting public notice requirements on the Alaska Online Public Notice System; amending public notice publication requirements for certain regulations; and providing for an effective date."

Full Text Bill/Resolution has Zero Fiscal Note(s).

Committee Action With Bill History

Jrn-Date	Jrn-Page	Action
1/24/00	<u>1988</u>	(H) READ THE FIRST TIME - REFERRALS
1/24/00	<u>1988</u>	(H) STA
1/24/00	<u>1988</u>	(H) ZERO FISCAL NOTE (GOV)
1/24/00	<u>1988</u>	(H) GOVERNOR'S TRANSMITTAL LETTER
1/24/00	<u>1988</u>	(H) REFERRED TO STATE AFFAIRS

Similar Subject Match or Exact Subject Match

ADMINISTRATIVE PROCEDURE

EXECUTIVE BRANCH

PROCUREMENTS

PUBLICATIONS

REGULATIONS

REGULATORY ACTIONS

Bill Root:

[Return to BASIS Main Menu\(21st Legislature\)](#)

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FISCAL NOTE

Bill Version: HB 315
 (H) Publish Date: 1/24/00

**STATE OF ALASKA
 2000 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) _____ Dept. Affected Office of the Governor
 Title "An Act relating to ... Alaska Online Public BRU Executive Operations
Notice System..." Component Lieutenant Governor
 Sponsor Rules Committee
 Requester Governor Component No. 11

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The Office of the Lt. Governor proposes a zero-fiscal note because this legislation eliminates one responsibility, production of the administrative journal, and replaces it with another, oversight of the Online Public Notice system. The new responsibility requires a similar workload and responsibility to the old one. Hence, it is unnecessary to request any new general funds.

Prepared by: John Lindback, Chief of Staff Phone 465-3520
 Division Office of the Lt. Governor Date/Time 12/28/99 2:37 PM
 Approved by: [Signature] Date 12/14/1999
 Agency Office of the Lt. Governor

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

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