


ALASKA LEGISLATURE

1323

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

DEPARTMENT OF CORRECTIONS

MEMORANDUM

to: Representative Pete Kelly
from: Jerry Shriner 
re: HB 127
date: January 31, 1996

The Department of Corrections supports the efforts to enhance the safety and security the departments employees as well as the other groups covered by this bill.

While there is a cost as indicated on our fiscal note, it seems minimal in pursuit of this the goals of this bill.

cc:

from the desk of...

Jerry Shriner
Special Assistant
Department of Corrections
240 Main, Suite 700
Juneau, AK 99801

(907) 465-4640
Fax: (907) 465-3390



ALASKA STATE EMPLOYEES ASSOCIATION
AFSCME Local 52, AFL-CIO

February 27, 1995

The Honorable Representative Pete Kelly
State Capital Building
Juneau, Alaska 99801

Dear Representative Kelly,

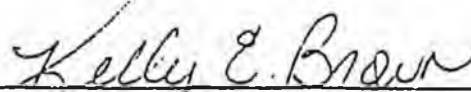
As the prime sponsor of House ~~Bill 127~~, I am writing to request your consideration of an Amendment to this legislation that would include Adult Probation Officers, Juvenile Probation Officers, Fish and Wildlife Protection Officers and Nurses who work in Correctional Institutions.

It is my opinion that these state employees are at risk of assault from persons that they serve in their professional capacities. As the President of Alaska State Employees Association, I want to ensure that members of ASEA who are at risk as a result of their employment, are protected under this statute. That protection will come in the form of deterrence of criminal behavior directed against them and prosecution when an assault does occur.

The amendment I am requesting could be added during hearings on this legislation before either the House Judiciary Committee or the House Finance Committee. Additionally, I would welcome the opportunity to discuss with you the specific language contained in this proposed amendment.

Thank you for your consideration of this legislative amendment request to House Bill 127. I can be reached at the number above at your earliest convenience.

Sincerely,


Kelly E. Brown, President
Alaska State Employees Association
American Federation of State, County
and Municipal Employees, Local 52

ANCHORAGE OFFICE

3510 Spenard Road, Suite 110
Anchorage, AK 99503
(907) 277-5200 FAX (907) 277-5206
TOLL free: 800-478-ASEA

JUNEAU OFFICE

641 West Willoughby, Suite 100
Juneau, AK 99801
(907) 463-4949 FAX (907) 463-4950
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FAIRBANKS OFFICE

315 Barnette Street, Suite 104
Fairbanks, AK 99701
(907) 452-2300 FAX (907) 452-2307
TOLL free: 800-478-2305

HB 127

Wanted man arrested for assaulting officer

A Fairbanks man charged with failing to show for six court appearances was arrested on an assault charge Tuesday after a struggle with a police officer in the Bentley Mall.

Bobby J. Carr, 21, was held on at least \$70,000 bail at Fairbanks Correctional Center, according to the booking department, which did not have all the court documents Wednesday evening.

Police officer James O'Malley said Carr pushed him when he approached Carr and that Carr fled through the Bentley Mall. As O'Malley tried to arrest him, Carr pushed O'Malley's head through a glass door, according to charging documents. Carr was charged with assault on a police officer.

FAIRBANKS DAILY NEWS-MINER

Thursday, January 25th, 1995

SENATE COMMITTEE REPORT

DATE: 4/18/95

FURTHER: Finance

DATE TURNED INTO OFFICE: 2/13/96

Judiciary Committee considered CS FOR HOUSE BILL NO. 127(JUD)

Penalties for certain offenses committed against a peace officer²/fire fighter, correctional employee, emergency medical technician, paramedic, ambulance attendant, or other emergency responders.

FIN

and recommends:

- be replaced with S CS CS HB 127 (JUD)
- 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>Mike Hill</i>		<i>See above</i>	<input checked="" type="checkbox"/>		
<i>Lyle Green</i>		<i>See above</i>	<input checked="" type="checkbox"/>		
CHAIR: <i>Adrian R. Repton</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>SCS Dept. of Law</i>	<i>2/9/96</i>	<input checked="" type="checkbox"/>	
<i>SG Dept. of Corrections</i>	<i>2/8/96</i>		<i>214</i>

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

#5

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. SSCSHB 127 (JUD)

Revision Date: _____ Dept. Affected: Corrections
 Title: An Act increasing the minimum term...assc BRU: Statewide Operations
...peace officers... Componer All Institutions
 Sponsor: Rep. Kelly
 Requester: Senate Finance COMPONENT SERIAL NO. 1381

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	21.4	21.4	21.4	21.4	21.4	21.4
TOTAL OPERATING	21.4	21.4	21.4	21.4	21.4	21.4

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	21.4	21.4	21.4	21.4	21.4	21.4
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	21.4	21.4	21.4	21.4	21.4	21.4

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

This bill would increase the mandatory minimum sentence for assault defined in AS 12.55.135 (d) from 30 to 60 days imprisonment. The bill also expands the coverage to correctional employees.

Because this offense involves assault on a clearly identified peace officer, fire fighter, correctional employee or other justice or emergency personnel, these individuals would serve their sentence in a correctional facility rather than a CRC ; at a cost of \$107.00 per day. Allowing for good time, each inmate affected would serve an additional 20 days in prison. Data concerning assault on this group are not kept separate from other assaults, however, contacts with the Dept. of Law and Dept. of Public Safety indicate the number of convictions will be 10 to 12 per year.

20 X 10 x \$107 = \$21,400 annual cost of increase in minimum sentence.

Prepared by: Jerry Shriner Phone: 465-4640
 Division: Commissioner's Office Date: 2/8/96
 Approved by Commissioner: Margaret Pugh Date: 2/8/96
 Agency: Department of Corrections

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H/E 127

7/13 6

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. SCSCS HB 127 (JUD)

Revision Date: 2/9/96 Dept. Affected: Department of Law
 Title: "...penalties for certain offenses committed against a peace officer, fire fighter, correctional employee..." BRU: Criminal Division
 Sponsor: Representative Kelly Component: Criminal Division
 Requester: Senate Judiciary COMPONENT SERIAL NO. 2085

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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 ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

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

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends various criminal statutes prescribing mandatory terms of imprisonment for crimes committed against emergency personnel (peace officers, fire fighters, correctional officers, and other emergency responders) to change the term "correctional officer" to "correctional employee." The bill has the effect of extending these mandatory sentencing provisions to crimes against non-uniform correctional employees, such as nurses, cooks and maintenance workers, who also work in the state's correctional institutions. The bill also raises the minimum penalty for physical assault against a peace officer or emergency responder from 30 days to 60 days of incarceration. Finally, the bill changes a presumptive sentencing flaw for class C and B felonies against a peace officer. This change clarifies that a sentence may be increased with the aggravating factor in AS 12.55.155(c)(13) if the offense is directed against a judicial officer or peace officer or other emergency responder. These changes will not cause a fiscal impact for the Department of Law.

Richard I. Peques

Prepared by: Richard I. Peques, Director
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Botelho, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: 2/9/96
 Date: 2/9/96

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2/1/96
 Work Draft 1/24/96
Updated by 2/9/96 note

FISCAL NOTE

STATE OF ALASKA
 1996 LEGISLATIVE SESSION

BILL NO. SCSHB 127 (JUD)

Revision Date: 1/28/96 Dept. Affected: Department of Law
 Title: "...penalties for certain offenses committed against a peace officer, fire fighter, corrections employee..." BRU: Criminal Division
 Component: Criminal Division
 Sponsor: Representative Kelly
 Requester: Senate Judiciary COMPONENT SERIAL NO. 2085

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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 ()						
------------------------	--	--	--	--	--	--

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 (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends various criminal statutes prescribing mandatory terms of imprisonment for crimes committed against emergency personnel (peace officers, fire fighters, correctional officers, and other emergency responders) to change the term "correctional officer" to "correctional employee." The bill has the effect of extending these mandatory sentencing provisions to crimes against non-uniform correctional employees, such as nurses, cooks and maintenance workers, who also work in the state's correctional institutions. The bill also raises the minimum penalty for physical assault against a peace officer or emergency responder from 30 days to 120 days of incarceration. Finally, the bill changes a presumptive sentencing flaw for class C and B felonies against a peace officer. This change clarifies that a sentence may be increased with the aggravating factor in AS 12.55.155(c)(13) if the offense is directed against a judicial officer or peace officer or other emergency responder. These changes will not cause a fiscal impact for the Department of Law.

Richard I. Pegues

Prepared by: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/28/96
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 1/28/96
 Agency: Department of Law

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HB

130

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred: April 12, 1995

FURTHER REFERRALS:

Date of Committee Action: 4/27/95

The FINANCE Committee considered:

HB 130

HOUSE BILL NO. 130

REGULATION ADOPTION PROCEDURES & REVIEW

"An Act relating to agency review of public comment on the adoption, amendment, and repeal of regulations; relating to the examination of proposed regulations, amendments of regulations, and orders repealing regulations by the Administrative Regulation Review Committee and the Department of Law; relating to the submission to, and acceptance by, the lieutenant governor of proposed regulations, amendments of regulations, and orders repealing regulations; and requiring agencies to make certain determinations before adopting regulations, amendments of regulations, or orders repealing regulations."

recommends it be replaced the same title
 with the following committee substitute CS HB 130 (FIN) a new title


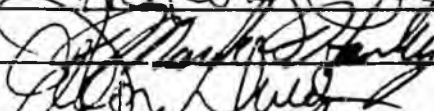
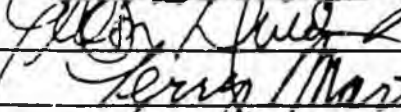
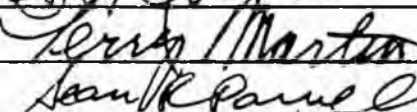
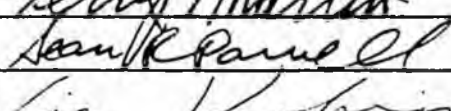
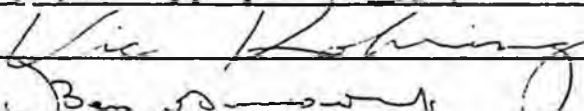
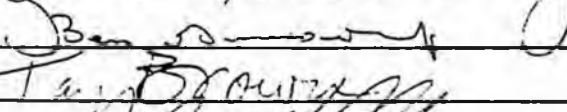
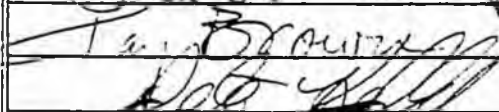
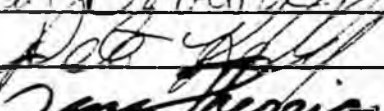
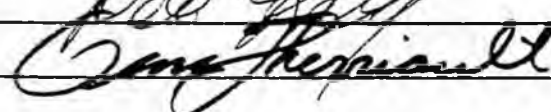
additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

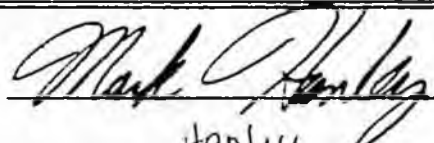
ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date)

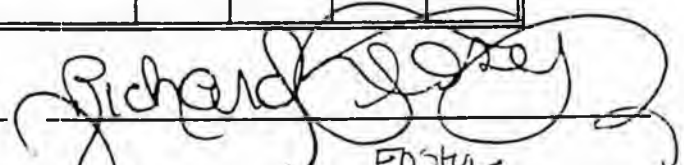
fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
	Foster			X	
	Hanley	X			
	Mulder	X			
	Martin	X			
	Parrish	X			
	Kohring	X			
	Grussendorf	X			
	Brown	✓			
	Kelly	✓			
	Theriault	✓			

CO-CHAIR'S SIGNATURE


 Hanley


 Foster

Alaska State Legislature

REPRESENTATIVE

PETER KELLY

Mailing Address

119 N. Cushman, Suite 203

Fairbanks, Alaska 99701

(907) 456-8161



Updated 4/27/95, 4:00 pm

While in Session
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>Version R</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
Total	641.6	124.4

pd 2/20/95
1

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130(JUD)

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act relating to the adoption, amendment, and repeal of regulations." BRU: Various
 Component: Various
 Sponsor: Rep. Kelly
 Requestor: House Judiciary 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	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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES					
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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						
1081 Information Services Fund				0.0		
Total	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact to the Department of Administration

Prepared by: Sharon Barton, Director Phone: 465-2200
 Division: Administrative Services Date: 4/17/95
 Approved by Commissioner: Mark Bover Date: 4/18/95
 Agency: Department of Administration

pd 3/20/95
#2

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 130

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						
----------------------	--	--	--	--	--	--

CHANGE IN						
-----------	--	--	--	--	--	--

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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pd 3/20
#3

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB130

Revision Date: Original Dept Affected: Natural Resources
 Title: ARRC review of public comment on the adoption BRU: Parks & Recreation Management
 of regulations Component: Parks Management
 Sponsor: Representative Kelly
 Requestor: _____ Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

	FY96	FY97	FY98	FY99	FY00	FY01
OPERATING EXPENDITURES						
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	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

	FY96	FY97	FY98	FY99	FY00	FY01
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 (FY95) cost: \$ 0

POSITIONS

	FY96	FY97	FY98	FY99	FY00	FY01
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)
 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 Phone: 762-2603
 Division: Parks & Outdoor Recreation Date: 4-Feb-95
 Approved by Commissioner: _____ Date: 2/7/95
 Agency: Natural Resources

REVISED
FISCAL NOTE

pd 3/20/95
12

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 130

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 98	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	68.0	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	FY 98	FY 97	FY 98	FY 99	FY 00	FY 01
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	FY 98	FY 97	FY 98	FY 99	FY 00	FY 01
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 *[Signature]*
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

10

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (STA)

4/12/95

Revision Date: _____
Title: Regulation Adoption Procedures and Review
Sponsor: Representative Kelly
Requestor: _____

Department Affected: Commerce and Economic Development
BRU: Banking, Securities and Corporations
Component: Banking, Securities and Corporations
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
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
-----------------------------	---	---	---	---	---	---

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
TOTAL	0	0	0	0	0	0

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

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

pd 4/12/95
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FISCAL NOTE

STATE OF ALASKA

BILL NO. CSHB 130

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						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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						
TOTAL	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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pd 4112195 -
#12

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (STA)

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						
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 General Fund						
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: \$ 0.0

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

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

Prepared by: Joan Brown, Administrative Officer
Division: Insurance
Approved by Commissioner: William L. Hensley
Agency: Commerce and Economic Development

Phone: 465-2597
Date: 3/30/95
Date: 3/30/95

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FISCAL NOTE

STATE OF ALASKA
 1995 LEGISLATIVE SESSION
 Revision Date: April 24, 1995
 Title: Regulation Adoption Procedures and Review
 Sponsor: Representative Kelly
 Requester: House Finance Committee

BILL NO. CSHB 130 (JUD)

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

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	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/MHTIA						
Other						
TOTAL	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: Shirley J. Holloway, Ph.D.
 Agency: Education Date: April 24, 1995

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JUD)

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
TOTAL OPERATING	10.0	2.0	2.0	2.0	10.0	2.0

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	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/MHIA	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	10.0	2.0	2.0	2.0	10.0	2.0

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...
 Agency/Department of Environmental Conservation

Date: 4/26/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JVD)

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

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

COMPONENT SERIAL NO. 1431

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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
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 March	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF:Program Receipt	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
1070 Store Tank	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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 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: Larry Jones
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JUD)

Revision Date: _____
 Title: Regulation adoption procedures and review
 Sponsor: House Finance - KELLY JAMES
 Requestor: _____

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

COMPONENT SERIAL NO. 1923

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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
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	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
1079 Store Tank	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	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	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 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: [Signature]
 Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 130

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

Department Affected: Environmental Conservation
BRU: Spill 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	0.0	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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
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	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
1079 Storg Tank	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	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.)

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: Larry Jones
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CS HB 130 (02)

Revision Date: _____
 Title: Regulation adoption procedures and review
 Sponsor: House Finance KELLY TAMES
 Requestor: _____

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

COMPONENT SERIAL NO. 1922

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
TOTAL OPERATING	0.0	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	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
1079 Storz Tank	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JUD)

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

Department Affected: Environmental
Conservation
BRU: Environmental Quality
Component: Wastewater & Water Treatment

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
----------------------	-----	-----	-----	-----	-----	-----

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: \$ 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
Division: Environmental Quality

Phone: 465-5312
Date: 4/24/95

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

Date: 4/24/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JUD)

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

Department Affected: Environmental
Conservation
BRU: Environmental Quality
Component: 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
TOTAL OPERATING	6.0	6.0	6.0	6.0	0.0	0.0

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	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
TOTAL	6.0	6.0	6.0	6.0	0.0	0.0

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

POSITIONS:

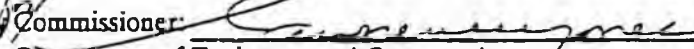
FULL-TIME	0.1	0.1	0.1	0.1	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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
Division: Environmental Quality

Phone: 465-5300
Date: 4/24/95

Approved by: 
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

JUD
BILL NO. CSHB 130(SFA)

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

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

COMPONENT SERIAL NO. 1926

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
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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	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: \$ 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

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JUD)

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 March	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: \$ 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: Lawrence Jones
Agency: Department of Environmental Conservation

Date: 4/24/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130(JUD)

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
 Component: Limited Entry Program Administration
 Sponsor: Rep. Kelly
 Requester: Rep. Kelly COMPONENT SERIAL NO. 0471

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						
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 ()						
------------------------	--	--	--	--	--	--

FUND SOURCE	(Thousands of Dollars)					
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						
TOTAL	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 Hogan Date: 4/24/95
 Agency: Commercial Fisheries (Limited) Entry Commission

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 130

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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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CS HB 130(JUD)

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

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
TOTAL OPERATING	0.0	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

(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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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 K...*
 Agency: _____

Phone: 465-3562
 Date: 4/21/95
 Date: _____

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JUD)

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

Expenditures/Revenues	(Thousands of Dollars)					
	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING EXPENDITURES						
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						
CHANGE IN REVENUES						

FUND SOURCE	(Thousands of Dollars)					
	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
002 Federal Receipts						
003 GF Match						
004 GF	0.0	0.0	0.0	0.0	0.0	0.0
005 GF/Program Receipts						
006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

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

ANALYSIS: (Attach a separate page if necessary)

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: <u>Richard I. Peques, Director</u>	Phone: <u>465-3672</u>
Division: <u>Administrative Services Division</u>	Date: <u>4/25/95</u>
Approved by Commissioner: <u>Bruce M. Botelho, Attorney General</u>	Date: <u>4/25/95</u>
Agency: <u>Department of Law</u>	

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: CSHB 130 (JUD)

Revision Date: 4/13/95 Dept. Affected: Public Safety
 Title: An Act relating to agency review of public BRU: Statewide
comment on the adoption amendment and... Component: Commissioner's Office
 Sponsor: Rep. Kelly
 Requestor: H. Judiciary COMPONENT SERIAL NO. 513

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

	EY 96	EY 97	EY 98	EY 99	EY 00	EY 01
OPERATING						
PERSONAL SERVICES	5.0	5.0	5.0	5.0	5.0	5.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	5.0	5.0	5.0	5.0	5.0	5.0
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GE Match						
1004 GE	5.0	5.0	5.0	5.0	5.0	5.0
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
TOTAL	5.0	5.0	5.0	5.0	5.0	5.0

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

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 Phone: 465-4336
 Division: Administrative Services Date: 4/13/95
 Approved by Commissioner: Ronald L. Otte Date: 4/17/95
 Agency: Ronald L. Otte, Dept. of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CS HB130 (JUD)

Revision Date: 4/25/95 Dept. Affected: Revenue
 Title: Regulation Adoption and Review BRU: ALL
 Component: ALL
 Sponsor: Rep. Kailiv/James
 Requester: 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						
TOTAL OPERATING	20.0	20.0	20.0	20.0	20.0	20.0
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 (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						
TOTAL	20.0	20.0	20.0	20.0	20.0	20.0

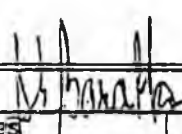
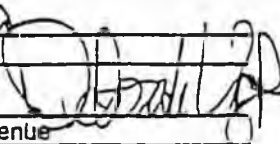
Estimate of any current year (FY95) cost: \$ 0.0

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

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
---------	---	---	---	---	---	---

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

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
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

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO CSHB 130 (JUD)

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

Sponsor: Rep. Kelly

Requestor: _____

Dept. Affected Governor
BRU: Human Rights Commission

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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
---------	-----	-----	-----	-----	-----	-----

REVENUE	0.0	0.0	0.0	0.0	0.0	0.0
---------	-----	-----	-----	-----	-----	-----

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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS :

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

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

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

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSHB 130 (JLD)

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

Sponsor: Rep. Kelly

Requestor: _____

Dept. Affected Commerce and Economic

BRU: APUC

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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
---------	-----	-----	-----	-----	-----	-----

REVENUE	0.0	0.0	0.0	0.0	0.0	0.0
---------	-----	-----	-----	-----	-----	-----

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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS :

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

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

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

Alaska State Legislature

REPRESENTATIVE
PETER KELLY

Mailing Address:
119 N. Cushman, Suite 203
Fairbanks, Alaska 99701
(907) 451-8161

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

House District 31

House Of Representatives

Sponsor Statement

Committee Substitute for HB 130 (JUD)

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 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 allows agencies to demonstrate their accommodation and response to public comment.

HB 130 begins the process of regulatory reform. It is intended to do no harm to the existing regulation process. It is not intended to stop the regulatory process. It is intended to make the best changes possible to the Administrative Procedures Act, within the limits set by the Alaska Constitution, and executive versus legislative separation of power.

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

Alaska State Legislature

REPRESENTATIVE
PETER KELLY

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Fairbanks, Alaska 99701
(907) 456-8161



White in Juneau
State Capitol
Juneau, Alaska
99801-1182
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House District 31

House Of Representatives

Date: April 20, 1995
Before: Chairman Mark Hanley
House Finance Committee
From: Representative Pete Kelly
Re: Sectional Analysis HB 130(JUD)

HB130 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

CS HB 130(JUD), first, does no harm to Alaska's regulatory process, a process that is necessary to the function of the Administrative branch.

This bill has undergone extensive technical rewrite in its 14 different drafts. Draft J before you, has been proceeded by drafts H, D, Z, W, U, R, O, M, K, G, F, C, and A.

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 (JUD) 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, 3 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 bad guys in the administration 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 special attention to peoples testimony regarding the cost of the proposed regulation.

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

HB 130W Sectional
Page 3.

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.

adopted no OBJ

A M E N D M E N T

1

OFFERED IN THE HOUSE

BY REPRESENTATIVE KELLY

TO: CSHB 130(JUD)

1 Page 5, following line 12:

2 Insert a new bill section to read:

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

4 (b) Notwithstanding another provision of law to the contrary, when adopting
5 a regulation relating to the control, prevention, and abatement of air, water, or land
6 or subsurface land pollution, the department shall give special consideration to public
7 comments concerning the cost of compliance with the regulation and to alternate
8 practical methods of complying with the statute being interpreted or implemented by
9 the regulation."

Adopted No/08j
A M E N D M E N T *2*

OFFERED IN THE HOUSE

BY REPRESENTATIVE KELLY

TO: CSHB 130(JUD)

- 1 Page 1, line 1, following "relating to":
2 Insert "letters of intent by legislative committees and to"
- 3 Page 1, following line 2:
4 Insert a new bill section to read:
5 ** Section 1. AS 24.05.180 is amended by adding a new subsection to read:
6 (c) In order to make the intent of legislation clear for agencies adopting
7 regulations under the legislation, a standing, special, or other legislative committee
8 shall adopt a letter of intent for a bill when the committee passes the bill out of the
9 committee if the committee has jurisdiction over the substance of the bill and either
10 is passing out a new version of the bill or disagrees with a previous letter of intent.
11 The letter of intent shall be reported in the journal."
- 12 Page 1, line 3:
13 Delete "** Section 1."
14 Insert "** Sec. 2."
- 15 Renumber the following bill sections accordingly.

adopted no/obj
AMENDMENT #3

by Kelly

TO: CSIB 130(JUD)

Page 5, following line 12:

Insert a new bill section to read:

"* Sec. 10. APPLICABILITY FOR REGULATIONS. The changes made to AS 44.62 and AS 46.03.020 by this Act apply only to regulation changes first noticed under AS 44.62.200 on and after the effective date of this Act."

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
2.	Gov./Elections	2/02/95	0
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
---------	---	---	---	---	---	---

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

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
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
OPERATING EXPENDITURES						
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						
CHANGE IN REVENUES						

FUND SOURCE (Thousands of Dollars)

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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
 Division: Administrative Services Division 1 1 2
 Approved by Commissioner: Bruce M. Gotsche, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: 4/25/95
 Date: 4/25/95

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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, BRU: Office of Management and Budget
and repeal of regulations 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
TOTAL OPERATING	0.0	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
------------------------	-----	-----	-----	-----	-----	-----

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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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
 Division: Governmental Coordination
 Approved by Commissioner: [Signature]
 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						
----------------------	--	--	--	--	--	--

CHANGE IN						
-----------	--	--	--	--	--	--

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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS :

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

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

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
OPERATING EXPENDITURES						
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	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						
----------------------	--	--	--	--	--	--

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

(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						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

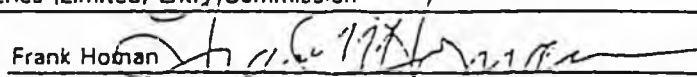
Estimate of any current year (FY95) cost: \$ 0.0

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						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES	0.0					
---------------------	-----	--	--	--	--	--

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

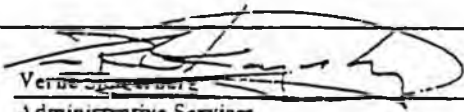
POSITIONS:

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
OPERATING EXPENDITURES						
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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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)					
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
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

Nc 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
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 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						
TOTAL OPERATING	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						
TOTAL	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: 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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

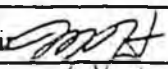
POSITIONS :

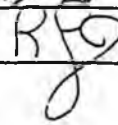
Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

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

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ISCAL NOTE

No. 24

STATE OF ALASKA
1995 LEGISLATIVE SESSION

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

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						
TOTAL OPERATING	20.0	20.0	20.0	20.0	20.0	20.0

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 (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						
TOTAL	20.0	20.0	20.0	20.0	20.0	20.0

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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COMMITTEE COPY

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
OPERATING						
PERSONAL SERVICES	50	50	50	50	50	50
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	50	50	50	50	50	50
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
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						
TOTAL	50	50	50	50	50	50

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
----------------------	-----	-----	-----	-----	-----	-----

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	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. 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
TOTAL OPERATING	6.0	6.0	6.0	6.0	0.0	0.0

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	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
TOTAL	6.0	6.0	6.0	6.0	0.0	0.0

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. 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
TOTAL OPERATING	10.0	2.0	2.0	2.0	10.0	2.0

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	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
TOTAL	10.0	2.0	2.0	2.0	10.0	2.0

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 ^{attention} ~~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

Updated 4/27/95, 4:00 pm
State Capitol
Juneau, Alaska
99801-1182
(907) 465-2327

Mailing Address:
119 N. Cushman, Suite 203
Fairbanks, Alaska 99701
(907) 456-8161

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
Total	641.6	124.4

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

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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

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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)

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

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.

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*
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						
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 General Fund						
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: \$ 0.0

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

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

Prepared by:	Joan Brown, Administrative Officer <i>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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