



LAWS OF ALASKA

1990

Source

CSHB 244(Fin) am S

Chapter No.

134

AN ACT

Relating to the frequency and content of certain state agency reports; relating to the frequency and contents of the report to the legislature on the housing assistance revolving fund; eliminating an annual oil and gas reporting and analysis requirement; and eliminating the long-term energy plan preparation and revision requirements.

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

THE ACT FOLLOWS ON PAGE 1, LINE 14

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 14, 1990
Actual Effective Date: September 12, 1990

AN ACT

Relating to the frequency and content of certain state agency reports; relating to the frequency and contents of the report to the legislature on the housing assistance revolving fund; eliminating an annual oil and gas reporting and analysis requirement; and eliminating the long-term energy plan preparation and revision requirements.

* Section 1. AS 14.43.095(c) is amended to read:

(c) The committee shall make a biennial [AN ANNUAL] report reviewing the work of the committee to the governor and the legislature.

* Sec. 2. AS 15.13.030 is amended to read:

Sec. 15.13.030. DUTIES OF THE COMMISSION. The commission shall

(1) develop and provide all forms for the reports and statements required to be made under this chapter, AS 24.45 and AS 39.50;

(2) prepare and publish a manual setting out uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter and otherwise assist candidates, groups, and individuals in complying with the requirements of this chapter;

(3) receive and hold open for public inspection reports and statements required to be made under this chapter and, upon request,

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1 furnish copies at cost to interested persons;

2 (4) compile and maintain a current list of all filed re-
3 ports and statements;

4 (5) prepare a summary of each report filed under AS 15.-
5 13.110 and make copies of this summary available to interested persons
6 at their actual cost;

7 (6) notify, by registered or certified mail, all persons
8 who are delinquent in filing reports and statements required to be
9 made under this chapter;

10 (7) report within 60 days after the election the names of
11 all persons and groups who have failed to comply with any of the
12 provisions of this chapter to the office of the attorney general;

13 (8) examine, investigate and compare all reports, state-
14 ments and actions required by this chapter, AS 24.45 and AS 39.50 and
15 [TO] report to the attorney general the names of all persons or groups
16 which the commission has substantial reason to believe have violated
17 this chapter, AS 24.45 or AS 39.50;

18 (9) prepare and publish a biennial [AN ANNUAL] report to
19 the legislature concerning the activities of the commission, the
20 effectiveness of this chapter, its enforcement by the attorney gen-
21 eral's office, and recommendations and proposals for change;

22 (10) adopt regulations necessary to implement and clarify
23 the provisions of AS 24.45, AS 39.50 and this chapter, subject to the
24 provisions of the Administrative Procedure Act (AS 44.62).

25 * Sec. 3. AS 18.26.200 is amended to read:

26 Sec. 18.26.200. ACCOUNTING AND REPORTS. The authority shall
27 keep an accurate account of all of its activities and of all of its
28 receipts and expenditures and shall biennially [ANNUALLY], no later
29 than the 10th day of the first [EACH] regular session of each [THE]

1 legislature, make a report of them to the governor and the legisla-
2 ture, copies of which shall be made available to bondholders or par-
3 ties holding a secured interest in the assets of the authority. The
4 governor may investigate the affairs of the authority, may examine the
5 property and records of the authority, and may prescribe methods of
6 accounting and the rendering of periodical reports in relation to
7 projects undertaken by the authority.

8 * Sec. 4. AS 38.04.020(d) is amended to read:

9 (d) On January 15 of the first session of each legislature
10 [YEAR], the commissioner shall report to the legislature on the status
11 of land in the land disposal bank under the following categories:

12 (1) land suitable for homestead disposal;

13 (2) land suitable for subdivision disposal;

14 (3) land suitable for agricultural, commercial, or indus-
15 trial disposal; and

16 (4) land suitable for other purposes.

17 * Sec. 5. AS 38.05.180(b) is amended to read:

18 (b) The commissioner shall biennially [ANNUALLY] prepare and
19 submit to the legislature, between the first and the 15th [FIFTEENTH]
20 day of the first [EACH] regular [LEGISLATIVE] session of each legisla-
21 ture, a five-year proposed oil and gas leasing program consisting of a
22 schedule of proposed lease sales and specifying as precisely as prac-
23 ticable the location of tracts proposed to be offered for oil and gas
24 leasing during the calendar year in which the proposed program is
25 submitted to the legislature and the following four calendar years.

26 * Sec. 6. AS 38.05.183(d) is amended to read:

27 (d) Oil or gas taken in kind by the state as its royalty share
28 may not be sold or otherwise disposed of for export from the state
29 until the commissioner determines that the royalty-in-kind oil or gas
30

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1 is surplus to the present and projected intrastate domestic and indus-
2 trial needs. The commissioner shall make public, in writing, the
3 specific findings and reasons on which the determination is based [AND
4 SHALL, WITHIN 10 DAYS OF THE CONVENING OF A REGULAR SESSION OF THE
5 LEGISLATURE, SUBMIT A REPORT SHOWING THE IMMEDIATE AND LONG-RANGE
6 DOMESTIC AND INDUSTRIAL NEEDS OF THE STATE FOR OIL AND GAS AND AN
7 ANALYSIS OF HOW THESE NEEDS ARE TO BE MET].

8 * Sec. 7. AS 44.21.266 is amended to read:

9 Sec. 44.21.266. DUTIES OF THE COMMISSION. The commission shall

10 (1) apply for federal and private funds for public broad-
11 casting purposes and receive all federal, state, or private funds,
12 property, or assistance that may be appropriated, granted, or other-
13 wise made available to the commission for public broadcasting pur-
14 poses, and use and disburse funds and property for purposes consistent
15 with the terms of AS 44.21.256 - 44.21.290, subject to reasonable
16 limitations imposed by the grantor;

17 (2) provide consultative services in all aspects of public
18 broadcasting to all public or private agencies in the state that
19 [WHICH] request them;

20 (3) serve as a library and clearinghouse for public broad-
21 casting information;

22 (4) through grants to qualified entities, develop an inte-
23 grated public broadcasting network for the state;

24 (5) through grants to qualified entities, develop and
25 distribute public broadcasting programming in the state;

26 (6) prepare and submit to the governor and the legislature,
27 in compliance with the state information systems plan adopted by the
28 Telecommunications Information Council in the Office of the Governor,
29 a long-term plan for the development of public broadcasting station:

1 and systems in the state, and biennially [ANNUALLY] update the plan;
2 and

3 (7) perform all other functions necessary to ensure the
4 orderly and coordinated development of public broadcasting in the
5 state.

6 * Sec. 8. AS 44.21.315(c) is amended to read:

7 (c) The department shall study, plan, and develop integrated
8 instructional telecommunications services for all residents of the
9 state, and shall annually report on [CURRENT FISCAL YEAR] instruc-
10 tional telecommunications activities for the current and previous
11 fiscal year and, after public hearings, submit to the governor and
12 the legislature an annually updated long-term development plan pre-
13 pared in consultation with the Department of Education, the University
14 of Alaska, local school districts, and other local and regional educa-
15 tion areas.

16 * Sec. 9. AS 44.21.320(e) is amended to read:

17 (e) Nothing in AS 44.21.305 - 44.21.330 prohibits a state agency
18 from developing telecommunications systems within its own agency if
19 the agency is in compliance with the state information systems plan
20 adopted by the Telecommunications Information Council and with the
21 agency's own information systems plan and if the commissioner gives
22 written authorization for the agency to engage in its own design,
23 development, management, or operation. The commissioner may authorize
24 independent development only upon a showing of necessity. A descrip-
25 tion of all authorization under this subsection must be included in
26 the biennial [ANNUAL] report required under AS 44.21.310(a)(2).

27 * Sec. 10. AS 44.42.055(a) is amended to read:

28 (a) The commissioner shall develop and biennially [ANNUALLY]
29 S revise a statewide comprehensive facility procurement plan for public

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1 facilities of the state and its municipalities.

2 * Sec. 11. AS 44.42.055(b) is amended to read:

3 (b) In developing and biennially [ANNUALLY] revising the facil-
4 ity procurement plan, the commissioner shall

5 (1) request and receive on an annual basis from all state
6 agencies a projection of the anticipated facility needs of the agency
7 for the next annual capital improvement program;

8 (2) consult with officials and representatives of munic-
9 ipalities, the federal government, interested corporations and other
10 organizations concerning public facility needs in the state;

11 (3) develop specific facility procurement plans for proj-
12 ects in each of the following categories:

13 (A) sewage and other wastewater collection, treatment,
14 and disposal facilities;

15 (B) water source, treatment, and distribution facil-
16 ities;

17 (C) solid waste collection and disposal facilities;

18 (D) hazardous and toxic waste collection and disposal
19 facilities;

20 (E) [SEWAGE TRANSMISSION AND TREATMENT SYSTEMS;

21 (B) WATER TRANSMISSION AND TREATMENT SYSTEMS;

22 (C)] electrical generation and distribution systems;

23 (F) [(D)] health care and social services facilities;

24 (G) [(E)] educational facilities;

25 (H) [(F)] transportation facilities;

26 (I) [(G)] public safety and justice facilities;

27 (J) [(H)] recreational facilities;

28 (K) [(I)] sanitation facilities; and

29 (L) [(J)] cultural facilities;
S

1 (4) prepare recommendations to accommodate the various
2 levels of service identified by state agencies and other parties with
3 respect to the services described in (3) of this subsection, to in-
4 clude

5 (A) current and future facility needs;

6 (B) space standards and design guidelines for the
7 appropriate facility types;

8 (C) maintenance and operations standards for the
9 appropriate facility types;

10 (D) construction techniques and contracting methods;

11 (E) facility project budget requirements; and

12 (F) relative costs of identified alternatives (life
13 cycle cost analysis) including but not limited to the installa-
14 tion and operation of energy systems that are not dependent on
15 oil or gas for water heating, space heating and cooling require-
16 ments, and for the generation of electrical or mechanical power;

17 (5) identify common public facility needs among the various
18 user agencies; and

19 (6) submit its findings, plans and recommendations to the
20 governor and to the appropriate state agency to facilitate the devel-
21 opment of agency capital improvement budget requests.

22 * Sec. 12. AS 44.47.150(d) is amended to read:

23 (d) Separate accounts shall be maintained in the name of each
24 village for the land, including the revenues from the land, acquired
25 from each village corporation under this section, and every two years
26 within 90 days of the close of the second [EACH] state fiscal year a
27 statement of the account for each municipality shall be prepared by
28 the commissioner and be made available to the village and to the
29 public upon request.

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1 * Sec. 13. AS 44.47.530 is amended to read:

2 Sec. 44.47.530. BIENNIAL [ANNUAL] REPORT. To further ensure
3 effective budgetary decision making by the legislature, the department
4 shall present a complete accounting of the housing assistance revolving
5 fund to the legislature every two years by January 10 [OF EACH
6 YEAR]. The accounting must consist of an audit [SHALL BE AUDITED] by
7 an independent outside auditor for each year covered by the account-
8 ing. The accounting must [AND SHALL] include a full description of
9 all mortgage loan interest and principal repayments and program re-
10 cepts, including mortgage loan commitment fees, received by or
11 accrued to the department during the two preceding fiscal years
12 [YEAR], and all income earned on assets of the department during that
13 period.

14 * Sec. 14. AS 44.83.320(c) is amended to read:

15 (c) The preliminary reports required under (a) and (b) of this
16 section are in addition to any reports required under AS 44.83.181 -
17 44.83.220 [FORMER AS 44.83.180 - 44.83.224].

18 * Sec. 15. AS 44.83.340(b) is amended to read:

19 (b) The annual report required under (a) of this section is in
20 addition to any reports required under AS 44.83.181 - 44.83.220
21 [AS 44.83.180 - 44.83.224] and shall be submitted by March 30 of each
22 year to the governor and to each member of the legislature.

23 * Sec. 16. AS 44.83.224 is repealed.

24 * Sec. 17. TRANSITIONAL PROVISIONS. (a) The first biennial report or
25 update required to be made under AS 14.43.095(c), AS 15.13.030, AS 18.26.-
26 200, AS 38.04.020(d), AS 38.05.180(b) and (e), AS 44.21.266, 44.21.-
27 310(a)(2), 44.21.320(e), and AS 44.47.530, as amended by secs. 1 - 6, 8 -
28 9, 12, and 16 of this Act, is due in the First Session of the Seventeenth
29 Alaska State Legislature by the date, if any, indicated in the statute as

1 amended.

2 (b) The period to be covered by the first biennial report to be made
3 under AS 14.43.095(c), AS 15.13.030, AS 18.26.200, AS 44.21.310(a)(2),
4 44.21.315(d), 44.21.320(e), and AS 44.42.055(a) and (b), as amended by
5 secs. 1 - 3, 9, and 11 - 14 of this Act, must begin immediately after the
6 period covered by the preceding annual report that was made under the
7 sections as they existed before the effective date of this Act.

8 (c) The first biennial report to the governor and the legislature
9 under AS 44.21.315(c), as amended by sec. 10 of the Act, is due in the
10 First Session of the Seventeenth Alaska State Legislature and must cover
11 the previous fiscal year.

12 (d) The first biennial report to be submitted under AS 44.21.315(d),
13 AS 44.42.055(a) and (b), and AS 44.47.150(d), as amended by secs. 11 and
14 13 - 15 of this Act, must be submitted in 1991.

15 (e) The first biennial report required under AS 38.05.180(e), as
16 amended by sec. 6 of this Act, must cover the preceding calendar year.

17 (f) The first biennial report under AS 44.47.530, as amended by sec.
18 16 of this Act, must cover the preceding fiscal year.

19 (g) The first biennial report submitted under AS 44.47.150(d), as
20 amended by sec. 15 of this Act, must cover the preceding fiscal year.