

**HB**

**275**

<TARGET><BILL>HB 275</BILL><SUBJECT>HB  
275</SUBJECT><COMM>HSTA28</COMM></TARGET>



Library HB 275

**Nancy Manly**

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**From:** Nancy Manly  
**Sent:** Wednesday, February 12, 2014 4:00 PM  
**To:** Cecile Elliott  
**Cc:** Lori Roland  
**Subject:** RE: MOA Testimony on HB 275

Thank you for following up with this Cecile. I'll copy House Records on this email so Lori Roland has the electronic copy of Debbie Reich's testimony. Thanks again.

Nancy Manly, Chief of Staff and  
House State Affairs Committee Aide *for*  
**Representative Bob Lynn**  
**House District 23**  
907-465-2794 Fax: 907-465-4316

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**From:** Cecile Elliott  
**Sent:** Wednesday, February 12, 2014 3:49 PM  
**To:** Nancy Manly  
**Subject:** FW: MOA Testimony on HB 275

Here you go!

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**From:** Harrington, Shalon [<mailto:HarringtonS@ci.anchorage.ak.us>]  
**Sent:** Wednesday, February 12, 2014 3:43 PM  
**To:** Cecile Elliott  
**Subject:** MOA Testimony on HB 275

Debbie Reich, Municipality Of Anchorage Real Estate Dept.

*"Good morning, Mr. Chairman and members of the Committee. For the record, my name is Debbie Reich and I am with the Municipality Of Anchorage Real Estate Department. I would like to offer some brief comments on HB 275. The Municipality Of Anchorage supports the HB 275 and appreciates the bill sponsor including the provisions within the bill that provide municipalities across the state the option to publish foreclosure notices online OR in local news publications. This change to statute would save the Municipality Of Anchorage a minimum of \$20,000 annually. During times when budgets across the state are incredibly slim, we believe this savings is quite significant. We sincerely appreciate Representative Hawker bringing this bill forward and I appreciate the opportunity to provide testimony. I am available to answer any questions the committee may have."*

**Shalon R. Harrington**  
Director of Intergovernmental Affairs  
Office of Mayor Dan Sullivan  
Direct Line - 907.343.6783  
Cell Phone - 907.696.2341

**AMENDMENT**

OFFERED IN THE HOUSE

BY REPRESENTATIVE HAWKER

TO: HB 275

- 1 Page 5, lines 20 - 21:
- 2 Delete "without a specific request"



# REPRESENTATIVE MIKE HAWKER

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ALASKA STATE LEGISLATURE • DISTRICT 27

Anchorage • Glen Alps • Rainbow • Indian • Bird • Girdwood

## HB 275

### Sponsor Statement

#### Short Title: Electronic Distribution of Reports

House Bill 275 balances the need for public access to agency reports with the cost savings of using modern technology to create and distribute reports. Specifically, the bill mandates that statutorily required reports be distributed electronically and posted on the Alaska Online Public Notice System instead of printed. It also allows municipalities to post certain notices electronically.

At various times, the legislature has directed state agencies to report on a number of subjects and mandates the receipt of an annual report from departments. At the time these mandates were established, printed publication and distribution were the only option. Over the years, millions of dollars have been spent to produce and distribute annual reports alone. In 2011, the cost of producing and distributing reports was 1.6 million dollars.

These reports are already created in an electronic format. With the touch of a key pad, a report can be distributed electronically to multiple websites, individuals and organizations, without incurring any cost. This statutory change would allow agencies to do that.

At the same time, by requiring posting on the existing Alaska Online Public Notice System, the bill will actually increase public access and awareness of these reports. This system is already used by many Alaskans to keep track of various actions that state departments are taking. Having all the reports accessible in one place will allow people to peruse a comprehensive list of what reports are available and access them instantaneously.

SESSION: State Capitol Room 502, Juneau, Alaska 99801 • 465-4949 • FAX: 465-4979

INTERIM: 716 W. 4th Avenue, Anchorage, Alaska 99501 • 269-0244 • FAX: 269-0248

Rep.Mike.Hawker@akleg.gov • [www.housemajority.org/hawker](http://www.housemajority.org/hawker)



# REPRESENTATIVE MIKE HAWKER

ALASKA STATE LEGISLATURE • DISTRICT 27

Anchorage • Glen Alps • Rainbow • Indian • Bird • Girdwood

## HB 275

### Sectional Analysis

### Bill Version: HB 275

Prepared by Representative Hawker's Office

- Sec. 1:** Allows a municipality to adopt an ordinance to post mill rates on its website instead of publishing them in a newspaper.
- Sec. 2:** Allows a municipality that maintains a website to meet noticing requirements by posting foreclosure listings on its website.
- Sec. 3:** Allows a municipality that maintains a website to meet noticing requirements by posting expiration of redemption of foreclosures on its website.
- Sec. 4:** Adds “reports of state agencies” to the list of items that must be included on the Alaska Online Public Notice System.
- Sec. 5:** Creates a new article requiring electronic distribution of agency reports. This section establishes that every state agency that produces and distributes a report will do so electronically and post notice of report on the Alaska Online Public Notice System and prohibits the production of print reports, with certain exceptions. Exceptions include: an agency that lacks the technological capability to produce the report electronically; four reports to the state library distribution and data access center, as required under AS 14.56.170; reports required by agreement (contractual); reports required by federal law; and reports specifically approved by the commissioner or their designee. Defines “report” and “state agency” for purposes of this section.

SESSION: State Capitol Room 502, Juneau, Alaska 99801 • 465-4949 • FAX: 465-4979

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Revised 1/28/14

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 275  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB275-OOG-LTGOV-1-31-14  
Title: ELECTRONIC DISTRIB. OF REPORTS/NOTICES  
Sponsor: HAWKER  
Requester: House Community & Regional Affairs

Department: Office of the Governor  
Appropriation: Executive Operations  
Allocation: Lieutenant Governor  
OMB Component Number: 11

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<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>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Initial version.
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Prepared By: April Shoemaker, Administrative Support  
Division: Office of the Lt. Governor  
Approved By: Barbara Propes, Deputy Chief of Staff  
Agency: Office of the Lt. Governor

Phone: (907)465-3520  
Date: 01/31/2014 08:30 AM  
Date: 01/31/14

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB 275

**Analysis**

By statute the Office of the Lieutenant Governor manages the Online Public Notice System (OPNS) for the State of Alaska. Over the past two years a new system was developed by this office that has increased capacity and can support more data than its current usage.

Implementation of this bill requires more storage, there will be no additional cost to the Office of the Lt. Governor because the new system has the ability to store the larger volume of data required. By adding "reports" as defined in the bill , the effect on the OPNS would be miniscule.

As explained above, the Office of the Lieutenant Governor develops and manages the OPNS – the addition of reports as a category would not require a modification of the system. This bill would also not require additional personnel or maintenance on the part of this office.

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 275  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB275-OOG-OMB-2-1-2014  
Title: ELECTRONIC DISTRIB. OF REPORTS/NOTICES  
Sponsor: HAWKER  
Requester: (H) CRA

Department: Various (for Fiscal Notes only)  
Appropriation: Various  
Allocation: Executive Branch  
OMB Component Number: 0

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>	<b>FY 2015</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<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>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Initial Note
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Prepared By:	Arnold Liebelt, Policy Analyst	Phone:	(907)465-4676
Division:	Office of Management & Budget	Date:	01/31/2014 03:00 PM
Approved By:	Karen Rehfeld, Director	Date:	02/01/14
Agency:	Office of Management & Budget		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB 275

### Analysis

This legislation does the following:

1. Allows a municipality, by ordinance, to provide for electronic publication by posting the notice for three consecutive weeks on a municipal Internet website, instead of newspaper publication;
2. Requires that state agencies that produce and distribute reports, post these reports on the state's Online Public Notice Website. An agency may not produce print copies of reports except as required
  - (A) under AS 14.56.120;
  - (B) by agreement; or
  - (C) by federal law; orRequested under AS 44.99.260 or specifically approved by the head of the agency.

In preparing this fiscal note, the definition of "report" was used as defined in section 5 of the bill.

This bill results in no cost to the state. This legislation will, overall, result in a cost savings to the state, but the extent of the savings is inconclusive. The annual cost for printing state agency reports is estimated at \$530,000 statewide. Many state agencies currently distribute reports electronically when possible, and do not realize contracted printing costs. Also, the bill allows the head of a state agency to approve the printing and distribution of reports. It is unknown how many heads of state agencies or how many reports, or quantity of reports, may be printed as a result.

Also, if persons want a printed copy of a report, they can obtain a copy from the State Library Distribution and Data Access Center. The additional requests that libraries may receive for printed reports and the cost to libraries of fulfilling those requests is unknown. The bill will most likely result in a cost savings, however the extent to which the savings is realized is inconclusive.

Cost for Printing and Distribution of Required Reports  
OMB January 31, 2014

Agency	Total Cost of Producing and Distribution of Reports	Number of Reports	Quantity Produced
Administration	\$ 57,780	34	275,500
Alaska Commission on Post Secondary Education	\$ 750	2	
Commerce Community & Economic Development AIDEA/AEA	\$ 25,000	27	3,610
Corrections	\$ 9,797	5	2,655
Education & Early Development	\$ -	-	-
Environmental Conservation	\$ -	3	-
Fish & Game	\$ 11,527	6	330
Health & Social Services	\$ 123,400	32	15,958
Labor & Workforce Development	\$ 95,111	17	15,000
Law	\$ 94,762	43	104,000
Military & Veteran Affairs	\$ -	4	130
Natural Resources	\$ 364	1	-
Public Safety	\$ 8,486	21	14,576
Revenue	\$ 538	-	-
Transportation & Public Facilities	\$ 25,075	4	2,950
Alaska Judicial Council	\$ 31,900	43	7,995
Alaska Commission on Judicial Conduct	\$ 2,245	2	450
Alaska Court System	\$ 700	1	50
University of Alaska	\$ 2,398	2	400
	\$ 40,516	10	3,540
	<b>\$ 530,349</b>	<b>257</b>	<b>447,144</b>

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101


State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

January 31, 2014

**SUBJECT:** Electronic Publishing of Agency Reports  
(HB 275; Work Order No. 28-LS0999\C)

**TO:** Representative Mike Hawker  
Attn: Cecile Elliot

**FROM:** Emily Nauman   
Legislative Counsel

This memo is to confirm your understanding that the comma at the end of the phrase "distributed in the municipality," essentially operates as an "or" in the draft bill referenced above.

Section 29.45.330(a)(2), as it is amended in the bill states that a municipality shall:

publish the foreclosure list for four consecutive weeks in a newspaper of general circulation distributed in the municipality, on a municipal Internet website accessible to the public, or, if there is no newspaper of general circulation distributed in the municipality and no municipal Internet website, post the list at three public places for at least 30 days;

Because the requirement is part of a list of items separated by commas, with an "or" after the last separating comma, the comma after the phrase "distributed in the municipality," operates as an "or." The Manual of Legislative Drafting directs, "in a listing of several items, include the 'and' or 'or' only between the last two items on the list, not between each item."<sup>1</sup> An edit that may help clarify the meaning is to insert the word "post" before "on a municipal Internet website." The paragraph could also be broken into subparagraphs.

If I may be of further assistance, please advise.

ELN:lem  
14-043.lem

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<sup>1</sup> Manual, p. 59, citing *The Fundamentals of Legal Drafting*, 2ed. (1986) and *Employment Security Commission v. Wilson*, 461 P.2d 425 (Alaska 1969).

# MUNICIPALITY OF ANCHORAGE



Office of the Municipal Manager

Phone: 907-343-7110

FAX: 907-343-7140

*Mayor Dan Sullivan*

January 29, 2014

Alaska State Legislature  
Juneau, AK 99801

Honorable Alaska State Legislators:

The Municipality of Anchorage (MOA) has reviewed House Bill No. 275. The MOA expends over \$20,000 every year to publish a paper copy of the municipal foreclosure list. The proposed amendments to AS 29.45.020(a), 29.45.330(a) and 29.45.440(a) in HB 275 provide for replacement of the paper foreclosure list with an electronic noticing on a municipal Internet website accessible to the public.

We believe electronic noticing to be a more cost effective method of notification and it will save the MOA at least \$20,000 annually in publication and printing costs instead of producing the currently required paper booklet. Foreclosure and related redemption letters will still be mailed to the last known property owner on record; online noticing will not affect the distribution of the letters nor reduce the effectiveness of the current mailing system.

Electronic publication of the foreclosure list makes it readily accessible to the public from the first day of posting of the electronic publication continuously up to and through the last day of the redemption period. The additional benefit to the MOA is the ability to create the electronic publication within five days or less of the first foreclosure list posting as well the ability to edit subsequent electronic publications, if a property should be removed from the foreclosure process.

The MOA fully supports passage of HB 275 and we look forward to the cost reductions and improved accessibility online publication can produce.

Please contact Real Estate Director Tammy Oswald at (907)343-7986 or [oswaldtr@muni.org](mailto:oswaldtr@muni.org) if you have any questions.

Sincerely,

George J. Vakalis  
Municipal Manager

**Linda Thibodeau**, Director State Libraries

**Scott Meriwether**, Alaska Online Public Notice System (AK OPNS) will be present and **Steven Becke** with DOA/ETS (269-5721) will be available to answer technical questions.

**Alan Birnbaum**, attorney Dept. of Law

**Arnold Liebelt**, OMB – cost sheet

**Debbie Reich**, Foreclosure Specialist with MOA Real Estate Services on the line to provide brief testimony and answer any questions the committee may have.

**Emily Nauman**, Legal Services bill drafter

February 7, 2014

Honorable Representative Mike Hawker  
Room 502  
State Capitol Building  
Juneau, Alaska 99811

RE: HB 275

Representative Hawker,

On behalf of the Alaska Municipal League, I would like to thank you for your submittal of HB 275: Electronic Distribution of Reports.

While local government in Alaska is proud of its openness, we still have difficulties in meeting all of the obligations required to post in ways that were once put in place for a very good reason, but now might be a bit antiquated; especially for larger municipalities.

Newspapers have certainly been replaced throughout the world with ieverything (phones, pads, pods, etc.). While I cannot verify this useless statistic, I have heard it said that Alaska has been ahead in the "use" of these machines, as we have such long distances to cover and less than adequate ways to receive/deliver mail.

As a long-time Mayor, in most small communities, for which concern was expressed in the prior hearing, I know if I heard a resident complain about not getting a notification due to lack of a computer, etc., I would make sure that another clearly identified place in my community held all necessary postings. As a "small-town Mayor," one sees most of one's constituents on a daily basis and has a difficult time ignoring requests.

We, at AML, are constantly looking for ways to make local government more effective and efficient. This might appear to be a small issue, but it can make a large difference to local government budgets.

Again, we thank you for submitting this bill. AML is in full support and we will do what we can to help this bill move through the system with a positive vote at the end.

Sincerely,

Kathie Wasserman  
Executive Director



# REPRESENTATIVE MIKE HAWKER

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ALASKA STATE LEGISLATURE ♦ DISTRICT 27

Anchorage ♦ Glen Alps ♦ Rainbow ♦ Indian ♦ Bird ♦ Girdwood

**TO:** Representative Lynn, Chair State Affairs Committee  
Representative Keller, Vice-Chair State Affairs Committee

**FROM:** Representative Mike Hawker

A handwritten signature in cursive script that reads "Mike".

**DATE:** February 4, 2014

**RE:** HB 275

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I request that HB 275 which mandates electronic distribution of agency reports be scheduled for a hearing in State Affairs committee at your earliest convenience.

Please feel free to contact me or my legislative aide, Cecile Elliott at 465-4949, for any additional information.

SESSION: State Capitol Room 502, Juneau, Alaska 99801 ♦ 465-4949 ♦ FAX: 465-4979

INTERIM: 716 W. 4th Avenue, Anchorage, Alaska 99501 ♦ 269-0244 ♦ FAX: 269-0248

Rep.Mike.Hawker@akleg.gov ♦ [www.housemajority.org/hawker](http://www.housemajority.org/hawker)