

# Alaska State Legislature

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## House Ways and Means

### CSHB 190 (STA) v. U - Alaska Sunset Commission Sectional Analysis

An Act establishing a violation for hindering the Alaska Sunset Commission; relating to the duties of the legislature; establishing the Alaska Sunset Commission to review and make recommendations on discontinuation of or changes to state entities; and relating to the powers and duties of the Alaska Sunset Commission.

#### **Section 1**

Amends criminal law by allowing persons who hinder the work of the Alaska Sunset Commission to be fined like those who may hinder the work of the Legislative Audit and Budget Committee.

#### **Sections 2-5:**

Amends the State Personnel Act to include the Alaska Sunset Commission.

#### **Section 2**

A person who has been convicted under Section 1 of this Act cannot be appointed to state service unless a waiver is granted by the commissioner of administration.

#### **Section 3**

Makes public information that a state employee has been dismissed or disciplined for a violation of interference or failure to cooperate with the Alaska Sunset Commission.

#### **Section 4**

Allows a state employee to be disciplined or dismissed for failure to give full cooperation to the Alaska Sunset Commission.

#### **Section 5**

Makes interference or failure to cooperate with the Alaska Sunset Commission a matter of public concern.

#### **Section 6**

Amends the Public Record Disclosure Act to add the Alaska Sunset Commission to the definition of "public agency."

## **Section 7**

Adds a new section of law to establish the Alaska Sunset Commission under the Lieutenant Governor. The Commission consists of seven public members appointed by the Governor (3), Speaker (2), and Senate President (2) for staggered five-year terms. Establishes the qualifications of appointed members, selection of a chair, and allows the Commission to employ staff and hire consultants. Commissioners will receive per diem and travel expenses.

Provides the powers and duties of the Commission, including reviewing the activities of each state entity subject to Commission review state entities and make recommendations to the legislature. The Commission may attend any meetings and proceedings of a state entity and inspect the books, accounts, reports, whether confidential or not. The Commission has the power to hold public hearings, issue subpoenas, compel the attendance of witnesses and production of papers, books, accounts, documents, and testimony.

Prior to the Commission's review of an entity each state entity shall provide to the legislature a report of the entity's evaluation of its adherence to the criteria for the Commission's review under this Act.

Provides for the Commission to review at least one principal department and its entities each year. Principal departments include state departments and the University of Alaska. The entities are each principal department are the divisions and corporations under each.

Provides the criteria for review, including the adherence to performance requirements set under the Executive Budget Act, alternative methods for delivery of services, organizational processes, efficiency with which the entity operates, reorganization potential, and the extent to which statutory changes are necessary for the entity to meet the desired improvements.

Requires the Commission to hold public hearings and except public testimony. At least one public hearing on an entity must be on the interconnected road system.

Requires a report by the Commission following each review of a state entity with a recommendation to the legislature to continue, discontinue, restructure, or transfer the duties and programs of the entity and a recommendation on a winding-down period for the entity to conclude its business or provide for a restructuring plan. The commission shall include in the report draft legislation to implement the recommendations of the Commission with a request to the rules committees to submit the legislation for introduction.

Provides that if the recommendations of the Commission are not implemented by law, the entity subject to review will be sunset on June 30 of the fiscal year following the review.

Provides definitions.