

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
5861 HOUSE JUDICIARY

265

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 10, 1989

FURTHER REFERRALS: JUDICIARY
FINANCE

Date of Committee Action: _____

The STATE AFFAIRS Committee considered:

CSSB 75(Rls)am

CS FOR SENATE BILL NO. 75 (Rules) am

"An Act relating to the identification of and disclosures on and about state publications; and providing for an effective date."

RECOMMENDATIONS:

- be replaced with HCS (SSB 75 (SA)) the same title
 a new title
- have attached amendment(s)
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) 5 Rules
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:
(Check approp. column)

Alice Kenley

Tom Howard

Ed P. Pugh

	Do Not Pass	No Rec	Amend

Ed P. Pugh

Chairman's signature

SENATE BILL 75

History of Fiscal Notes

<u>Date</u>	<u>From</u>	<u>Amount</u>
02/28/89	Department of Administration General Services & Supply (SB 75)	\$0
02/28/89	Department of Administration General Services & Supply (CS SB 75)	\$0
03/07/89	Department of Administration General Services & Supply (CS SB 75 [State Affairs])	\$0
03/01/89	Senate Finance Committee (CS SB 75 [Finance])	\$0
03/07/89	Senate Rules Committee (CS SB 75 [Rules])	\$0

This publication was produced at an annual cost of \$9,978, \$4.99 per copy, to discuss economic developments within the state during the past year, and was printed in Juneau, Alaska.

This example of a "cost box" was derived from an actual publication.

Item 2

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CS SB 75 (Rules)
PUB. SH DATE: 3/8/89

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Department of Administration
Title: An Act relating to identification of BRU: General Services and Supply
and disclosures on and about state publications Central Duplicating/Purchasing
Sponsor: Senator Pearce Components: _____
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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)

Rules CS is a title change only

Prepared by: McKie Campbell - Rules Committee Staff Phone: 465-3818
Division: Senate Rules Committee Date: 3/7/89
Approved by Commissioner: Senator Arliss Sturqulewski Date: 3/7/89
Agency: Alaska State Senate

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

CHAPTER 88-32

Committee Substitute for House Bill No. 156

An act relating to public printing; amending ss. 283.31 and 283.315, F.S., raising the threshold level of state agency printing costs which triggers internal oversight and requires a statement of cost and purpose; amending s. 283.53, F.S., providing an exception to bid letting on specified university publications; amending s. 6 of chapter 83-252, Laws of Florida, extending repeal; providing procedures for review; providing for review and repeal of s. 283.422, F.S.; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 283.31, Florida Statutes, is amended to read:

283.31 Internal printing oversight committees.--Each state agency shall establish an internal printing oversight committee which will be responsible for overseeing the printing of all publications produced for public distribution and costing in excess of \$3,000 ~~\$1,000~~ which are paid for by state tax funds appropriated by the Legislature, whether produced within the agency or by private printers; and for maintaining an accurate index of each such publication, together with the actual costs of preparation, printing, and circulation. The information reflected by such records shall be reported semiannually to the Auditor General on July 31 for the reporting period ending June 30, and on January 31 for the reporting period ending December 31, in the format that he shall require; and the Auditor General shall report annually the information to the President of the Senate and Speaker of the House of Representatives prior to the convening of the regular session, or at any time upon request of the Legislature. A committee may exempt contract documents from the requirements of ss. 283.42 and 287.102. However, the committee shall include justification for such exemptions in its semiannual report to the Auditor General. The semiannual report shall also contain the following: written justification of need, purpose, authority, source of funding, frequency and number of issues, and reasons for choice of either in-house or outside vendor printing.

Section 2. Subsection (1) of section 283.315, Florida Statutes, is amended to read:

283.315 Publications; statement of cost and purpose.--

(1) Every department or agency of the state which prints or causes to be printed publications, as defined in s. 283.30(8) and costing in excess of \$3,000 ~~\$1,000~~ which are paid for by state tax funds appropriated by the Legislature, shall cause the following statement, with cost data and purpose inserted, to be printed on the publication adjacent to the identification of the agency responsible for the publication: "This publication was produced at an annual cost of \$...., or \$.... per copy to ...(statement of purpose)...." This statement shall be printed in type which is the same size as the type of the body copy of the publication, and the statement shall be set in a box composed of at least a 1-point rule.

Section 3. Subsection (3) is added to section 283.53, Florida Statutes, to read:

283.53 Specified university publications; activities; trust funds.--

(3) Printing of such publications shall be let upon contract to the lowest responsible bidder, in accordance with s. 283.33, except when the additional costs incurred in changing from the current printer to the new low bidder exceed the savings reflected in the bid prices. Such additional costs shall not exceed 10 percent of the lowest bid price.

Section 4. Section 6 of chapter 83-252, Laws of Florida, is amended to read:

Section 6. This act shall stand repealed on October 1, 1990 January-17-1989, and shall be reviewed by the Legislature prior to that date. It is the intent of the Legislature that each section of Chapter 283, including future amendments, be reviewed under this section. The President of the Senate and the Speaker of the House of Representatives shall designate a committee in each respective house to conduct the review. The committees shall evaluate whether chapter 283, Florida Statutes, should be reenacted and develop the criteria to be used for such evaluation; evaluate whether such review is necessary at a future date; and, if so, determine the appropriate entity to conduct it and the appropriate entity to monitor and assign subsequent reviews. The committees shall conduct the reviews and submit a report and recommendations to the appropriate executive officer of each house no later than March 1, 1990.

Section 5. Section 283.422, Florida Statutes, is repealed on October 1, 1990, and shall be reviewed by the Legislature prior to that date, pursuant to the provisions of section 6 of chapter 83-252, Laws of Florida.

Section 6. This act shall take effect July 1, 1988, or upon becoming a law, whichever occurs later.

Approved by the Governor May 12, 1988. -

Filed in Office Secretary of State May 12, 1988.

* This publication was produced at a base cost of \$11.02 per page *
* for 1500 copies or \$.0126 per single page for the purpose of *
* informing the public of Acts passed by the Legislature. *

CHAPTER 283

PUBLIC PRINTING AND STATIONERY

- 283.30 Definitions.
- 283.31 Internal printing oversight committees.
- 283.315 Publications; statement of cost and purpose.
- 283.32 Recycled paper to be used.
- 283.33 Public printing to be let to lowest bidder.
- 283.34 State officers not to have interests in contract.
- 283.35 Preference given printing within the state.
- 283.36 Public printing divided into classes.
- 283.37 Notice requirements when calling for bids.
- 283.38 Separate and combined bid awards; deposit required with a bid.
- 283.39 Term of new contract.
- 283.40 Statements under oath may be required to be filed by the bidder.
- 283.41 False statements; forfeit of deposit as liquidated damages.
- 283.42 Bids required on class B printing.
- 283.422 Printing of test or related materials to preserve test security.
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- 283.43 Public information printing services.
- 283.44 Department of State to classify, number, and furnish copies of general laws, special acts, resolutions, and memorials.
- 283.45 Journals of Legislature.
- 283.49 Public documents; university libraries.
- 283.50 Law libraries of certain colleges designated as state legal depositories.
- 283.51 Public printing; copies to Library of Congress.
- 283.52 Distribution of session laws.
- 283.53 Specified university publications; activities; trust funds.
- 283.55 Public documents; purging of publication mailing lists; copies to State Library.

283.30 Definitions.—As used in this chapter, unless the context clearly requires otherwise, the term:

(1) "Agency" means a separate agency or unit of state government created or established by law and includes, but is not limited to, the following agencies or units and the officers thereof: any authority, board, branch, bureau, commission, department, division, institution, office, officer, or public corporation, as the case may be, except any such agency or unit within the legislative or judicial branch of state government.

(2) "Committee" means the Joint Legislative Management Committee of the Florida Legislature created by s. 11.147.

(3) "Division" means the Division of Purchasing of the Department of General Services.

(4) "Duplicating" means the process of reproducing an image or images from an original to a final substrate through the electrophotographic, xerographic, or offset process or any combination of these processes, by which an operator can make more than one copy without rehandling the original.

(5) "Internal printing oversight committee" means the internal committee created by each cabinet officer

and the head of each executive department of government to oversee the production of publications costing in excess of \$1,000 which are paid for by state tax funds appropriated by the Legislature.

(6) "Printing" is the transfer of an image or images by the use of ink or similar substance from an original image to the final substrate through the process of letterpress, offset lithography, gravure, screen printing, or engraving.

(7) "Public" means those entities and persons other than subordinate and functionally related or connected federal, state, or local governmental agencies.

(8) "Publication" includes all books, brochures, flyers, manuals, newsletters, pamphlets, programs, reports, and other like documents, but excludes items issued for strictly administrative or operational purposes.

History.—ss. 1, 6, ch. 83-252, § 30, ch. 84-254

*Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.31 Internal printing oversight committees.—Each state agency shall establish an internal printing oversight committee which will be responsible for overseeing the printing of all publications produced for public distribution and costing in excess of \$1,000 which are paid for by state tax funds appropriated by the Legislature, whether produced within the agency or by private printers; and for maintaining an accurate index of each such publication, together with the actual costs of preparation, printing, and circulation. The information reflected by such records shall be reported semiannually to the Auditor General on July 31 for the reporting period ending June 30, and on January 31 for the reporting period ending December 31, in the format that he shall require; and the Auditor General shall report annually the information to the President of the Senate and Speaker of the House of Representatives prior to the convening of the regular session, or at any time upon request of the Legislature. A committee may exempt contract documents from the requirements of ss. 283.42 and 287.102. However, the committee shall include justification for such exemptions in its semiannual report to the Auditor General. The semiannual report shall also contain the following: written justification of need, purpose, authority, source of funding, frequency and number of issues, and reasons for choice of either in-house or outside vendor printing.

History.—ss. 1, 6, ch. 83-252, § 31, ch. 84-254

*Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.315 Publications; statement of cost and purpose.—

(1) Every department or agency of the state which prints or causes to be printed publications, as defined in s. 283.30(8) and costing in excess of \$1,000 which are paid for by state tax funds appropriated by the Legislature, shall cause the following statement, with cost data and purpose inserted, to be printed on the publication adjacent to the identification of the agency responsible for the publication: "This publication was produced at an

annual cost of \$____, or \$____ per copy to statement of cost. This statement shall be printed in type which is the same size as the type of the body copy of the publication, and the statement shall be set in a box composed of at least a 1-point rule.

(2) For the purposes of this section, the following three factors shall be utilized in computing cost data:

(a) *Preparation*.—Expenditure for materials, salaries, and operating expenses of personnel involved in preparing the publication.

(b) *Printing*.—Expenditure for reproduction, whether on bid or in-house.

(c) *Circulation*.—Expenditures for postage and for salaries of agency or department personnel involved in distribution of the publication.

History.—ss. 1, 6, ch. 83-252, s. 32, ch. 84-254.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.32 Recycled paper to be used.—Each state agency shall purchase, when economically feasible, recycled paper if and when recycled paper can be obtained that is comparable to the quality presently used by the agency.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.33 Public printing to be let to lowest bidder.—Except as otherwise provided in this chapter, all public printing of the state shall be let upon contract to the lowest responsible bidder, who shall furnish all paper and other material used in printing and binding.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.34 State officers not to have interests in contract.—No member of the Legislature or other officer of this state may have an interest, directly or indirectly, in any contract as provided for in s. 283.33; however, nothing in this section prohibits a member of the Legislature from receiving such a contract when he or his firm is the lowest bidder of all bidders submitting competitive bids for the contract.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.35 Preference given printing within the state.—Every agency of the state, including agencies within the legislative and judicial branches of government, shall give preference to bidders located within the state when awarding contracts to have materials printed, whenever such printing can be done at no greater expense than the expense of awarding a contract to a bidder located outside the state and can be done at a level of quality comparable to that obtainable from a bidder located outside the state.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.38 Public printing divided into classes.—

(1) Class A printing includes, but is not restricted to, the journal and the calendar for the Senate, the journal and the calendar for the House of Representatives, the bills for the Senate and the House of Representatives,

the bound journals for the Senate and the House of Representatives, the pamphlet laws, the general acts, the special acts, the reports of the Auditor General, and any such items of printing or duplicating which the Legislature or legislative branch agency from time to time may require.

(2) Class B printing includes all printing and duplicating produced or purchased by any other agency of the state for distribution to the public.

(3) Class C printing includes all printing and duplicating of memorandum pads, newsletters, and circulars or similar items which may be used for internal circulation by state agencies. Contracts for class C printing are optional, and such contracts shall be approved by an internal printing oversight committee.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.37 Notice requirements when calling for bids.—The committee shall give reasonable notice of not less than 28 days, by publication in one or more newspapers in the state, of the calling for bids on class A printing in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE. Persons wishing to receive notice of the calling for bids for procurements which are equal to or less than the threshold amount provided in s. 287.017 for CATEGORY FIVE shall register with the committee and receive such notice by mail.

History.—ss. 1, 6, ch. 83-252, s. 2, ch. 86-204.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.38 Separate and combined bid awards; deposit required with a bid.—

(1) The committee shall enter into all contracts for class A printing.

(2) Each bid for contract or contracts for class A printing shall be made separate and upon a unit bid price for each item to be contracted for or shall be made upon a combined bid price for more than one item or on all items to be contracted for by the committee. In the event the combined bid price is lower than the total of the lowest separate unit bid prices for each item, the combined bid price shall be accepted by the committee, in accordance with this chapter.

(3) The President of the Senate and the Speaker of the House of Representatives have authority to contract for the printing of the rule books required for the Senate and for the House of Representatives, respectively, and they shall not be required to receive bids thereon; but each shall be able to contract for the printing of the respective house rule book without receiving competitive bids.

(4) Each bid for class A printing may be required to be accompanied by a certified check, in an amount to be fixed by the committee, to evidence the good faith of the bidder.

History.—ss. 1, 6, ch. 83-252, s. 67, ch. 85-80.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.39 Term of new contract.—Upon the expiration of the contract or contracts now in force for printing which is designated in this chapter as class A, the committee shall enter into a new contract or contracts, or ex-

tend the existing contract or contracts, for the portion of such printing it determines to let to contract; and such contract or contracts may be made by the committee hereafter for a maximum period of 2 years.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.40 Statements under oath may be required to be filed by the bidder.—The committee, when considering any bids submitted for public printing designated as class A, may require any bidder to submit a statement under oath that:

(1) Such bidder is at the time of making such bid fully and completely able to perform such contract; and

(2) Such bidder is, at the time of submitting the bid actually in the bidder's name, the owner of a printing plant and is in good faith operating such printing plant in the current operation of a printing business.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.41 False statements; forfeit of deposit as liquidated damages.—If any bidder for any contract for public printing designated as class A makes, in the statement under oath required by s. 283.40, false statements concerning any of the information required to be furnished under s. 283.40, the certified check by such bidder submitted with his bid shall be forfeited as liquidated damages.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.42 Bids required on class B printing.—No general contract shall be let to cover the printing designated as class B, but each job coming under this classification shall be let separately under rules adopted by the division to the lowest responsible bidder who will manufacture the same in accordance with s. 283.35. Such contract shall apply only to the work under consideration and shall require competitive bids on all purchases in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO.

History.—ss. 1, 6, ch. 83-252; s. 3, ch. 85-204.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.422 Printing of test or related materials to preserve test security.—A contract let for the development, administration, or grading of tests or related materials by the Department of Insurance pursuant to the various agent, solicitor, and adjuster licensing and examination provisions of the Florida Insurance Code may include the printing and shipping of these tests or related materials in order to preserve test security. Any such contract shall be let as a contract for a contractual service pursuant to s. 287.057.

History.—s. 1, ch. 85-208; s. 79, ch. 87-224.

283.425 Acceptance for printing; penalty for defective printing.—No printing may be accepted as in compliance with the contract when the printing is not of the grade of workmanship which is usually employed by professional printers on printing of such class, or when the printing is not of the full quantity or acceptable quality

for which it has been contracted. If immediate necessity and lack of time to procure printing elsewhere compel the use of defective printing furnished by a contractor, it shall be accepted without approval, and one-half of the contract price thereon shall be deducted as liquidated damages for breach of contract.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.43 Public information printing services.—Any agency the authorized functions of which include public information programs is authorized to purchase, pursuant to this chapter and subject to its appropriation and any other limitations imposed by law, typesetting, printing, and media distribution services, when the purchase of such services would be less costly than the performance of the same services directly by the agency or when such services are beyond the production limitations established by agency guidelines.

History.—ss. 1, 6, ch. 83-252.

Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

283.44 Department of State to classify, number, and furnish copies of general laws, special acts, resolutions, and memorials.—

(1) Immediately after any act of the Legislature or any resolution or memorial is filed in the office of the Department of State, that department shall:

(a) Select, segregate, and classify all acts of the Legislature, including memorials and resolutions, by dividing them into the following two classifications: Volume I, General Acts, and Volume II, Special Acts;

(b) Include in such General Acts all acts passed as general laws and all memorials and resolutions, including proposed constitutional amendments, and include in such Special Acts only those acts passed as special laws and becoming law as such;

(c) Assign a chapter number to each such act; and

(d) Furnish true and accurate copies of such laws, resolutions, and memorials passed by the Legislature to the committee for publication.

(2)(a) The committee shall cause to be printed in pamphlet form a sufficient number of copies of any general act of the Legislature to supply any governmental agency, such copies to be delivered to, kept, and retained in the office of the Department of State until distributed as provided in paragraph (b).

(b) The Department of State shall distribute pamphlet copies of the general laws upon requisition to any official of the legislative, judicial, or executive branches of state or county government in this state. Surplus copies may be distributed to practicing attorneys in the state upon their written request and payment of a nominal fee sufficient to pay for mailing.

(3)(c) The committee shall furnish the contractor with copy for printing and binding the General Acts and the Special Acts in separate volumes broken down into as many books as may be necessary, with a general, alphabetical index to each.

(b) The contractor shall complete and deliver to the committee for distribution such number of copies of the session laws as are required and ordered.

(c) The committee has the authority, in the event of sufficient requests for sales, to provide for the republication of the general session laws of the Legislature, when copies of such laws on hand and available for sale have been exhausted, and to sell such republished laws at a price, to be fixed by the committee, sufficient to cover the cost of printing.

History.—ss. 1, 6, ch. 83-252.
Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.45 Journals of Legislature.—The contractor shall complete and deliver to the Secretary of the Senate such number of copies of the bound journal of the proceedings of the Senate and shall complete and deliver to the Clerk of the House of Representatives such number of copies of the bound journal of the proceedings of the House of Representatives as the President of the Senate and the Speaker of the House of Representatives shall determine. The Secretary of the Senate and the Clerk of the House of Representatives shall deliver one copy each to the Governor, each Cabinet officer, each justice of the Supreme Court, and each member of the Senate and the House of Representatives and, upon requisition, one copy each to any official government agency and shall retain in their offices the remaining copies for sale at a price to be determined by the President of the Senate and the Speaker of the House of Representatives.

History.—ss. 1, 6, ch. 83-252.
Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.49 Public documents; university libraries.—The general library of each institution in the State University System is entitled to receive copies of reports of state officials, departments, and institutions and all other state documents published by the state. Each officer of the state empowered by law to distribute such public documents is authorized to transmit without charge, except for payment of shipping costs, the number of copies of each public document desired upon requisition from the librarian. It is the duty of the library to keep public documents in a convenient form accessible to the public. The library, under rules formulated by the Board of Regents, is authorized to exchange documents for those of other states, territories, and countries.

History.—ss. 1, 6, ch. 83-252.
Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.50 Law libraries of certain colleges designated as state legal depositories.—

(1) The law libraries of the University of Florida, Florida State University, Stetson University, Nova University, and the University of Miami are designated as state legal depositories.

(2) Each officer of the state empowered by law to distribute legal publications is authorized to transmit, upon payment of shipping costs or cash on delivery, to the state legal depositories copies of such publications as requested. However, the number of copies transmitted shall be limited to:

(a) Eight copies of each volume of General Acts and each volume of Special Acts to each of the state legal depositories;

(b) Up to a maximum number of each volume of the Florida Statutes and each supplement volume, computed on the basis of one set for every 10 students enrolled during the school year, based upon the average enrollment as certified by the registrar; and

(c) One copy of each journal of the House of Representatives and each journal of the Senate to each state legal depository.

(3) It is the duty of the librarian of any depository to keep all public documents in a convenient form accessible to the public.

(4) The libraries of all community colleges in the state community college system as defined in s. 240.301 are designated as state depositories for the Florida Statutes and supplements published by or under the authority of the state; these depositories each may receive upon request one copy of each volume without charge, except for payment of shipping costs.

History.—ss. 1, 6, ch. 83-252.
Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.51 Public printing; copies to Library of Congress.—Any state official or state agency, board, commission, or institution having charge of publications hereinafter named is authorized and directed to furnish the Library of Congress in Washington, D.C., upon requisition from the Library of Congress, up to three copies of the journals of both houses of the Legislature; volumes of the Supreme Court Reports; volumes of periodic reports of Cabinet officers; and copies of reports, studies, maps, or other publications by official boards or institutions of the state, from time to time, as such are published and are available for public distribution.

History.—ss. 1, 6, ch. 83-252.
Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch. 83-252.

1283.52 Distribution of session laws.—

(1) Copies of session laws of each session of the Legislature shall be distributed free by the committee as follows:

(a) As many copies as the Governor, the Supreme Court, the district courts of appeal, and the Department of Legal Affairs may require for official use.

(b) One copy as requested by each agency of the Government of the United States, not to exceed a total of 10 copies. A maximum of three copies shall be sent to the Library of Congress in Washington, D.C., on requisition of the library.

(c) A maximum of five copies, upon request, to each institution in the State University System, the University of Miami, Nova University, and Stetson University; and two copies to the University of Tampa, Florida Southern College, and Rollins College, to be mailed to the president of each institution upon request.

(d) Such copies to each of the several Cabinet members of this state (other than the Governor and the Attorney General); all duly constituted state departments, agencies, boards, commissions, and institutions; the Supreme Court of the United States; and the United States Circuit Court of Appeals for the Eleventh Circuit; as they shall request for official use, the maximum number to be determined by the committee.

2. The number of addressees on each mailing list.
 3. The number of persons responding who indicated their desire to continue to receive such publication.
 4. The number of persons responding who indicated their desire to discontinue receipt of such publication.
 5. The number of persons who failed to respond to the survey.
- (d) The provisions of this section apply to any agency of the state, except an agency of state government the mailing list of which consists only of those persons

registered with the agency and the registration fee of which includes payment by the registrants as subscribers for the publication of the agency.

(2) At the time of publication, or as soon thereafter as practicable, each agency, pursuant to paragraph (1)(d), shall forward not fewer than the number of copies required in s. 257.05 of each of its publications to the State Library of the Division of Library and Information Services of the Department of State.

History.—ss 1, 6, ch 83-252, s 63, ch 86-163

*Note.—Expires effective January 1, 1989, and is scheduled for review by the Legislature before that date, pursuant to s. 6, ch 83-252

12-4-707. Payments to subcontractors — Interest. — (a) Upon payment by an agency, a business which has acquired under contract, property or services in connection with its contract with such agency from a subcontractor or supplier, shall pay the subcontractor or supplier within thirty (30) days after receiving payment from the agency.

(b) Interest at the rate of one and one-half percent (1 1/2%) per month shall accrue and is due any subcontractor or supplier who is not paid within thirty (30) days after the business receives payment from the agency, unless otherwise provided by contract between the agency and the business, or by contract between the business and the subcontractor or supplier. Interest begins to accrue on the thirty-first day at the rate specified in this subsection. (Acts 1985, ch. 57, § 1.)

CHAPTER 5
PUBLIC PRINTING

SECTION
PART 1—GENERAL PROVISIONS
12-5-101. [Repealed.]
12-5-102. Supervision by department of general services.
12-5-103 — 12-5-124. [Repealed.]

SECTION.
12-5-125. Cost data for public documents.
PART 2—LEGISLATIVE ACTS AND JOURNALS, REPORTS
12-5-201 — 12-5-213. [Repealed.]

PART 1—GENERAL PROVISIONS

12-5-101. [Repealed.]

Compiler's Notes. This section (Acts 1909, ch. 348, § 1, Shan., § 1a15, Code 1932, § 46; T.C.A. (orig. ed.), § 12-501), concerning the definition of public printing and the preference

for Tennessee printers, was repealed by Acts 1981, ch. 332, § 26. For supervision by the department of general services, see § 12-5-102.

12-5-102. Supervision by department of general services. — The department of general services shall have entire charge and supervision of all printing done for each and every department or branch of government of the state, including all departmental offices and all charitable, penal, educational or reform institutions. (Acts 1915, ch. 45, § 1; Shan., § 1a2; impl. am. Acts 1923, ch. 7, §§ 2, 3, 20; mod. Code 1932, § 29; impl. am. Acts 1937, ch. 33, § 42; impl. am. Acts 1939, ch. 11, § 23; mod. C. Supp. 1950, § 29; impl. am. Acts 1953, ch. 163, § 29; impl. am. Acts 1959, ch. 9, § 6; impl. am. Acts 1961, ch. 97, § 5; impl. am. Acts 1972, ch. 543, § 7; T.C.A. (orig. ed.), § 12-502.)

Cross-References. Powers of department of general services, § 4-3-1106.
Section to Section References. This chapter is referred to in § 8-3-104.
Comparative Legislation. Public printing: Ala. Code § 41-4-130 et seq; Ark. Stat. Ann. § 14-601 et seq; Ga. O.C.G.A. § 50-18-1 et seq;

Ky. Rev. Stat. Ann. § 57.011 et seq.; Miss. Code Ann. § 31-1-1 et seq.; Mo. Rev. Stat. § 34.170 et seq.; N.C. Gen. Stat. § 143-48 et seq.; Va. Code § 2.1-464 et seq.
Collateral References. 81A C.J.S. States § 184 et seq; States — 90 et seq.

12-5-103 — 12-5-124. [Repealed.]

Compiler's Notes. These sections (Code 1858, §§ 18-21 (deriv. Acts 1841-1842, ch. 120, §§ 1-3); Acts 1859-1860, ch. 97, § 2; 1895, ch. 189, §§ 11-13, 15-17, 28; 1916, ch. 45, §§ 3-12; 1927, ch. 48, § 1; Shan., §§ 1a7-1a14, 11-13, 15-17, 28, 38-39; Code 1932, §§ 31-33, 36-38, 40, 41, 43, 44, 46-48, 50-52, 64-68; C. Supp. 1950, §§ 31, 32, 34-38, 40, 43, 44, 46, 56, 66, 68; Acts 1972, ch. 598, § 1; T.C.A. (orig. ed.), §§ 12-503 — 12-516, 12-518 — 12-520, 12-533 — 12-537), concerning public printing, were repealed by Acts 1981, ch. 332, § 26. For supervision by the department of general services, see § 12-5-102.

12-5-125. Cost data for public documents. — (a) Every department or agency of the state which promulgates public documents shall cause the following statement with cost data inserted to be printed on the publication adjacent to the identification of the agency responsible for the publication:

"This public document was promulgated at a cost of \$_____ per copy." This statement shall be printed in either the same size type as the body copy of the publication or in such type style and size to be fully legible and set in a box composed of a light-weight-rule line.

(b) As used in this section, unless the context otherwise requires, "public document" means any annual, biennial, regular or special report or publication of which at least one thousand (1,000) copies are printed and which may be subject to distribution to the public, or any printed material which is controlled by the publications committee established in chapter 7 of this title, regardless of the number of copies produced. Public documents include:

(1) The acts and journals of the legislature, the reports of the Supreme Court and such other courts as shall have their decisions reported by the attorney general and reporter of this state or shall be required by any act or resolution of the legislature;

(2) The periodic reports of officers of the state and any special reports that may from time to time be made by state officers or committees of the legislature or other committees provided for by law; and

(3) Such other reports or statements as may be published under the authority of the state or any official thereof; and

(4) Items exempted from the requirements of this section include letterhead stationery, envelopes, or memoranda and correspondence utilizing a manual signature and not reproduced through a printing related function;

(c) For the purposes of this section, the following two (2) factors shall be utilized in computing cost data whether on bid by a private person or company, or by a state institution:

(1) PREPARATION. Included in this is expenditure for materials, artwork and typesetting involved in preparing the public document for publication; and

(2) PRINTING. Included in this is expenditure for reproduction, binding and other printing industry related functions.

(d) The provisions of this section shall be enforced and administered through the publications committee created pursuant to the provisions of chapter 7 of this title. The publications committee may in its discretion render opinions to agencies as to whether those agencies are in compliance with this section. If the committee decides that those agencies are not in compliance, it shall have authority to direct those agencies to cease publication of the public

documents which are not in compliance until such time as compliance shall be demonstrated to the committee's satisfaction. [Acts 1977, ch. 398, §§ 1-4; T.C.A., § 12-538; Acts 1983, ch. 82, §§ 1-3.]

PART 2—LEGISLATIVE ACTS AND JOURNALS; REPORTS

12-5-201 — 12-5-213. [Repealed.]

Compiler's Notes. This part (Code 1858, § 8, Acts 1871, ch. 83, § 1; 1893, ch. 169, §§ 4, 19-25; 1899, ch. 392, §§ 8, 6; 1901, ch. 72, § 1; Shan., §§ 14, 18-23, 26-27; Code 1932, §§ 49, 53-63, Acts 1935, ch. 181, § 1; C. Supp. 1960, §§ 84, 85, 87, 88, 60; T.C.A. (orig. ed.), §§ 12-517, 12-521 — 12-532; Acts 1981, ch. 109, § 2), concerning reports and legislative acts and journals, was repealed by Acts 1981, ch. 332, § 28. For supervision by the department of general services, see § 12-5-102. For distribution of publications, see chapter 6 of this title.

CHAPTER 6

DISTRIBUTION OF PUBLICATIONS

SECTION.	SECTION.
12-6-101. Acts distributed to legislators.	12-6-110. Copies to depositories, secretary of state, and other locations.
12-6-102. General distribution of acts.	12-6-111. Exchange copies for university.
12-6-103. Acts and journals retained by secretary of state.	12-6-112. Care of depository copies.
12-6-104. Shipment of acts.	12-6-113. Exchanges by state librarian.
12-6-106. Penalty for failure to distribute acts.	12-6-114. Delivery of exchange copies.
12-6-106. All other public documents — General assembly distribution cancellation card.	12-6-115. [Repealed.]
12-6-107. Libraries as depositories for documents — Legislative library — Copies.	12-6-116. Pamphlet copies of acts.
12-6-108. Publications to be deposited.	12-6-117. Certain resolutions not to be printed or distributed — List in "Acts of Tennessee" — Distribution to state library and archives and legislative reference and law library.
12-6-109. Notice of publications to secretary of state.	12-6-118. Automatic and other distributions.

12-6-101. Acts distributed to legislators. — Each member of the general assembly is entitled to one (1) copy of the printed acts of the general assembly of which he was a member, which shall be delivered to such member's legislative office in Nashville, but only upon written request by such member not later than February 1 of each year. [Code 1858, § 22 (deriv. Acts 1831, ch. 2, § 9); Shan., § 40; Acts 1923, ch. 101, § 2; Code 1932, § 69; T.C.A. (orig. ed.), § 12-601; Acts 1981, ch. 191, § 1; 1984, ch. 798, § 2.]

Cross-References. English derived official and legal language, § 4-1-404.

Sections to Section References. This chapter is referred to in §§ 4-4-114, 8-3-104, 12-7-102, 12-7-106.

Comparative Legislation. Distribution of publications

Ala. Code § 41-21-1 et seq.

Ark. Stat. Ann. § 14-401 et seq.

Ky. Rev. Stat. Ann. § 87-151 et seq.

Miss. Code Ann. § 1-5-7 et seq.

Mo. Rev. Stat. § 2010 et seq.

N.C. Gen. Stat. § 147-45 et seq.

Va. Code § 30-34.6.

Collateral References. 73 Am. Jur. 2d Statutes § 84-88.

82 C.J.S. Statutes § 63.

States — 38.

States — 44 et seq.

12-6-102. General distribution of acts. — (a) It is also the duty of the secretary of state to distribute the printed acts, upon written request received not later than February 1 of each year, as follows: to each executive officer and public service commissioner of the state, one (1) copy; to each judge and each clerk of the Supreme, Appeals circuit and criminal courts, one (1) copy; to each chancellor, each clerk and master, one (1) copy; to each district attorney general and each assistant, one (1) copy; to the attorney general and each assistant, one (1) copy; to each clerk of the probate courts and each judge of the county or probate courts, and to each register and each trustee, one (1) copy; each of the copies to belong to the indicated office, and go to the successor of the incumbent; also to the order of the University of Tennessee, up to thirty (30) copies for the use of the University of Tennessee as a depository and for exchanges.

(b) A copy of the printed acts shall be, upon written request received not later than February 1 of each year, delivered to every organized bar association in the state of Tennessee, provided such bar association maintains a law library and provided the name and address of such bar association shall be certified to the secretary of state by the county clerk of the county in which the association exists; and, provided, further, that should the association cease to function or to maintain a law library, all copies of the acts shall thereupon be turned over and delivered to the county clerk.

(c) Bound volumes of acts or resolutions may be made available to any person, firm, or corporation, requesting same in writing not later than February 1 of each year, at a cost of five dollars (\$5.00) per volume.

(d) Any requests for acts or resolutions received later than February 1 of each year will be accepted subject to availability.

(e) This section and §§ 12-6-101, 12-6-103 shall not apply to Tennessee Code Annotated, any supplement thereto or replacement volume thereof, or any act enacting that Code. [Code 1858, § 30; Shan., § 42; Acts 1923, ch. 101, § 2; mod. Code 1932, § 70; Acts 1935, ch. 181, § 2; 1941, ch. 22, § 1; mod. C. Supp. 1960, § 70; modified; impl. am. Acts 1955, ch. 69, § 1; Acts 1961, ch. 290, § 1; modified; impl. am. Acts 1978, ch. 934, §§ 22, 36; T.C.A. (orig. ed.), § 12-602; Acts 1981, ch. 191, §§ 2-5.]

Cross-References. Printing and distribution of school laws, § 49-1-201.

Tennessee Code Annotated, §§ 1-1-106 — 1-1-113.

Section to Section References. This section is referred to in § 12-6-118.

Law Reviews. The Tennessee Court System — Prosecution, 8 Mem. St. U.L. Rev. 477.

12-6-103. Acts and journals retained by secretary of state. — The secretary of state shall also retain for the use of the executive and general assembly, unless a different number shall be prescribed by special law, fifty (50) copies of the acts and as many of the journals of each house, depositing three (3) copies of each in the state library. [Code 1858, § 31; Shan., § 43; mod. Code 1932, § 71; T.C.A. (orig. ed.), § 12-603.]

two (2) copies shall be lendable on application, to the persons, if any, allowed to take other books from the library of the depository. The other copy shall not be allowed to be taken from the premises of the depository. [Acts 1917, ch. 42, § 2; Shan. Supp., § 1387a9; Code 1932, § 2285; T.C.A. (orig. ed.), § 12-612.]

12-6-113. Exchanges by state librarian. — The state librarian and archivist may, from time to time, procure from the general government, any foreign government, or from any state or territory within the United States, the public acts, and law and equity reports of such government, state or territory, by exchanging the public acts or reports of this state. [Code 1858, § 38 (deriv. Acts 1843-1844, ch. 135, § 2); impl. am. Priv. Acts 1859-1860, ch. 53, § 2; Acts 1879, ch. 31, §§ 1, 6; Shan., § 55; mod. Code 1932, § 79; impl. am. Acts 1951, ch. 197, § 1; T.C.A. (orig. ed.), § 12-613.]

12-6-114. Delivery of exchange copies. — Each person or persons in charge of making such documents and publications as provided in § 12-6-108(1) shall deliver upon request up to sixty (60) copies to the state librarian and archivist, to enable the librarian to make these exchanges. [Acts 1879, ch. 31, § 8; Shan., § 51; mod. Code 1932, § 80; impl. am. Acts 1951, ch. 197, § 1; T.C.A. (orig. ed.), § 12-614; Acts 1981, ch. 191, § 11.]

12-6-115. [Repealed.]

Compiler's Notes. This section (Code 1858, § 38 (deriv. Acts 1843-1844, ch. 135, § 1); Shan., § 56; mod. Code 1932, § 81; C. Supp. 1960, § 81; T.C.A. (orig. ed.), § 12-615), concerning expense of exchanges, was repealed by Acts 1981, ch. 191, § 13. For present law, see § 8-1-106.

12-6-116. Pamphlet copies of acts. — (a) The secretary of state is authorized to furnish to any person, firm or corporation, so requesting in writing not later than January 1 of each year, copies of the unbound, printed pamphlets containing the public acts of the general assembly which are printed at intervals during and shortly after each legislative session and made available pending publication of the bound volumes of the Public Acts of Tennessee, for that session. Requests received after January 1 of each year will be accepted subject to availability.

(b) The secretary of state shall charge and collect from each person, firm or corporation, except those specified in § 12-6-102, a fee of five dollars (\$5.00) for each complete set of pamphlets. The secretary of state shall fix a reasonable fee to be charged for copies of single pamphlets. Fees collected by the secretary of state shall be paid over to the state treasurer and shall become a part of the general fund of the state. [Acts 1970, ch. 460, § 1; T.C.A., § 12-616; Acts 1981, ch. 191, § 12.]

Cross-References. Report of local action included in published volume, § 8-3-204.

12-6-117. Certain resolutions not to be printed or distributed — List in "Acts of Tennessee" — Distribution to state library and archives and legislative reference and law library. — (a) Notwithstanding any provision of the law to the contrary, resolutions of the general assembly which honor or commend individuals or groups or which express sympathy or condolences upon the death of an individual shall not be published in the "Acts of Tennessee" pursuant to part 2 [repealed] of chapter 5 of this title, nor shall such resolutions be distributed in accordance with this chapter, unless the secretary of state, in consultation with the speaker of the senate and speaker of the house of representatives, determines that the resolution requires publication due to the prominence or contributions made by such person or group. The secretary of state shall cause a list of all such resolutions which are not printed to be included within the "Acts of Tennessee."

(b) At the time at which the secretary of state delivers the enrolled copies of acts and resolutions to the printer for publication pursuant to § 8-3-104, he shall deliver one (1) copy of all resolutions which are not printed pursuant to the provisions of this section to the state library and archives and to the legislative reference and law library. [Acts 1981, ch. 109, § 3.]

Compiler's Notes. Part 2 of chapter 5 of this title, referred to in this section, was repealed by Acts 1981, ch. 332, § 26.

12-6-118. Automatic and other distributions. — Except for exchange and depository copies provided for herein, there shall be no automatic distribution of any state report or publication, unless such distribution is required by an act or resolution enacted after May 25, 1984. Any other distributor must be approved by the state publications committee, as provided for in chapter 7 of this title, or be upon individual request of a person entitled to or desirous of receipt of any such publication or report. [Acts 1984, ch. 798, § 4.]

CHAPTER 7

STATE PUBLICATIONS COMMITTEES

SECTION.		SECTION.	
12-7-101.	State agencies publication committee — Establishment.	12-7-106.	Higher education and technical institutions publication committee — Establishment — Duties.
12-7-102.	Duties of publications committee.	12-7-107.	Approval procedure.
12-7-103.	Approval required.	12-7-108.	Application.
12-7-104.	Publications information required.		
12-7-105.	Cooperation required.		

12-7-101. State agencies publication committee — Establishment. — In order to control the cost and proliferation of publications and report printed by state agencies, and to provide a permanent record of publication issued by state government, there is hereby created a publications committee which shall consist of the commissioner of finance and administration, the commissioner of general services, the director of the governor's information office, the comptroller of the treasury, one (1) member of the senate, one (1) member of the house appointed by the respective speakers and the secretary of

state. The commissioner of finance and administration, or his representative, shall be the chairman of this committee, and the secretary of state, or his representative, shall be the secretary and as such shall keep a permanent and accurate record of the committee's proceedings. The members of this committee shall serve without additional compensation. The commissioner of finance and administration, the commissioner of general services, the secretary of state and the comptroller are authorized to designate an alternate representative who shall have full authority to vote and participate in all other activities of the committee under this chapter. Such designations must be made in writing to the chairman of the committee, with copy filed with the staff director and the secretary of state. The committee shall have authority to issue regulations implementing provisions concerning designation in such a manner as to provide for maximum continuity of such representation. [Acts 1976, ch. 694, § 1; 1979, ch. 296, § 1; T.C.A., § 12-1001.]

Compiler's Notes. The publications committee created by this section and § 12-7-106 will terminate June 30, 1990. See also §§ 4-29-112 and 4-29-211.

Section to Section References. This chapter is referred to in §§ 12-5-125, 12-6-110.

Sections 12-7-101 — 12-7-106 are referred to in § 4-29-211.

Comparative Legislation. State publications committees.

Ky. Rev. Stat. Ann. § 67.04 et seq.

Va. Code § 2.1-464 et seq.

Collateral References. 81A C.J.S. States § 132, 162.

12-7-102. Duties of publications committee. — (a) It shall be the duty of the publications committee to establish rules and regulations to control costs and quantity of all publications, and to promulgate rules and regulations governing the printing and distribution of state agency reports and publications issued by agencies and departments of the government of the state of Tennessee, excluding the institutions of higher education, the judicial branch of state government, and those state institutions and facilities exempted from public purchase laws in § 12-3-103.

(b) The rules and regulations on distribution shall include a provision stipulating that there shall be no automatic distribution of reports or publications, except the distribution provided for in chapter 6 of this title, or otherwise by law or resolution enacted after May 25, 1984, but that all distributions must either be approved in general by the committee or be made upon request by the recipient.

(c) Further, it shall be the duty of the publications committee to establish a procedure for reviewing all publications as hereinafter defined, and to approve or disapprove the printing of existing publications and planned publications which come under the provisions of this chapter.

(d) The publications committee shall determine the need for existing and planned publications based upon agency's goals and purpose or statutory requirements, and the quantity and distribution of each approved publication.

(e) The publications committee shall also prepare and submit once every two (2) weeks a list of available publications and a brief synopsis of such publications to each member of the general assembly.

(f) Upon receiving such list, a member of the general assembly may request a copy of a publication from the publications committee.

(g) Publications herein shall be defined to include any newsletter, stationery, greeting card, any report printed at facilities not operated by the state, any report or printed material produced for distribution outside the department or agency for which the report is to be printed. [Acts 1976, ch. 694, § 2; T.C.A., § 12-1002; Acts 1980, ch. 742, §§ 1, 2; 1982, ch. 563, § 4; 1984, ch. 798, § 5.]

Section to Section References. This section is referred to in § 12-7-103.

12-7-103. Approval required. — (a) No publication, coming within the jurisdiction of the publications committee as provided by § 12-7-102, shall be printed unless it has been approved in accordance with rules promulgated by the publications committee. Rules of the publications committee shall be promulgated in accordance with the Uniform Administrative Procedures Act compiled in title 4, chapter 5.

(b) The publications committee shall require any publication printed to include the number of copies printed.

(c) The publications committee shall not approve any publication which purports to contain a citation to or a reproduction of a duly promulgated agency rule (as defined by the Uniform Administrative Procedures Act § 4-5-102) prior to receiving a written statement from the secretary of state or his representative verifying the fact that the rule so cited or reproduced has been duly promulgated and is currently in effect.

(d) A printing authorization number shall be assigned to each publication which has been approved as required by this section. The printing authorization number shall be affixed to the publication adjacent to the identification of the agency responsible for the publication. No printing facility operated by the state shall print any publication, coming within the jurisdiction of the publications committee as provided by § 12-7-102, unless the printing authorization number has been affixed as required by this subsection. No contract shall be entered into, nor requisition issued, nor acted upon, by any state department or agency, including, but not limited to, the division of purchasing, of the department of general services, for printing of any publication, coming within the jurisdiction of the publications committee as provided by § 12-7-102, at any facility unless the printing authorization number has been affixed as required by this subsection. All state contracts or grant agreements including, but not limited to, all contracts for personal, professional and consultant services entered into under §§ 12-4-109 and 12-4-110, which involve or may involve the printing of any publication, coming within the jurisdiction of the publications committee as provided by § 12-7-102, shall contain a provision whereby the contractor or grantee agrees that no publication shall be printed unless a printing authorization number has been obtained and affixed as required by this section.

(e) Whenever any department, institution or agency of the state government contracts for the printing of a publication, coming within the jurisdiction of the publications committee as provided by § 12-7-102, and such publication has not been approved in accordance with rules promulgated by the

publications committee, such contract shall be void and of no effect. [Acts 1976, ch. 694, § 3; T.C.A., § 12-1003; Acts 1980, ch. 455, § 1; 1982, ch. 563, §§ 5, 6; 1983, ch. 80, §§ 1, 2.]

12-7-104. Publications information required. — The publications committee shall, as a minimum, keep the following information on each approved publication:

- (1) Name of publication;
- (2) Department producing publication;
- (3) Purpose and brief description of publication contents;
- (4) Number of copies authorized to be printed;
- (5) A general list of distribution; and
- (6) Estimated cost of printing and distribution. [Acts 1976, ch. 694, § 4; T.C.A., § 12-1004.]

12-7-105. Cooperation required. — It shall be the duty of all departments, institutions or agencies of state government to furnish to the publications committee all material requested from the committee regarding publications and reports. [Acts 1976, ch. 694, § 5; T.C.A., § 12-1005.]

12-7-106. Higher education and technical institutions publication committee — Establishment — Duties. — (a) To control publications of higher education institutions and technical institutes, there is hereby established a publications committee which shall consist of the executive director of the Tennessee higher education commission, the president of the University of Tennessee system, the chancellor of the state board of regents, and the commissioner of education or his designee. This committee shall review publications of higher education institutions and technical institutes to determine the necessity of the publications, and shall promulgate rules and regulations governing the printing of such publications by higher education institutions and technical institutes. The rules and regulations shall include a provision stipulating that there shall be no automatic distribution of reports or publications, except the distribution provided for in chapter 6 of this title, or otherwise by law or resolution enacted after May 25, 1984, but that all distributions must either be approved in general by the committee or be made upon request by the recipient. The publications committee shall require each higher education institution and technical institute to keep, as a minimum, the following information on each approved publication:

- (1) Name of publication;
 - (2) Department producing publication;
 - (3) Purpose and brief description of publication's contents;
 - (4) Number of copies authorized to be printed;
 - (5) A general list of distribution; and
 - (6) Estimated cost of printing and distribution.
- (b) The publications committee shall require any publication printed at facilities not operated by the state or higher education institution or technical institute to include the printer's name, address, and the number of copies printed.

(c) The publications committee shall not approve any publication which purports to contain a citation to or a reproduction of a duly promulgated agency rule (as defined by the Uniform Administrative Procedures Act § 4-5-102) prior to receiving a written statement from the secretary of state or his representative verifying the fact that the rule so cited or reproduced has been duly promulgated and is currently in effect.

(d) A printing authorization number shall be assigned to each publication which has been approved as required by this section. The printing authorization number shall be affixed to the publication adjacent to the identification of the higher education institution or technical institute responsible for the publication. No printing facility operated by a higher education institution or technical institute shall print any publication unless the printing authorization number has been affixed as required by this subsection. No contract shall be entered into, no requisition issued or acted upon, by any higher education institution or technical institute for printing of any publication at any facility unless the printing authorization number has been affixed as required by this subsection. All contracts or grant agreements entered into by a higher education institution or technical institute which involve or may involve the printing of a publication shall contain a provision whereby the contractor or grantee agrees that no publication shall be printed unless a printing authorization number has been obtained and affixed as required by this section. [Act 1976, ch. 694, § 6; T.C.A., § 12-1006; Acts 1980, ch. 455, § 2; 1982, ch. 563, §§ 7-9; 1984, ch. 798, § 6.]

Compiler's Notes. The publications committee created by § 12-7-101 and this section will terminate June 30, 1990. See §§ 4-29-112 and 4-29-211.

Section to Section References. Section 12-7-101 — 12-7-106 are referred to in § 4-20-211.

12-7-107. Approval procedure. — The approval procedure established by the publications committee created by this chapter may allow one-time approval of a publication which is printed on a periodic basis and which conforms to the format, design, and purpose of the publication as originally presented to the appropriate committee for approval without requiring review and approval of subsequent issues of the publication. [Acts 1976, ch. 694, § 7; T.C.A., § 12-1007.]

12-7-108. Application. — The requirements of this chapter shall not apply to any student newspaper publication or annuals and/or yearbook. [Acts 1976, ch. 694, § 8; T.C.A., § 12-1008.]

CHAPTER 8

SALE OF PRODUCTS

SECTION.		SECTION.
12-8-101.	Stone products and hot mix asphalt — Prohibitions.	12-8-103. Gratuitous work for nonprofit organizations — Sales to farmers
12-8-102.	Penalty — Injunctive relief.	

Items

TABLE 1: ALASKA STATE GOVERNMENT PRINTING EXPENDITURES

AGENCY	TOTAL EXPENDITURES	TERM	TOTAL IDENTIFIABLE EXPENDITURES	PERCENT IDENTIFIED	IN-STATE				OUT-OF-STATE			
		CONTRACTS & CONTRACTS < \$5000			CENTRAL DUPLICATING	ALASKA BIDDER	TOTAL AMOUNT	PERCENT IDENTIFIED	ALASKA BIDDER	NONALASKA BIDDER	TOTAL AMOUNT	PERCENT IDENTIFIED
Governor's Office Administration	\$313,790	\$105,954	207,836	66	\$107,757	\$64,000	171,757	83	\$30,079	\$6,000	36,079	17
Law	410,708	130,980	279,728	68	220,059	0	220,059	79	59,669	0	59,669	21
Revenue	94,739	63,394	31,345	33	16,345	15,000	31,345	100	0	0	0	0
Education	250,575	80,661	169,913	68	49,599	40,240	89,839	53	70,469	9,605	80,074	47
Health & Social Services	656,647	388,387	268,260	41	134,939	120,984	255,923	95	4,957	7,380	12,337	5
Labor	384,672	186,128	198,544	52	150,509	42,566	193,075	97	5,469	0	5,469	3
Commerce & Economic Dev.	382,487	169,186	213,302	56	163,206	11,478	174,684	82	34,083	4,535	38,618	18
Military & Veteran Affairs	355,497	223,943	131,553	37	94,502	29,551	124,053	94	0	7,500	7,500	6
Natural Resources	17,327	11,770	5,557	32	5,557	0	5,557	100	0	0	0	0
Fish & Game	426,859	330,711	96,148	23	80,148	16,000	96,148	100	0	0	0	0
Public Safety	1,055,975	558,431	497,544	47	190,718	161,588	352,306	71	39,626	105,612	145,238	29
Environmental Conservation	680,982	588,124	92,858	14	49,399	0	49,399	53	43,459	0	43,459	47
Corrections	55,922	26,466	29,455	53	29,455	0	29,455	100	0	0	0	0
Community & Regional Affairs	42,861	0	42,861	100	42,861	0	42,861	100	0	0	0	0
Transp. & Public Facilities	138,792	76,919	61,874	45	54,409	7,465	61,874	100	0	0	0	0
Ombudsman	800,282	669,942	130,340	16	122,880	0	122,880	94	7,460	0	7,460	6
Legislative Affairs & Audit*	10,850	10,427	423	4	423	0	423	100	0	0	0	0
Alaska Court System	359,708	53,148	306,560	85	5,059	0	5,059	2	0	301,501	301,501	98
TOTAL	154,403	151,306	3,097	2	3,097	0	3,097	100	0	0	0	0
TOTAL	\$6,593,075	\$3,825,877	2,767,198	42	\$1,520,922	\$508,872	2,029,794	73	\$295,271	\$442,133	737,404	27

*Legislative Affairs Agency FY 86 term contracts included \$301,501 for Alaska statutes which was identified as out-of-state printing.

Source: State of Alaska accounting system; Alaska Department of Administration, Division of General Services and Supply; Legislative Affairs Agency, Division of Administrative Services.

Prepared by the House Research Agency, December 1986.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

MEMORANDUM

February 23, 1982

TO: Representative Ken Fanning
ATTN: Gail Thibodeau
FROM: Carol Biggs, Admin. Asst.
RE: University of Alaska Multi-colored Publications
Research Request #82-54

In response to a request by Gail Thibodeau of your staff, we contacted Keith B. Mather, Vice Chancellor for Research, at the University of Alaska, who provided the following information on costs for publications requiring the use of color.

Six thousand copies of the University of Alaska Research Annual Report were printed at a unit cost of \$13 each, for a total of \$78,000. He said that this report is sent to universities, foundations, industries, and government agencies, both nationally and worldwide, as a means of advertising the University of Alaska. He stated that to his knowledge only two other entities within the University utilized color in their reports. Those were the Agricultural Experiment Station and the Geophysical Institute. He suggested that I contact each of those divisions individually for costs of their publications.

This year Agroborealis, which is a magazine published once a year by the Agricultural Experiment Station, was printed at a cost of \$20,273 for 8,000 copies, or a unit price of \$2.53. The previous year 7,000 copies of this magazine were printed for \$14,300, or \$2.04 per copy.

The Geophysical Institute also publishes an annual report, which, according to Mr. Mather, is too lengthy to include in the University's main annual report. There were 2,200 copies of this report printed at a cost of \$30,239.93, or \$13.75 each. This report has been published for the past 20 years.

Mr. Mather also said that each department at the University can do a certain amount of its own color printing, as there is a graphics services center on campus. I called the graphics center and found that most of the color work that they do involves spot color, such as that used in a bar graph where several different colors are used to differentiate

Representative Ken Fanning

February 23, 1982

Page 2

the items being compared. The graphic services center has the ability to print reports which use colored photographs, but not the time, as they serve all University of Alaska departments statewide. Two of the examples given as products of the graphic service center which involve color were the University of Alaska recruitment brochure and museum posters, such as those used for special exhibits on campus.

The examples of University of Alaska publications using color mentioned above may not represent all of the University publications which use color, and if you would like us to contact each department individually, we will be glad to do so.

/cb



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y. State Capitol
Juneau, Alaska 99811
(907) 465-3991

May 10, 1982

MEMORANDUM

TO: Files

FROM: Deb Pomeroy

RE: Research Request 82-131

Christine Englehart of Representative Fanning's office called on May 7 asking that we find out the cost of preparing and printing the Alaska Silver Anniversary Commission's Master Plan. She also requested that we get the number of copies printed and the cost of distributing it.

The afternoon of the 7th, I called her to tell her that Patria at the Commission's Anchorage office had stated that it had cost \$22,000 to get 100 hundred copies of the 18 volume master plan and the summary volume printed.

Monday, May 10, Jean Reichman called with the following information which I called Christine with:

Contract Cost of the Master Plan (Alaska 1984)	\$2,820,674.50
Printing Costs:	
100 Copies of Master Plan & Summary	\$ 22,000.00
1,000 additional copies of Summary	\$ 20,000.00
Postage	
40 copies air freight to Juneau from Anchorage	\$ 700.00
Additional distribution (Estimate)	\$ 2,500.00

Ms. Reichman also stated that she would be sending me a breakdown of expenditures which the Legislative auditors had compiled.

I called Christine with the above information. She did not want a memo sent down, and said she would call me if she decided to wait for the Legislative auditors' report before writing a speech on this topic.

Total time spent on this request was approximately 1.5 hours.

FEB 22 1989

STEVE COWPER, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4100

February 22, 1989

The Honorable Drue Pearce
Alaska State Senator
P.O. Box V
Juneau, AK 99811


Dear Senator Pearce:

This letter will respond to your request of February 22 regarding SB 75. You had requested information regarding the costs and distribution of the popular Alaska Fish & Game magazine.

Alaska Fish & Game was mailed to a total of 9,709 subscribers in the most recent 12-month period. Program receipts for FY 88 totalled \$81,261 and for FY 89 program receipts total \$66,210 through February 15, 1989. Total production costs for Alaska Fish & Game magazine for FY 88 were \$200,276, which includes personal services, printing, postage, equipment, and all supplies. The magazine is issued six times per year with a total of 81,750 copies. Each copy therefore costs approximately \$2.45 to produce. These figures are the total costs for production of the magazine. Actual printing of Alaska Fish & Game magazine is done in Forest Grove, Oregon. The purpose of the magazine is to provide useful information to the general public about Alaska's wildlife resources.

If I can be of further assistance, please feel free to call.

Sincerely,


Don W. Collinsworth
Commissioner



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

MEMORANDUM

March 31, 1982

TO: Representative Fanning
ATTN: Gail Thibodeau

FROM: Carol Biggs, Admin. Asst.

RE: Agricultural Action Council Annual Report Printing Cost
Research Request #82-103

Gail Thibodeau of your staff requested that we find out the amount of money that was specified at the November meeting of the Agricultural Action Council for printing the Agricultural Action Council Annual Report.

This memorandum is in confirmation of my telephone call to Gail yesterday. Julie Hickey of the Governor's Special Projects office reported that \$12,000 had been allocated for printing costs for the Agricultural Action Council Annual Report. Bid proposals have been received from commercial printers for printing the report, and the final report will be printed some time this fiscal year. The \$12,000 is for approximately 5,000 copies, or \$2.40 per unit.

Additionally, 100 copies of the first draft of the report have been xeroxed by the Special Projects office, at a cost of 10 cents per page, or approximately \$12.50 per copy for the 100 copies, with another 500 copies of the first draft to be printed by the Legislative Print Shop; that cost is unknown at this time.

=====

Attached is a copy of an article from U.S. News and World report which may be of interest to you, as it pertains to efforts by the federal government to cut federal publication costs.

CB/bf
Encl.

Item 7

STEVE COWPER, GOVERNOR

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

P. O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2500

OFFICE OF THE COMMISSIONER

March 28, 1989

The Honorable H.A. "Red" Boucher
House State Affairs Committee Chairman
House of Representatives
P.O. Box V
Juneau, AK 99811

Dear Representative Boucher:

The Division of Tourism and the Alaska Tourism Marketing Council (ATMC) are deeply involved in publications that are sent out-of-state to encourage potential visitors to choose Alaska as their next destination. The department is therefore interested in CSSB 75 (R1s) am, which will be heard in your committee on March 29, and welcomes the chance to comment on it.

The ATMC and the Division of Tourism cooperate to prepare the Alaska Vacation Planner, the State's primary tourist publication. The department believes that printing cost and location data on the Vacation Planner would seem strange and perhaps parochial to the audience of potential tourists, and that the information would be useless to out-of-state readers. The ATMC's brochures and those printed by the Division of Tourism are for consumption by potential visitors from out of state, who are seldom interested in where the brochures are printed or what it cost to print them. Instead, and properly, they want the information that is in the brochure so they can plan their trips to Alaska.

These comments also apply to other publications aimed at an out-of-state audience such as the Fall-Winter-Spring brochure and the Highway brochure.

We are also very concerned that publications destined for use in overseas markets are included in the requirements of CSSB 75 (R1s) am. In addition to the fact that the information would serve no useful purpose to foreign readers, there could be confusion over expressing the cost in a foreign currency or the constantly changing local equivalent, and we are concerned over the message this would give to potential foreign tourists.

Honorable H.A. "Red" Boucher

-2-

March 28, 1989

The department suggests the following amendments to CSSB 75 (R1s) am:

P. 2, L. 18:

after: "Code," delete [AND];

after "Court" insert and publications intended primarily for foreign or out-of-state use.

Further, we would suggest that the information required in Section 1 of the bill be made available to the Legislature and members of the public on an annual basis.

Finally, the bill requires a calculation of all costs involved in production. The calculation of these costs is difficult as our publications involve division and ATMC staff, as well as personnel employed by the advertising agencies with which we contract. We are unable at this time to determine an exact amount.

Thank you for this opportunity for comment.

Sincerely,


Larry Mercurieff
Commissioner

LM/LW/mm/C.113
032889b

cc: Senator Drue Pearce
Hugh Gellert, Director, Division of Tourism
Robert Miller, Executive Director, Alaska Tourism Marketing Council
John Andrews, Commissioner, Department of Administration

Department of Transportation & Public Facilities



POSITION PAPER

BILL NO: CS Senate Bill 75 (Rules An Act to the identification of and disclosure on and about state publications; and providing for an effective date

APPROVED:

M-K S. [Signature]

DATE: March 28, 1989

The Department strongly opposes the committee substitute for Senate Bill 75.

The Department does not oppose furnishing, prominently within a document, those costs which relate directly to the normal printing industry.

The Department has two major concerns with this committee substitute for Senate Bill 75.

First, the definition of publication is too all inclusive as contained in Sec. 44.99.150(2). By this definition all construction CIP projects publications would be included which could encompass such items as the plans and specifications, location and design study reports, material investigation reports, and environmental assessment reports, etc. This additional burden and cost to a CIP project would seem to be difficult to justify in these times when we are diligently seeking ways to cut or contain the costs of administrating CIP projects.

These are the exemptions that DOT&PF wants from definition that will make them happy.

The second concern is in Section 44.99.150(1)(A) when the definition of "preparation cost" include the personnel costs.

Except for personnel assigned to CIP projects, the Department does not maintain an accounting system which would separate personnel costs for the preparation of a document. Thus, the bill would require the Department to establish another accounting system, including a time card system, just to accurately determine the personnel costs.

The definition of "Production costs" and the subsequent "preparation" may also be subject to various interpretations. For example, does the preparations include the actual writing, research or development of a document or just the printing and publication costs with the directly related personnel costs.

As has been stated before, the Department is opposed to the bill in the present form. We would suggest eliminating all CIP projects with their related documents from the definition of publications and limiting the personnel costs specifically to those that are directly associated with the actual normal industry of printing.

For further information call Catherine A. McHugh at 465-3900

Alaska State Legislature

REPRESENTATIVE
MARK BOYER

VICE-CHAIRMAN, HOUSE
HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

MEMBER, HOUSE LABOR AND
COMMERCE COMMITTEE

CHAIR, CHILDREN'S CAUCUS

FAIRBANKS

1098 LAKEVIEW TERRACE
FAIRBANKS, ALASKA 99701
(907) 456-6473

JUNEAU

P.O. BOX V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3466

RECEIVED APR 10 1989

House of Representatives

April 10, 1989

To: Goll & Gruentzer

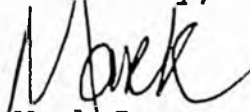
Claus Naski
F.O. Box 80721
Fairbanks, AK 99708

Dear Claus:

Thanks for your public opinion message on SB 75. While I have yet to take a position on this bill, I think you've brought up some interesting points. I'm not in favor of passing any measures that will cost Alaska residents money without a corresponding benefit. The bill is currently in the House Judiciary Committee.

Thanks again for your comments.

Sincerely,



Mark Boyer
Representative

MB/NJG/bhn

4/17/89

Dear Mark,
I am enclosing a letter Meritt R. Helfferich wrote to Sen. Druce Pearce on S.B. 75. I am in agreement with every point he made. The legislation would vastly complicate university publishing at all levels, and often we would not be able to comply. But you people already made life extremely complicated for us with the purchasing code, which is so bad that many principal investigators are no longer able to respond to federal RFP's because of the purchasing code. So why not pile it on. I oppose SB 75. Thanks for your attention.
Sincerely, Claus-M. Naski

FAIRBANKS 20B



March 29, 1989

Senator Drue Pearce
Alaska State Senate
Box V
Juneau, Alaska 99811

Dear Senator Pearce:

I have been following the progress of Senate Bill No. 75 in the Legislature and I feel that there are several serious problems with this bill. I suppose you have proposed this law to impose some constraints upon agency publications so as to conserve state funds. This supposition of course may not be right, and I would be pleased to hear the correct reasons. The comments which follow refer to the CSSB75 Rules am version.

One problem I foresee is with publications produced by state agencies with non-state funds. The University of Alaska, for one, produces numerous publications funded by restricted grants and contracts. The labeling will imply that state funds were used, a mistaken impression. The bill does not require the source of the funds to be stated although the purpose might, in some cases, reveal that information.

The bill does not clearly exclude those publications by other entities, agencies, and organizations to which University of Alaska researchers or state agencies submit documents for publication and must pay production costs for that article or for a proportion of the entire publication.

Two examples: the Journal of Geophysical Research charges for the cost of publishing scientific papers accepted by their editorial process; the University of Alaska Press contracts with other scholarly publishers for joint publication of certain books. Under Sec. 44.99.130 the "...agency produces a publication under this section even if the agency contracts with another person or agency to do the production."

The bill language seems to me to require the other publisher, by virtue of the fact that there is payment by the State of Alaska and a contract for publishing, to insert the State of Alaska required statement. I am sure they would refuse to do so. This has very difficult implications for compliance and might discourage activities of value to the state. I suggest that the bill be modified to require the printed statement only in those publications where the preponderance of the funding comes from the State of Alaska.

Geophysical Institute, University of Alaska
Fairbanks, Alaska 99775-0800

PHONE: 907-474-7558 TELEX: 35414 GEOPH INST FBK
FAX: 907-474-7290 TELEMAIL: GEOPH.INST.FBK

The bill requires that the agency print the actual annual production costs for the publication including preparation, printing and circulation. The bill is unclear if this production cost includes promotion expenses, warehousing costs, jobber, distributor and dealer discounts and delivery costs which affect the per-issue price and which can be variable over the life of the publication.

The bill requires that the required statement be printed "next to the agency identification". On books published by the University of Alaska Press and elsewhere the agency identification will be found on the spine of the book, on the front cover of the book, on the title page, on the publishers information page and elsewhere.

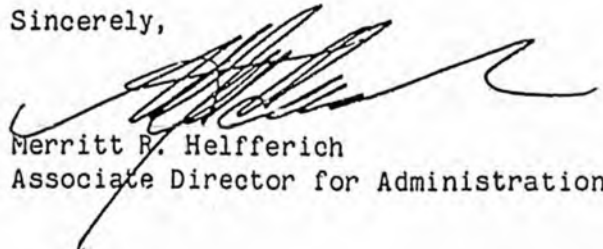
Frequently there is no room "next to the agency identification" for a ruled box: If, as the bill requires but which I do not believe is appropriate, you will include the University of Alaska Press, I would suggest that the required information be placed on the publication information page. The present bill is ambiguous and could actually require the ruled box everywhere the agency identification is placed. This would be unappealing at best and impossible at worst.

The required publication of production cost in each publication produced for sale would tend to discourage buyers from purchasing the very publications produced for the best fiscal gain for the agency. University publishing is like any other business in that the more profit that can be made from sales, the more production can occur. In the case of the University of Alaska Press, the publication of high-quality scholarly books of relevance to Alaska only occurs if there are sufficient revenues from sales to cover the cost of production and operations.

I suggest a solution to some of the above mentioned problems might be that you not require this cost information to be printed on publications which are either not primarily produced with agency funds and on publications produced primarily for sale to the public. You can still require this information for the exceptions mentioned above to be compiled and available on the required agency publication list specified in Sec. 44.99.13.

Thank you for your consideration of my comments.

Sincerely,



Merritt R. Helfferich
Associate Director for Administration

MH/jh

cc: C. Helfferich
✓ C. Naske
D. VanStone



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Sport Fish/Comm Fish/FRED	BILL NUMBER HCS CS SB 75	SPONSOR Senator Pearce
SHORT TITLE OF BILL Identification of and disclosures on and about state publications			
DEPARTMENT POSITION Support with amendment			
PREPARED BY Bob Wilbur	DATE 4/13/89	COMMISSIONER'S SIGNATURE	DATE

SUMMARY

OTHER AGENCIES AFFECTED BY BILL All state employees	CONSTITUENT GROUP(S) AFFECTED BY BILL Unknown
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown
FISCAL IMPACT: <input checked="" type="checkbox"/> NONE <input type="checkbox"/> FISCAL NOTE ATTACHED	

BACKGROUND/LEGISLATIVE INTENT

To establish cost explanations for all state publications that exceed \$1500 in production costs, such explanations to be placed "next to the agency identification" and in the same sized type as the body of the publication.

ANALYSIS OF BILL/PROGRAM EFFECTS

- Tracking of production expenses would require additional personnel time. Since funding is not available for that activity, production of reports would be delayed or suspended.
- The statement, especially given its required location (cover and/or title page) and type size (same as the publication body), would significantly detract from the professional appearance of state publications.
- Items to be included in production costs are vague and ambiguous. Many items would be extremely difficult to accurately quantify or breakout on a per-publication basis. To do so would involve a significant amount of personnel time. To not do so would make the costs analysis inaccurate and of little practical value.

AMENDMENTS PROPOSED

- Allow the cost analysis statement to be placed at the back, on the inside of the backcover, or at other locations where it would not detract from the professional quality of state publication; i.e., provide some leeway.
- Restrict the type to no smaller than 8 points. This is a legible type size that would look more professional and would create contrast to attract reader attention. (see example on continued page)

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Amendments Proposed (continued)

8 point example:

This publication was produced at an annual cost of \$2350, \$0.75 per copy, to provide necessary fishery research data to the fishing industry, resource agencies and scientists, and was printed in Juneau, Alaska.

3. Clarify and simplify costs to be included in the \$1500 threshold. We recommend that "typesetting" not include word processing and desktop publishing; that "art work" not include graphs, tables, charts, maps, photographs, etc.; that "printing" not include photocopied reproduction; and that "preparation" not include editing or writing. Clarify costs to be included in "materials" and in "circulation" or exclude these costs.
4. Consider excluding documents/reports that are printed and distributed only once versus periodical publications that are printed annually, semiannually, quarterly, or monthly, generally as numbered or dated volumes. Otherwise, clarify how the statement, "...at an annual cost of \$ _____", should be calculated for publications that are produced once rather than annually.
5. Consider excluding scientific reports that primarily serve to inform an Alaskan industry or scientists. These types of reports provide essential information and are almost always reproduced in a fairly conservative and prudent manner without extravagance.
6. Exclude news releases and emergency orders. There is no way to know in advance how many will have to be produced during a year.

NO

X
NO

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Identification of and disclosures
on and about state publications
 Sponsor: Pearce
 Requestor: _____

Agency Affected: Fish and Game
 BRU: Snort Fish, Commercial Fisheries,
and FRED
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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)

Prepared by: Bob Wilbur Phone: 465-4210
 Division: Commercial Fisheries Date: _____

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Department of Administration
 Title: An Act relating to State
Publications BRU: General Services and Supply
Central Duplicating/Purchasing
 Sponsor: Pearce Components: General Services and Supply
 Requestor: House Judiciary Central Duplicating/Purchasing

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
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	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	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)

We do not anticipate any significant fiscal impact in expenditures or revenues for the Division of General Services and Supply.
 Central Duplicating will continue to provide quotations to state agencies so they can include these figures in their costs analysis. There would be no additional costs for printing services. Agencies would pay costs of required typesetting.

Prepared by: Robert J. Link, Director *Robert J. Link* Phone: 465-2250
 Division: General Services and Supply Date: 1/12/90
 Approved by Commissioner: Frank S. Baxter *Frank S. Baxter* Date: 1/16/90
 Agency: Department of Administration

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS
For Bill/Resolution No. HCS CSSB 75 (SA)

SUBJECT OF PROPOSED BILL: An act relating to State Publications.

SUMMARY/EXPLANATION OF INTENT: For agency publications which are bid by General Services and Supply, the additional information required would be provided for under existing procurement regulations. The disclosed information can be included in the bidding specifications at no fiscal impact to the division. We do not anticipate any critical fiscal impact when issuing competitive sealed bids for agency publications.

This fiscal note analysis only applies to the Department of Administration and does not represent fiscal impacts to other agencies.

ESTIMATED FISCAL IMPACT:

Capital: 0

Operating: 0

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: House CS for SB 75 (State Affairs)
PUBLISH DATE:

REQUEST: FISCAL NOTE

Revision Date: 3/31/89
Title: An Act relating to the identification of and disclosures on and about state publications; and providing for an effective date.
Sponsor: Pearce, Uehling & Faiks

Agency Affected: DOT&PF
BRU: Design & Construction
Maintenance & Operations
Engineering & Operations
AMHS

Requestor:

Components:

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	*0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTURAL	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	0	0	0	0	0	0

FUNDING: (THOUSANDS OF DOLLARS)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	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)

*There will be some minor costs associated with complying but these costs will be absorbed in the administrative costs.

Prepared by: Loren Rasmussen
Division: Engineering & Operations Standards

Phone: 465-2960
Date: 05/02/89

Approved by Commissioner: Mark S. Hickey
Agency: Department of Transportation and Public Facilities

Date: 05/02/89

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

Department of Transportation & Public Facilities



POSITION PAPER

BILL NO: House CS for SB 75 (State Affairs)
An Act relating to the identification of and
disclosures on and about state publications;
TITLE: and providing for an effective date.

APPROVED:

A handwritten signature in black ink, appearing to read "M. L. S. H. J.", written over the "APPROVED:" label.

DATE: May 2, 1989

The department does not support nor oppose the House committee substitute for committee substitute for Senate Bill No. 75 (State Affairs).

Although there will be some minor costs associated with complying with the bill requirements, the cost will be minimal and will be absorbed by the administrative costs of producing publications.

6-0308P
Bannister
4/13/90

Original sponsor(s): SEN. PEARCE, Uehling, Faiks

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 75 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the production of and disclosures
7 on and about state publications; and providing for an
8 effective date."

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

10 * Section 1. AS 44.99 is amended by adding new sections to read:

11 ARTICLE 3. STATE PUBLICATIONS.

12 Sec. 44.99.130. PRODUCTION OF PUBLICATIONS. (a) The publica-
13 tions of a state agency shall be produced at a state-operated facility
14 unless the agency determines in writing that the needs of the state
15 require a publication that does not comply with the standards estab-
16 lished under AS 44.99.160 and that cannot be produced by a state-
17 operated facility.

18 (b) The determination under (a) of this section shall be made by
19 the

20 (1) commissioner of administration for a state agency in
21 the executive branch, except as provided in (4) - (6) of this sub-
22 section;

23 (2) administrative director of the judicial branch for an
24 agency in the judicial branch;

25 (3) Alaska Legislative Council for an agency in the legis-
26 lative branch;

27 (4) Board of Regents or president of the University of
28 Alaska for the university;

29 (5) board of directors of the Alaska State Housing

1 Authority for the authority; and

2 (6) board of directors of the Alaska Railroad Corporation
3 for the corporation.

4 Sec. 44.99.140. DISCLOSURES ON PUBLICATION. If a publication of
5 a state agency does not comply with the standards established under
6 AS 44.99.160 and if the actual annual costs for the publication that
7 are paid from the general fund exceed \$1,500, the publication must
8 include a statement that gives the name of the agency releasing the
9 publication, the purpose of the publication, the cost for each copy of
10 the publication, and the city and state where the printing was done.
11 The statement must read: "This publication was released by ... (name
12 of state agency) ..., produced at a cost of \$..... per copy to...
13 (statement of purpose)..., and printed in.....(city and state where
14 printed)." The statement may include, if applicable, a declaration of
15 the revenue raised by the sale of the publication or from the purchase
16 of advertising in the publication. The statement shall be printed in
17 one conspicuous place in the body of the publication in a type size
18 that is not smaller than eight points and shall be placed in a box
19 composed of at least one-point rule. In this section, "cost for each
20 copy" means the figure that results after dividing the total contract
21 cost of producing the publication by the number of copies produced.

22 Sec. 44.99.150. LIST OF PUBLICATIONS. A state agency shall
23 compile and maintain a list of the publications that it produces each
24 fiscal year.

25 Sec. 44.99.160. STANDARDS. The Department of Administration
26 shall establish standards for the production of publications by state
27 agencies. The standards must be designed to promote simplicity, low
28 cost, consistency, and maximum use of state-operated production facil-
29 ities.

1 Sec. 44.99.170. DEFINITIONS. In AS 44.99.130 - 44.99.170,

2 (1) "publication" means a written document, including
3 books, brochures, flyers, manuals, newsletters, pamphlets, programs,
4 reports, and similar documents, but does not include standard forms,
5 letterhead stationery, letterhead envelopes, election ballots, con-
6 struction plans and specifications, location and design study reports,
7 the Alaska Statutes, the Alaska Administrative Code, the Alaska Rules
8 of Court, publications produced by the University of Alaska press,
9 publications intended primarily for foreign or other out-of-state use,
10 and papers that are submitted to a publisher, including a publisher of
11 journals and anthologies, that is not a state agency;

12 (2) "state agency" means

13 (A) a department, institution, board, commission,
14 division, authority, public corporation, or other administrative
15 unit of the executive branch, including the University of Alaska
16 and the Alaska Railroad Corporation;

17 (B) a committee, division, or administrative unit of
18 the legislative branch, including the Alaska Legislative Council,
19 the leadership of each house, and the office of the ombudsman;

20 (C) an administrative unit of the judicial branch,
21 including the Alaska Judicial Council and the Commission on
22 Judicial Conduct.

23 * Sec. 2. The office of management and budget in the Office of the
24 Governor shall submit to the legislature by February 1, 1991, a list of the
25 publications that state law requires the state to publish and that the
26 executive branch determines should not be required. The list must contain
27 an explanation of the reasons for the executive branch's determination.

28 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

29

6-0308P
Bannister
4/20/90

Original sponsor(s): SEN. PEARCE, Uehling, Faiks

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

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19 the

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26 lative branch;

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5 a state agency does not comply with the standards established under
6 AS 44.99.160 and if the actual annual costs for the publication that
7 are paid from the general fund exceed \$1,500, the publication must
8 include a statement that gives the name of the agency releasing the
9 publication, the purpose of the publication, the cost for each copy of
10 the publication, and the city and state where the printing was done.
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27 an explanation of the reasons for the executive branch's determination.

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6-0308P ✓
Bannister
4/21/90

Original sponsor(s): SEN. PEARCE, Uehling, Faiks

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15 publication that does not comply with the standards established under
16 AS 44.99.160 or that cannot be produced by a state-operated facility.

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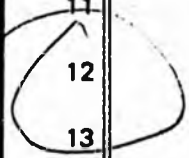
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12 \$. . . . per copy to... (statement of purpose) and printed in: (AS: . . .)
13 (city and state where printed) ~~1/2~~ The statement may include, if appli-
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15 tion or from the purchase of advertising in the publication. The
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17 publication in a type size that is not smaller than eight points and
18 shall be placed in a box composed of at least one-point rule. In this
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*TA
amendment*



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14 law, the statement must also include: "This publication is required
15 by . . . (appropriate citation to Alaska law)." The statement may
16 include, if applicable, a declaration of the revenue raised by the
17 sale of the publication or from the purchase of advertising in the
18 publication. The statement shall be printed in one conspicuous place
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BY THE JUDICIARY COMMITTEE

1 IN THE HOUSE

2 HOUSE CONCURRENT RESOLUTION NO.
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Suspending Uniform Rules 41(b), 24(c),
6 and 35 of the Alaska State Legislature
7 concerning Senate Bill No. 75.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 That under Rule 54 of the Uniform Rules of the Alaska State Legisla-
10 ture the provisions of Rule 41(b), Rule 24(c), and Rule 35 of the Uniform
11 Rules, regarding changes to the title of a bill, are suspended in consid-
12 eration of Senate Bill No. 75, relating to state publications.

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SB

76

HOUSE COMMITTEE REPORT

Date Referred: March 17, 1989 FURTHER REFERRALS: JUDICIARY

Date of Committee Action: 3-29-89

Resources Committee considered: CSSB 76(RES)

FOR SENATE BILL NO. 76 (Resources)

[RELEASE OF F & G CONFIDENTIAL RECORDS]

an Act relating to confidentiality of certain fishery reports and records."

RECOMMENDATIONS:

- be replaced with HCS CSSB 76 (RES) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

OPTIONS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS:
(Date/Dept)

- fiscal impact _____
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:
(Check approp. column)

Clyde Davidson

Sam ...

Mike ...

Bert ...

Richard ...

Mike ...

George ...

	Do Not Pass	No Rec	Amend

Clyde Davidson
 Chairman's signature

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSSB 76(Resources)

Page 1, lines 17 - 19:

Delete "court or a person who receives records and reports under (4) of this subsection or a person under (5)"

Insert "recipient under (4) - (6)"

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Confidentiality of certain
fishery reports and records
Sponsor: Finley
Requestor: Senate Rules

Agency Affected: Fish and Game
BRU: Commercial Fisheries
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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)

Prepared by Bob Clashv
Division: Commercial Fisheries
Approved by Commissioner: Anna C. Lindworth
Agency: Fish and Game

Phone: 465-4210
Date: 3/13/89
Date: 3.14.89

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An act relating to confidentiality of certain fishery reports and records

Agency Affected: Fish and Game
BRU: Commercial Fisheries

Sponsor: Senator Eliason
Requestor: _____

Components: Commercial Fisheries
Special Projects

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92 -	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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)

Prepared by: Robert C. Clashy
Division: _____

Phone: 465-4210
Date: _____

Approved by Commissioner: _____
Agency: _____

Date: _____

Distribution (by preparer) :

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency (ies)

ALASKA STATE LEGISLATURE · SENATE

SENATOR RICHARD I. ELIASON

LABOR & COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
RULES COMMITTEE
SPECIAL COMMITTEE ON HIGH SEAS
SALMON INTERCEPTION
SELECT COMMITTEE ON
LEGISLATIVE ETHICS



P.O. BOX 143
SITKA, ALASKA 99835

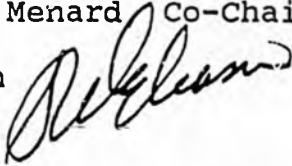
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4918

FAX (907) 465-4928

RECEIVED MAR 20 1989

M E M O R A N D U M

TO: Representative Cliff Davidson, Co-Chairman
Representative Curt Menard, Co-Chairman

FROM: Senator Dick Eliason 

DATE: March 16, 1989

RE: CSSB 76(Res), relating to confidentiality of
certain fishery reports and records

The Committee Substitute for Senate Bill 76(Resources), relating to confidentiality of certain fishery reports and records, has been referred to the House Resources Committee for consideration.

I introduced this measure at the request of the Dept. of Fish and Game. It is designed to correct the situation that has evolved under the state's current statute regarding the confidentiality of fish tickets and summary information, and I believe it strikes a good balance between protecting the privacy of fishermen, and protecting the livelihood of fishermen by allowing the sharing of information helpful in fisheries management.

I encourage you to review the measure, and hope that you will soon schedule it for a hearing before the full Resources Committee. Please contact my office if you or your staff require additional information on the bill. Thank you for your consideration.

Reasons for Amending the Fisheries Confidentiality Statute

AS 16.05.815

Purpose: Amend current confidentiality restrictions to allow the state to share detailed fish ticket and observer data for the halibut and groundfish fisheries with those international and federal agencies that have primarily management responsibility for those fisheries.

1. The Department of Law recently said that our historical practice of providing fish tickets for halibut landings to the halibut commission (IPHC) as the department is probably illegal under the above statute.

Strict interpretation of the statute will make it impossible for the state to provide accurate halibut harvest information to IPHC. This will lead to either overharvest of the resource or more conservative management; both of which will mean a loss of revenue to the industry and to the state.

2. Prevent duplication of catch records and inappropriate fisheries closures by the NMFS.

The state (DF&G) collects groundfish harvest information for state and federal waters using fish tickets (FT's), while the federal government (NMFS) obtains their harvest information via in-season weekly reports (via FAX or radio) from groundfish catcher/processors. DF&G, via contract, supplies NMFS with information on catches in federal waters, however, that information is masked, as required by AS 16.05.815, so as not to reveal the vessel or vessel operator. Without being able to identify and match individual vessels or operators on FT's, NMFS cannot reconcile their reports with the state's. This can lead to inaccurate determination of the total catch.

3. Estimate discard of crab, halibut, herring, etc. and target species. These data are currently unavailable for most U.S. groundfish fisheries.

Substantial discard of crab, halibut, salmon, undersized, and non-target species can occur in groundfish fisheries. This discard can only be estimated by 1) matching observer and fish ticket records for the specific observed trips, 2) calculating discard proportion by species based on observer data, and 3) appropriately applying the discard proportions to the total landed catch of a given fishery. Both agencies have detailed observer and catch information. That information is not useful, because each agency needs to know the vessel that generated the data. Once that is known, each agency can create the data base required to perform the analysis that will tell the managers what effects bycatch is having on the target resource, as well as on resources harvested in other fisheries.

4. Permit continued and possibly expanded federally funded state programs for data collection (PT's and marine mammal observers).

To be a viable contractor for these services, the state must be able to provide NMFS with complete data sets, not summaries. Advantage: Data provides the state influence in the federal management process.

5. Provide mutual access to fisheries data.

Recent meetings with the NMFS demonstrate a willingness on the part of the feds to make their administratively confidential data (e.g., observer) available to ADF&G. This assumes the state is willing to change its confidentiality restrictions. Advantages: 1) promotes governmental efficiency, 2) promotes better quality analyses because complete data sets are available, and 3) allows the state to perform independent analyses to protect state interests, e.g., analysis of incidental king crab and herring catches in the Bering Sea.

6. The administration should support the change because it is administratively and management oriented.

This request involves interagency cooperation and agency effectiveness.

7. Public support exists for the change.

Enclosed is a resolution from the Southwest Alaska Municipal Conference urging the removal of all barriers to fisheries data sharing. Senator Eliason has stated to Jim Brooks, NMFS Alaska Region Deputy Director, that he would not object to this change for groundfish, although he previously blocked similar legislation which included salmon. Ken Parker has discussed the proposed change with Rick Lauber (Pacific Seafood Processors Assoc.), Kate Graham (UFA), and Chris Blackburn (Groundfish Data Bank). They were not initially opposed, but need to talk to their membership about the proposal.

MEMORANDUM

State of Alaska

DEPARTMENT OF FISH AND GAME

TO: Don W. Collinsworth
Commissioner
Department of Fish and Game

DATE: August 22, 1988

FILE NO.:

TELEPHONE NO.: 465-4210

FROM: Ken Parker
Director
Commercial Fisheries Division

SUBJECT: Proposed Statutory
Amendment:
Confidentiality
of Fisheries Records

The Commercial Fisheries Division recommends that the Governor introduce legislation to amend AS 16.05.815, regarding confidentiality of fisheries records and reports, to address several long-standing problems encountered by this division in its interactions with federal agencies over jointly managed fisheries. These problems are:

1. Although we have, since 1971, routinely transmitted the fish tickets we receive for halibut landings to the International North Pacific Halibut Commission (IPHC), we have had no statutory authority to do so. Previous actions have been based on the fact that we have no management authority over that fishery and that the IPHC is the internationally recognized manager. Since the IPHC provides us with complete, verified data files in return for our assistance, cessation of this practice will result in an immediate loss of information to the state.
2. Many groundfish species are highly mobile and are widely distributed across state and federal marine boundaries. They are best managed as a unit throughout their range. Coordinated management is hampered by the restriction in AS 16.05.815 (a)(1) which requires that all information from state waters released to the National Marine Fisheries Service (NMFS) be stripped of vessel and fisherman identifiers. This information is required by the NMFS to ensure against duplicate records and to relate harvests to information collected in their own observer program. While NMFS has the legal authority to require a separate report of this information from U.S. citizens operating in state waters, coordinated management is best served if both agencies are able to use the same information to manage this common resource.
3. The Legislature recently enacted legislation which authorizes a state onboard observer program. Meanwhile, emphasis in the federal observer program has shifted to the emerging domestic fleet. Although the information collected by observers is not directly required in regulation, the Attorney General's office has advised us that this information is probably subject to the confidentiality statutes. The needs for joint access to this information

are similar to those described in §2. To be truly effective, the limited resources of both agencies must be pooled to give a complete picture of groundfish harvests.

These confidentiality problems are not all one-sided, as the federal government has confidentiality regulations of its own. Since the state is the federal government's contractual agent to compile groundfish tickets, however, we already have access to all fish tickets from federal waters. The federal government has also committed to administrative resolution of confidentiality issues regarding its observer data. The remaining barriers to access relate to state statutes.

The amendments we recommend are as follows:

1. Add a section AS 16.05.815 (a) (7), which would permit release of fish tickets and fish ticket information on halibut landings to the International North Pacific Halibut Commission.
2. Repeal the last sentence in AS 16.05.815 (a) (1) which requires that all information released to the NMFS be stripped of vessel and fisherman identifiers.

Implementation of these changes should have no fiscal impact on the department. I am not aware of a similar bill which has been drafted or introduced and not passed. No other departments should be impacted by this proposal.

Although no private organizations have addressed this issue in any fashion, support should be solicited from the United Fishermen of Alaska, the Alaska Groundfish Data Bank, or other fishermen's organizations. Support from these organizations may, however, be divided. Similarly, processors or legislators with substantial fisheries constituencies may also be opposed if they are not convinced of the need to share detailed information.

The precedents for access to this information by other agencies, including the NMFS, already exist in AS 16.05.815. We have been informed that similar provisions enabling free access by state and federal agencies to fisheries information already exist in Texas, Louisiana, Georgia, South Carolina, North Carolina, Puerto Rico, and the Virgin Islands, among others.

cc: Bruce Twomley

STATE OF CALIFORNIA
 DEPARTMENT OF FISH AND GAME
 CRAB RECEIPT

DATE OF DELIVERY
 010 01 01

NO. 100-100
 VESSEL NAME CRAB BOAT
 CAPTAIN JOHN DOE
 PORT OF ORIGIN LA JOLLA
 COUNTY SAN DIEGO
 DATE OF CAUGHT 10-10-85
 TIME OF CAUGHT 12:00 PM

0000
 00

DESCRIPTION	QUANTITY	WEIGHT	VALUE	MARKS
RED KING CRAB	910			
BLUE KING CRAB	922			
BROWN KING CRAB	923			
BAIRD TANNER CRAB	931			
OPUS TANNER CRAB	932			
DEADLOSS				

Cash Advance \$100.00 Fish Received by Mr. Crab Buyer
 FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS.
 Fisherman's Signature * Captain John Doe Fisherman or Captain making delivery

ALASKA DEPARTMENT OF FISH & GAME
FISH BUYING TICKET

180 017052

BUYER TYPE (CHECK ONE) DIRECT RETAIL

REGISTRATION NO. 12

1007 STATE
INSURANCE CODE
REGISTERED NAME
INSURANCE NUMBER 000000
BUYER NUMBER 0

00000

DATE CAUGHT
DATE RECEIVED

AREA CAUGHT HANK INLET
TOWNSHIP NEAREST BAY OR HEADLAND

115-16
TOTAL CHART NO. 1

DESCRIPTION	WEIGHT	UNIT	PRICE	AMOUNT	TOTAL
20-40 lbs	202				
40-60 lbs	202				
60-80 lbs	202				
Total Medium	202				
80-100 lbs	203				
100-120 lbs	203				
120-150 lbs	203				
Over 150 lbs	203				
Total Large	203				
No. 2's Med.	204				
No. 2's Lg.	204				
TOTAL (LESS HEAD & SLIMS)	200				
MISCELLANEOUS					
Lg. Sablefish	710				
Sml. Sablefish	710				
Total Sablefish	710				
Lingcod	130				
Rockfish/Red Snapper	140				
Sleethead	540				
HERRING					
Herring Eggs on Kelp	231				
Herring Roe Skins	232				
Herring Bait Food	233				
Herring Sac Roe	234				
% Roe Content =					
JAL. COY Lg. Red Kings	410	1	29	2.75	415.00
Med. Red Kings	410	1	12	3.75	45.00
Sml. Red Kings	410				
Lg. White Kings	410	1	21	3.25	128.25
Sml. White Kings	410				
TOTAL KINGS	410	19	429		
REDS (SOCKEYE)	420	1	4	3.00	12.00
Lg. Cohos	430	5	46	2.75	124.50
Med. Cohos	430	3	24	2.50	60.00
Sml. Cohos	430	1	5	2.25	11.25
TOTAL COHOS	430	9	75		
PINKS	440	8	26	0.75	19.50
BRIGHT CHUMS	450	2	18	2.00	36.00
DARK CHUMS	450	1	9	1.25	11.25
TOTAL CHUMS	450	3	27		
SALMON ROE	400		10	.75	7.50
Sub-Total					\$1981.25
Less Salmon Enhancement Tax @ (1981.25 x 0.03) =					59.44
TOTAL		71	1102		\$1921.81

Fisherman's Signature * Captain John Doe
FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS

Fish Received by Mr. Solomon Buyer

FISCAL NOTE

REQUEST:

Revision Date: March 22, 1990
 Title: "An Act relating to investment securities
 under the Uniform Commercial Code."
 Sponsor: Rules Committee/By Request of Governor
 Requestor: House Labor and Commerce

Agency Affected: Department of Law
 BRU: Legal Services
 Components: Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Date: March 22, 1990
 Approved by Commissioner: Richard I. Pegues / FORI Date: March 22, 1990
 Agency: Department of Law Date: March 22, 1990

Distribution (by preparer):
 Legislative Finance.
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 88

This bill substantially amends Article 8 of the Uniform Commercial Code (AS 45.08 in Alaska's version) in accordance with recommendations of the National Conference of Commissioners on Uniform State Laws (NCCUSL) in cooperation with the American Law Institute and the American Bar Association. This amended version of Article 8 modernizes the regulation of investment securities by recognizing the existence of uncertificated securities that have resulted from computerized securities transactions. Many of the investment securities financial transactions that take place today are accomplished by electronic means, without the issuance of certificates, because of the shear load of paper certificates that have hampered and burdened the financial markets. The amendments to Article 8 contemplate the elimination of much of the paper certificates formerly used in financial transactions. These amendments have been endorsed by the Securities Industry Committee of the American Society of Corporate Secretaries, and they have already been adopted by 35 states. It is not anticipated that the changes proposed in the UCC will have any direct fiscal impact of the Department of Law, because they deal with private sector transactions.

PURCHASER

ALASKA DEPARTMENT OF FISH & GAME
 GROUND FISH TICKET

DO NOT WRITE IN THIS SPACE

688 026002

Vessel Name FV GROUND FISH BOAT

Fishery BOAT NAME
FISHERY RESOURCE CODE
 Name PERMITHOLDER NAME
 Permit Number PERMIT NUMBER ADF&G
8801A SSN NUMBER 0

ADF&G NO. 00000

DELIVERY CONDITION CODES
 ENTER FOR EACH SPECIES IN COLUMNS 4 & 11 BELOW

1 = WHOLE FOODFISH	6 = SALTED AND SPLIT
2 = WHOLE BAIT	7 = WESTERN CUT
3 = BLEED	8 = EASTERN CUT
4 = GUTTED ONLY	9 = FILLETS
5 = GUTTED AND HEADED	10 = LANDED DISCARD

Proc. Code 00000 0 88 Date Caught 7/18/88
 Company FRICO INC. Date Landed 7 22 88

DUTCH HARBOR
 ↑ PORT OF LANDING ↑

PRINT TYPE OF GEAR USED
LONGLINE

SPECIES	CODE	QUANTITY	WEIGHT (LBS)	VALUE	DISCARD	TOTAL VALUE
SABLEFISH	710					
PACIFIC OCEAN PERCH			141			
BLACK ROCKFISH			142			
IDIOT ROCKFISH			143			
RED SNAPPER - YELLOWEYE		252-94	145	5	500	0.50 250.00
CANARY ROCKFISH			146			
FLATHEAD SOLE	122					
QUILLBACK ROCKFISH			147			
ROCK SOLE	123					
CHINA ROCKFISH			149			
DOVER SOLE	124					
ROSETHORN ROCKFISH			150			
REX SOLE	125					
DUSKY ROCKFISH			151			
YELLOWFIN SOLE	127					
RED ROCKFISH - UNSPECIFIED			140			
STARBY FLOUNDER	129					
ROCKFISH - UNSPECIFIED			121			
ALASKA POLICE	111					
BRUNDOO			110			
FLYING	110					
FLYING			110			
FLYING			110			



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Commercial Fisheries	BILL NUMBER SB 76	SPONSOR Senator Eliason
SHORT TITLE OF BILL An act relating to confidentiality of certain fishery reports and records.			
DEPARTMENT POSITION Support			
PREPARED BY Robert C. Clasby	DATE 1-19-89	COMMISSIONER'S SIGNATURE	DATE

SUMMARY

OTHER AGENCIES AFFECTED BY BILL National Marine Fisheries Service	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial groundfish fishermen
ORGANIZATIONAL SUPPORT FOR BILL National Marine Fisheries Service S.W. Municipal Conference Alaska Municipal League	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The department collects essential catch data using landing receipts (fish tickets) for both state and federally managed fisheries, i.e., halibut and groundfish in the EEZ. AS 16.05.815 prohibits the state from identifying individual fishermen when providing catch data to federal managers. The Department of Law's opinion is that this restriction applies to the present system of providing the halibut commission with unedited tickets. The restriction also precludes the National Marine Fisheries Service (NMFS) and the department from accurately estimating discarded crab, salmon, and halibut in the groundfish fishery.

ANALYSIS OF BILL/PROGRAM EFFECTS

The amendment will permit the state to provide complete catch records to the NMFS for fisheries managed under federal management plans and to the International Pacific Halibut Commission (IPHC). The IPHC will have legal access to accurate catch data as provided through ADF&G fish tickets. The ADF&G and NMFS will be able to compare groundfish fishery observer and fish ticket data on a trip by trip basis. These comparisons can then be used to make accurate estimates of target and prohibited species which are discarded by fishing vessels at sea.

The ability to provide these previously confidential data to NMFS also provides the state a greater opportunity to actively participate as a contractor in federally funded fishery monitoring programs, e.g., observers.

Current federal law will protect the confidentiality of the information the NMFS receives from the state.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An act relating to confidentiality of certain fishery reports and records

Agency Affected: Fish and Game

BRU: Commercial Fisheries

Sponsor: Senator Eliason

Components: Commercial Fisheries

Requestor: _____

Special Projects

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92 -	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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)

Prepared by: Robert C. Clasby

Phone: 465-4210

Division: _____

Date: _____

Approved by Commissioner: _____

Date: _____

Agency: _____

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Commercial Fisheries	BILL NUMBER CS SB 76	SPONSOR Eliason
SHORT TITLE OF BILL Confidentiality of certain fishery reports and records			
DEPARTMENT POSITION Support			
PREPARED BY Bob Clasby	DATE 3/13/89	COMMISSIONER'S SIGNATURE <i>W.A. Williams</i>	DATE 3.14.89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Public Safety Revenue	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial Fishermen
ORGANIZATIONAL SUPPORT FOR BILL National Marine Fisheries Service S.W. Municipal Conference Alaska Municipal League	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

ANALYSIS OF BILL/PROGRAM EFFECTS

The committee substitute by Senate Resources adds language to the original bill that ensures that the confidentiality provision of AS 16.05.815 are maintained when confidential information is released to qualified agencies. The department supports this amendment as we believe that it will assist in maintaining the fishing industry's trust in our ability to maintain the confidentiality of the detailed information they provide us. That information is essential for management of the state's fisheries.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Confidentiality of certain fishery reports and records
 Sponsor: Elison
 Requestor: Senate Rules

Agency Affected: Fish and Game
 BRU: Commercial Fisheries
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLASS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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)

Prepared by Bob Clashy Phone: 465-4210
 Division: Commercial Fisheries Date: 3/13/89

Approved by Commissioner: Donnell Collierworth Date: 3.14.89
 Agency: Fish and Game

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

PURCHASER

ALASKA DEPARTMENT OF FISH & GAME
 GROUND FISH TICKET

DO NOT WRITE IN THIS SPACE
 G88 026002

Vessel Name FV GROUND FISH BOAT

Fishery BOAT NAME
 FISHERY RESOURCE CODE
 Name PERMITHOLDER NAME
 Permit Number PERMIT NUMBER ADF&G
8801A SSN NUMBER D

ADF&G NO. 00000

DELIVERY CONDITION CODES
 ENTER FOR EACH SPECIES IN COLUMNS 4 & 11 BELOW
 1 = WHOLE FOODFISH 6 = SALTED AND SPLIT
 2 = WHOLE BAIT 7 = WESTERN CUT
 3 = BLED 8 = EASTERN CUT
 4 = GUTTED ONLY 9 = FILLETS
 5 = GUTTED AND HEADED 10 = LANDED DISCARD

Proc. Code F0000 0 88 Date Caught 7/18/88
 Company ENRICO INC. Date Landed 7 22 88

↑ PORT OF LANDING ↓
DUTCH HARBOR

PRINT TYPE OF GEAR USED
LONGLINE

SPECIES	STAT AREA	COND CODE	POUNDS	PRICE	AMOUNT	SPECIES	STAT AREA	COND CODE	POUNDS	PRICE	AMOUNT
SABLEFISH		710				PACIFIC OCEAN PERCH			141		
						BLACK ROCKFISH			142		
						IDIOT ROCKFISH			143		
						RED SNAPPER - YELLOWEYE	<u>252-84</u>	<u>5</u>	<u>500</u>	<u>0.50</u>	<u>250.00</u>
						CANARY ROCKFISH			146		
FLATHEAD SOLE		122				OJILLBACK ROCKFISH			147		
ROCK SOLE		123				CHINA ROCKFISH			149		
DOVER SOLE		124				ROSEHORN ROCKFISH			150		
REX SOLE		125				DUSKY ROCKFISH			154		
YELLOWFIN SOLE		127				RED ROCKFISH - UNSPECIFIED			140		
STARRY FLOUNDER		129				ROCKFISH - UNSPECIFIED			133		
ALASKA PLAICE		133				LINGCOD			130		
FLOUNDER - UNSPECIFIED		120				MOUTLIN			160		
PACIFIC COD	<u>350-51</u>	110	<u>9</u>	<u>15.000</u>	<u>2.75</u>	SKATE			770		
POLLOCK		270				SHARK			629		

Fisherman's Signature Mr. John Doe
 FISH DELIVERED HEREBY ACCEPTS ALL LIABILITY WITH STATE LICENSING LAWS AND STATE LAWS AND REGULATIONS

Fish Received By Mr. James J. Brown

ALASKA DEPARTMENT OF FISH & GAME
FISH BUYING TICKET

180 017052

COAT NAME
FISHERY RESOURCE CODE
PERMIT HOLDER NAME
PERMIT NUMBER ADP&A NO. 00000
BOAT SEN NUMBER 0

CHECK TYPE OF GEAR ONLY IF USED (MARKING GILL NET)
C3 DRIFT NET C1 SET NET

THROUGHT GAINED IN POUNDS
12.

2/21/03 Date Caught
7 00 00 Date Landed

AREA CAUGHT HANK INLET
(SHOW NEAREST BAY OR HEADLAND)

112-16
(STAT. CHART NO. 1)

12-15 lbs.	202			SALMON Lg. Red Kings	410	17	396	4.00	\$1584.00
15-20 lbs.	202								
20-25 lbs.	202			Med. Red Kings	410	1	12	3.75	45.00
Total Medium	202								
				Sml. Red Kings	410				
50-60 lbs.	203								
60-100 lbs.	203			Lg. White Kings	410	1	21	3.25	68.25
100-150 lbs.	203								
Over 150 lbs.	203			Sml. White Kings	410				
Total Large	203			TOTAL KINGS	410	19	429		
No. 2's Med.	204			REDS (SOCKEYE)	420	1	4	3.00	12.00
No. 2's Lg.	204								
				Lg. Cohos	430	5	46	2.75	124.50
TOTAL (LESS HEAD + SLIME)	200								
				Med. Cohos	430	3	24	2.50	60.00
MISCELLANEOUS									
Lg. Sablefish	710								
Sml. Sablefish	710			Sml. Cohos	430	1	5	2.25	11.25
Total Sablefish	710			TOTAL COHOS	430	9	75		
Lingcod	130								
Rockfish/Red Snapper	140			PINKS	440	8	26	0.75	19.50
Stealhead	540								
				BRIGHT CHUMS	450	2	18	2.00	36.00
HERRING				DARK CHUMS	450	1	9	1.25	11.25
Herring Eggs on Kelp	231			TOTAL CHUMS	450	3	27		
Herring Roe Skeins	232			SALMON ROE	400		10	.75	7.50
Herring Bait/Food	233			Sub-Total					\$1981.25
Herring Sac Roe	234			Less Salmon Enhancement Tax @ (1981.25 x 0.03) =					59.44
% Roe Content =				TOTAL		71	1102		\$1921.81

Fisherman's Signature * Captain John Doe
FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LAWS FOR LAWS AND REGULATIONS

Fish Received by Mr. Solomon Bury

HUNTINGTON ALASKA DEPARTMENT OF FISH AND GAME CRAB ON TANNER TOWNSHIP

BOOK NUMBER 011002

Vessel No. FN 0885 DART

Fishery 0 BOAT HUNT
Factory Discharge Code
Permit Number 00000
Additional Date
Permit Number 00000
Additional Number 0

00000

PRINT TYPE OF GEAR USED 10'

Proc. Code 00000-0-00 Date Caught 7/21/83
Company ELIUD INC. Date 7 22 83
MPG FCS

Species	Weight	Count	Price	Total	Value	Weight	Value
LONGNECK CRAB	108-30	910	80	177	80	4.00	\$708.00
RED KING CRAB		921					
BLUE KING CRAB		922					
BROWN KING CRAB		923					
BAIRD TANNER CRAB		931					
OPUC TANNER CRAB		932					
DEADLOSS							

Cash Advance \$100.00 Fish Received by Mr. Crab Buyer
FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS.
Fisherman's Signature * Captain John Doe
Fisherman or Captain making delivery

ALASKA STATE LEGISLATURE - SENATE

SENATOR RICHARD I. ELIASON

LABOR & COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
RULES COMMITTEE
SPECIAL COMMITTEE ON HIGH SEAS
SALMON INTERCEPTION
SELECT COMMITTEE ON
LEGISLATIVE ETHICS



P.O. BOX 143
SITKA, ALASKA 99835

P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4916

FAX (907) 465-4928

MEMORANDUM

TO: Rep. Gruenberg and Rep. Goll, Co-Chairmen
House Judiciary Committee

FROM: Sen. Dick Eliason

DATE: April 10, 1989

RE: SB 76, Relating to confidentiality of certain fishery
reports and records.

I would like to request that CS SB 76(Resources) be scheduled for a hearing in the House Judiciary committee. It is a straight-forward measure which simply clears the way for some desirable exchange of information between several state and federal fisheries management entities. It strikes a good balance between protecting the privacy of fishermen, and protecting their livelihood by ensuring sound data to fisheries managers.

The House Resources committee made a small change to the bill which was recommended by the Dept. of Law. I have no objection to that CS.

If you need further information about the bill, please contact my office. Thank you for your consideration.

S B

8 6

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 12, 1989

FURTHER REFERRALS:

Date of Committee Action: _____

The JUDICIARY Committee considered:

CSSB 86(R1s)

CS FOR SENATE BILL NO. 86 (Rules)

[CHILD CUSTODY DETERMINATIONS]

"An Act relating to factors to be considered in making child custody determinations."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
- [] have attached amendment(s) [] a new title
- [X] do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- [] fiscal impact _____
- [] zero fiscal note _____
- [] zero with analysis _____

- [] fiscal note(s) _____
- [] zero fiscal note(s) 3/7/89 Senate Rules
- [] zero fn/analysis _____

SIGNING DO PASS:

[Handwritten signatures]

SIGNING:
(Check approp. column)

Do Not Pass No Rec Amend

	Do Not Pass	No Rec	Amend

[Handwritten signature]

Chairman's Signature

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 10, 1989

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: 4/12/86

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: CSSB 86(R1s)

SENATE BILL NO. 86

"An Act relating to child custody determinations."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
[] have attached amendment(s) [] a new title
[] do pass
[] do not pass
[] no recommendation
[X] individual recommendations
[] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- [] fiscal impact _____
[] zero fiscal note _____
[] zero with analysis _____

- [] fiscal note(s) _____
[X] zero fiscal note(s) 3/7/89 Pub. Safety
[] zero fn/analysis _____

SIGNING DO PASS:

J. Ellis
Mark Baker
William H. ...

SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend
<u>John Jace</u>		X	
<u>Benny ...</u>		X	
<u>Chet Davis</u>		X	

J. Ellis
Chairman's signature

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 9, 1939

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

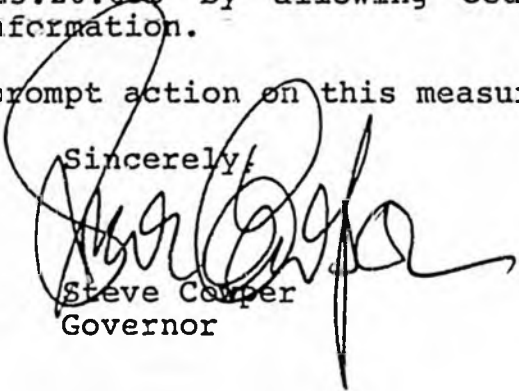
Dear Senator Kelly:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to child custody determinations.

This bill, recommended by the Council on Domestic Violence and Sexual Assault, in the Department of Public Safety, requires that instances of domestic violence, child abuse, and child neglect be taken into consideration in making child custody determinations. Current law requires that the court consider only "a history of violence between the parents," and then only when awarding shared custody. AS 25.20.090(8). There is no similar requirement that domestic violence be considered under AS 25.24.150 in other custody determinations, nor is there any requirement under either statute that instances of child abuse and neglect be reviewed by the court. Although most judges would be likely to receive such information into evidence as a matter of discretion, this bill requires the court to specifically focus on these factors. The bill also makes AS 25.24.150 more consistent with AS 25.20.090 by allowing courts to consider other pertinent information.

I urge your favorable and prompt action on this measure.

Sincerely,



Steve Cowper
Governor

FISCAL NOTE

REQUEST:

Revision Date: 3/6/89 Agency Affected: Public Safety
 Title: An Act relating to factors to be BRU: Council on Domestic Violence and
 considered in making child custody determinations Sexual Assault
 Sponsor: Rules Committee Components: _____
 Requestor: Governor Cowper _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	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)

Rules Cs is a title change only.

Prepared by: McKie Campbell, staff Phone: 465-3818
 Division: Senate Rules Committee Date: 3/7/89
 Approved by Commissioner: Senator Arliss Sturgulewski Date: 3/7/89
 Agency: Alaska State Senate

Distribution (by preparer):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

S B

8 8

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 23, 1990

FURTHER REFERRALS:

Date of Committee Action: 4-25-90

The JUDICIARY Committee considered:

SB 88

SENATE BILL NO. 88

UCC - INVESTMENT SECURITIES

"An Act relating to investment securities under the Uniform Commercial Code."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
- [] _____ [] a new title
- [] have attached amendment(s)
- [] do pass
- [] do not pass
- no recommendation
- individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- [] fiscal impact _____
- [] zero fiscal note _____
- [] zero with analysis _____

- [] fiscal note(s) _____
- [] zero fiscal note(s) _____
- zero fn/analysis LAW 3/23/90

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not
PASS No Rec Amend

<i>Matthew Gruenberg</i>	<i>John Goll</i>			
<i>Terry Martin</i>	<i>Mike Miller</i>			
<i>Ellis</i>	<i>Mike Davis</i>			

Matthew Gruenberg
Chairman's Signature

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 17, 1990

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: 3/20/90

The LABOR & COMMERCE Committee considered:

SB 88

SENATE BILL NO. 88

UCC - INVESTMENT SECURITIES

"An Act relating to investment securities under the Uniform Commercial Code."

RECOMMENDATIONS:

- be replaced with _____ the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s): _____
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____ fiscal note(s) _____
- 2 zero fiscal note Dept. Revenue zero fiscal note(s) Natural Resources
- zero with analysis Dept of Law zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Mark Boyer Boyer
Mark Greenberg Greenberg
Loren A. Leiman Leiman

	Do Not Pass	No Rec	Amend
<u>Dave Douby</u> Douby	✓		
<u>David H. Finkelman</u> Finkelman	✓		
<u>Ed. P. Bucher</u> Bucher	✓		
<u>John Collins</u> Collins	✓		

Dave Douby
Chairman's Signature