

SENATE BILL NO. 68

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY SENATORS WARD, Wilken

Introduced: 1/30/97

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Task Force on Privatization; and providing for an
2 effective date."

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

4 * **Section 1.** FINDINGS AND INTENT. (a) The legislature finds that

5 (1) the annual cost of state government is exceeding the annual revenue of the
6 state;

7 (2) there may be functions of state government that could be performed more
8 efficiently by individuals or businesses in the private sector;

9 (3) other states are considering privatization of some of their governmental
10 functions;

11 (4) more information is needed before the legislature can determine whether
12 privatization is a feasible alternative for this state to pursue in controlling its fiscal problems.

13 (b) The legislature intends to consider all reasonable methods to deal with the state
14 revenue shortfall.

1 * **Sec. 2.** TASK FORCE ON PRIVATIZATION ESTABLISHED. (a) There is established
2 in the legislative branch the Task Force on Privatization consisting of

3 (1) two members appointed by the governor;

4 (2) two members of the senate appointed by the president of the senate; one
5 member shall be a member of the majority and one member shall be a member of the
6 minority;

7 (3) two members of the house of representatives appointed by the speaker of
8 the house; one member shall be a member of the majority and one member shall be a member
9 of the minority;

10 (4) two public members appointed by the president of the senate; and

11 (5) two public members appointed by the speaker of the house.

12 (b) The task force shall select a chair and vice-chair from among its members.

13 * **Sec. 3.** COMPENSATION OF PUBLIC MEMBERS. The public members of the Task
14 Force on Privatization are not eligible for compensation but are entitled to per diem and travel
15 expenses authorized for boards and commissions under AS 39.20.180.

16 * **Sec. 4.** MEETINGS; WITNESSES. (a) The Task Force on Privatization shall meet as
17 frequently as the task force determines necessary to perform its work and may meet during
18 the interim as well as during legislative sessions. The task force may meet and vote by
19 teleconference.

20 (b) A subpoena or subpoena duces tecum requiring the attendance of a witness or the
21 production of a record or other material at a meeting of the task force may be issued by the
22 chair upon the approval of at least a majority of the members. The subpoena shall be served
23 in accordance with the Alaska Rules of Civil Procedure. The subpoena is sufficient if it

24 (1) is addressed to the witness;

25 (2) states that the witness is required to appear before the Task Force on
26 Privatization and identifies records to be produced, if any;

27 (3) states the time and place that the attendance of the witness is required;

28 (4) states that the subpoena has been approved by at least a majority of the
29 members of the task force; and

30 (5) is signed by the chair of the task force or the chair's designee.

31 (c) A witness who appears before the task force under a subpoena is entitled to

1 receive

2 (1) fees as prescribed for a witness in a court action, unless the witness is an
3 officer or employee of the state or a political subdivision of the state;

4 (2) reimbursement of transportation expenses in accordance with standard
5 established by the Department of Administration under AS 39.20.160 for required travel in
6 excess of 30 miles round trip from the witness's residence; and

7 (3) reimbursement of food and lodging expenses in accordance with standards
8 established by the Department of Administration under AS 39.20.160 for each day of actual
9 attendance and for each day of reasonable and necessary travel to and from the place of the
10 meeting if the witness attends a meeting at a point so distant from the residence of the witness
11 that a return to the residence from day to day is not practicable.

12 (d) A witness who is under subpoena and neglects or refuses to attend a meeting of
13 the task force may be arrested and brought before the task force by any person charged with
14 the enforcement of state law. The only warrant or authority necessary to authorize an arrest
15 under this subsection is a

16 (1) copy of the subpoena;

17 (2) copy of the proof of service of the subpoena; and

18 (3) a written direction for the arrest of the witness signed by the chair and by
19 a majority of the members of the task force.

20 (e) The chair of the task force may administer an oath to a witness appearing before
21 the task force.

22 * **Sec. 5. DUTIES.** The Task Force on Privatization shall

23 (1) review and evaluate the policies and recommendations of the other states
24 that are studying or have implemented recommendations to privatize any of their governmental
25 functions;

26 (2) review state contracting policy and procedures, including competitive
27 bidding procedures;

28 (3) identify functions of our state government that could economically and
29 appropriately be privatized, if any;

30 (4) solicit public comment about its subjects of consideration;

31 (5) submit a written report of its findings and recommendations to the governor

1 and the legislature by November 15, 1997, concerning state contracting policy and procedures
2 and privatization of state government functions in the Department of Transportation and Public
3 Facilities, the Department of Corrections, and the Department of Health and Social Services;
4 the report shall suggest legislation that may be needed to accomplish the recommendations;
5 and

6 (6) submit a written report of its findings and recommendations to the governor
7 and the legislature by November 15, 1998, concerning privatization of government functions
8 of state agencies not addressed in the first report; the report shall suggest legislation that may
9 be needed to accomplish the recommendations.

10 * **Sec. 6.** This Act is repealed on December 1, 1998.

11 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).