

SENATE BILL NO. 36

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY SENATOR GIESSEL

Introduced: 2/2/15

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to electronic publication of certain municipal notices and to**
2 **publication and electronic distribution of reports by state agencies."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 29.45.020(a) is amended to read:

5 (a) If a municipality levies and collects property taxes, the governing body
6 shall provide the following notice:

"NOTICE TO TAXPAYER

8 For the current fiscal year the (city)(borough) has been allocated the
9 following amount of state aid for school and municipal purposes under
10 the applicable financial assistance Acts:

11	PUBLIC SCHOOL FUNDING PROGRAM (AS 14.17)	\$
12	STATE AID FOR RETIREMENT OF SCHOOL	\$
13	CONSTRUCTION DEBT (AS 14.11.100)	
14	COMMUNITY REVENUE SHARING PROGRAM	\$

1 (AS 29.60.850 - 29.60.879)

2 TOTAL AID \$

3 The millage equivalent of this state aid, based on the dollar value of a
 4 mill in the municipality during the current assessment year and for the
 5 preceding assessment year, is:

	MILLAGE EQUIVALENT	
	PREVIOUS YEAR	THIS YEAR
8 PUBLIC SCHOOL FUNDINGMILLSMILLS
9 PROGRAM ASSISTANCE		
10 STATE AID FOR RETIREMENTMILLSMILLS
11 OF SCHOOL CONSTRUCTION		
12 DEBT		
13 COMMUNITY REVENUEMILLSMILLS
14 SHARING PROGRAM		
15 TOTAL MILLAGE EQUIVALENTMILLSMILLS"

16 Notice shall be provided by

17 (1) furnishing a copy of the notice with tax statements mailed for the
 18 fiscal year for which aid is received; or

19 (2) publishing in a newspaper of general circulation in the municipality
 20 a copy of the notice once each week for a period of three successive weeks, with
 21 publication to occur not later than 45 days after the final adoption of the municipality's
 22 budget; **instead of newspaper publication, a municipality may by ordinance**
 23 **provide for electronic publication by posting the notice for three consecutive**
 24 **weeks on a municipal Internet website accessible to the public.**

25 * **Sec. 2.** AS 29.45.330(a) is amended to read:

26 (a) A municipality shall

27 (1) annually present a petition for judgment and a certified copy of the
 28 foreclosure list for the previous year's delinquent taxes in the superior court for
 29 judgment;

30 (2) publish the foreclosure list for four consecutive weeks in a
 31 newspaper of general circulation distributed in the municipality, **on a municipal**

1 **Internet website accessible to the public**, or, if there is no newspaper of general
 2 circulation distributed in the municipality **and no municipal Internet website**, post
 3 the list at three public places for at least 30 days;

4 (3) within 10 days after the first publication or posting, mail to the last
 5 known owner of each property as the owner's name and address appear on the list a
 6 notice advising of the foreclosure proceeding in which a petition for judgment of
 7 foreclosure has been filed and describing the property and the amount due as stated on
 8 the list.

9 * **Sec. 3.** AS 29.45.440(a) is amended to read:

10 (a) At least 30 days before the expiration of the redemption period the clerk or
 11 the clerk's designee shall publish a redemption period expiration notice. The notice
 12 must contain the date of judgment, the date of expiration of the period of redemption,
 13 and a warning that all properties ordered sold under the judgment, unless redeemed,
 14 shall be deeded to the municipality immediately on expiration of the period of
 15 redemption and that every right or interest of a person in the properties will be
 16 forfeited forever to the municipality. The notice appears once a week for four
 17 consecutive weeks in a newspaper of general circulation distributed in the
 18 municipality **or on a municipal Internet website accessible to the public**. If there is
 19 no newspaper of general circulation distributed in the municipality **and no municipal**
 20 **Internet website**, the notice is posted in three public places for at least four
 21 consecutive weeks. The clerk shall send a copy of the notice by certified mail to each
 22 record owner of property against which a judgment of foreclosure has been taken and,
 23 if the assessed value of the property is more than \$10,000, to all holders of mortgages
 24 or other liens of record on the property. The notice shall be mailed within five days
 25 after the first publication. The mailing shall be sufficient if mailed to the property
 26 owner and to the holder of a mortgage or recorded lien at the last address of record.

27 * **Sec. 4.** AS 44.62.175(a) is amended to read:

28 (a) The lieutenant governor shall develop and supervise the Alaska Online
 29 Public Notice System, to be maintained on the state's site on the Internet. The
 30 lieutenant governor shall prescribe the form of notices posted on the system by state
 31 agencies. The Alaska Online Public Notice System must include

- 1 (1) notices of proposed actions given under AS 44.62.190(a);
- 2 (2) notices of state agency meetings required under AS 44.62.310(e),
3 even if the meeting has been held;
- 4 (3) notices of solicitations to bid issued under AS 36.30.130;
- 5 (4) notices of state agency requests for proposals issued under
6 AS 18.55.255, 18.55.320; AS 36.30.210; AS 37.05.316; AS 38.05.120; and
7 AS 43.40.010;
- 8 (5) executive orders and administrative orders issued by the governor;
- 9 (6) written delegations of authority made by the governor or the head of
10 a principal department under AS 44.17.010;
- 11 (7) the text or a summary of the text of a regulation or order of repeal
12 of a regulation for which notice is given under AS 44.62.190(a), including an
13 emergency regulation or repeal regardless of whether it has taken effect;
- 14 (8) notices required by AS 44.62.245(b) regarding an amended version
15 of a document or other material incorporated by reference in a regulation;
- 16 (9) a summary of the text of recently issued published opinions of the
17 attorney general;
- 18 (10) a list of vacancies on boards, commissions, and other bodies
19 whose members are appointed by the governor;
- 20 (11) in accordance with AS 39.52.240(h), advisory opinions of the
21 attorney general; [AND]
- 22 (12) notices required by AS 26.30.010(d) and (e) regarding applications
23 for military facility zones; **and**
- 24 **(13) reports of state agencies, if required under AS 44.99.250.**

25 * **Sec. 5.** AS 44.99 is amended by adding new sections to read:

26 **Article 3A. Distribution of Agency Reports.**

27 **Sec. 44.99.250. Electronic distribution and posting.** (a) A state agency that
28 produces and distributes a report shall, if the agency has the technological capability to
29 do so, provide copies electronically and post the report on the Alaska Online Public
30 Notice System (AS 44.62.175). An agency may not produce print copies of reports
31 except as

- 1 (1) required
 2 (A) under AS 14.56.120;
 3 (B) by agreement; or
 4 (C) by federal law; or
 5 (2) requested under AS 44.99.260 or specifically approved by the head
 6 of a state agency or the head's designee.

7 (b) Except as provided in (a) of this section, electronic distribution and
 8 electronic posting on the Alaska Online Public Notice System (AS 44.62.175) fulfills
 9 any obligation in state law to publish, prepare, or present a report, and electronic
 10 distribution fulfills any obligation in state law to submit a report.

11 **Sec. 44.99.260. Print copy requests.** A person may obtain a print copy of a
 12 report from the state library distribution and data access center under AS 14.56.170.

13 **Sec. 44.99.270. Graphic design for reports.** Notwithstanding AS 44.99.200,
 14 when preparing reports, a state agency may not hire contractors to provide
 15 photographs or graphics unless

- 16 (1) no agency employee qualified to perform the work is available; or
 17 (2) the agency would use fewer state resources by hiring a contractor.

18 **Sec. 44.99.290. Definitions.** In AS 44.99.250 - 44.99.290,

19 (1) "report" means an official document that a state agency is required
 20 by law to prepare and distribute to the legislature or the public;

21 (2) "state agency" means a department, institution, board, commission,
 22 division, authority, public corporation, committee, or other administrative unit of the
 23 executive branch of state government, including the University of Alaska, the Alaska
 24 Railroad Corporation, the Alaska Permanent Fund Corporation, and the Alaska
 25 Housing Finance Corporation.