

**CS FOR SENATE BILL NO. 136(FIN) am**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 4/9/97

Offered: 3/26/97

Sponsor(s): SENATE FINANCE COMMITTEE

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to state fiscal procedures, to the state budget, to agency  
2 performance reports, and to appropriation bills."

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

4 \* **Section 1.** AS 14.11.019 is amended to read:

5 **Sec. 14.11.019. Grant appropriations.** Within the [GENERAL] appropriation  
6 bill authorizing capital expenditures submitted to the legislature under  
7 AS 37.07.020(a)(3) [AS 37.07.020], the governor shall include an appropriation for  
8 grants in the succeeding fiscal year as determined by the six-year capital improvement  
9 project grant schedule prepared under AS 14.11.013.

10 \* **Sec. 2.** AS 14.11.100(c) is amended to read:

11 (c) The school construction account is established. Funds to carry out the  
12 provisions of this section shall be included within the [GENERAL] appropriation bill  
13 authorizing capital expenditures submitted to the legislature under  
14 AS 37.07.020(a)(3) [AS 37.07.020] and may be appropriated annually by the

1 legislature to the account. If amounts in the account are insufficient for the purpose  
 2 of providing the share to which a borough or city is entitled under this section, those  
 3 funds that are available shall be distributed pro rata among the eligible **municipalities**,  
 4 [LOCAL GOVERNMENTS] except that the legislature may direct that additional debt  
 5 service on refunding bonds that exceeds the total debt service on the refunded bonds  
 6 be disregarded in whole or in part.

7 \* **Sec. 3.** AS 24.20.140 is amended to read:

8 **Sec. 24.20.140. Appropriations.** Appropriations for carrying out  
 9 AS 24.20.010 - 24.20.140 shall be set **out** [FORTH] in the [GENERAL] appropriation  
 10 bill **authorizing operating expenditures submitted to the legislature under**  
 11 **AS 37.07.020(a)(2)** or [SUCH] other bills as may be necessary. The council may  
 12 direct the executive director to transfer amounts from one appropriation to another if  
 13 the transfer is considered necessary to accomplish the work of the council. The  
 14 council may not exceed the total amount of the authorized appropriation. All  
 15 expenditures of the council are subject to an independent audit **that** [WHICH] shall  
 16 be made annually.

17 \* **Sec. 4.** AS 37.05.316(a) is amended to read:

18 (a) When an amount is appropriated or allocated to a department as a grant  
 19 **under this section** for a named recipient that is not a municipality, the department to  
 20 which the appropriation or allocation is made shall promptly notify the named recipient  
 21 of the availability of the grant and request the named recipient to submit a proposal  
 22 to provide the goods or services specified in the appropriation act for which the  
 23 appropriation or allocation is made. [AT THE SAME TIME, THE DEPARTMENT  
 24 MAY ISSUE A REQUEST FOR PROPOSALS FROM OTHER QUALIFIED  
 25 PERSONS TO PROVIDE THE SAME GOODS OR SERVICES IN THE SAME  
 26 AREA. THE DEPARTMENT SHALL AWARD THE GRANT TO THE NAMED  
 27 RECIPIENT UNLESS THE OFFICE OF THE GOVERNOR, WITH DUE REGARD  
 28 FOR THE LOCAL EXPERTISE OR EXPERIENCE OF THOSE MAKING  
 29 PROPOSALS, DETERMINES THAT AN AWARD TO A DIFFERENT PARTY  
 30 WOULD BETTER SERVE THE PUBLIC INTEREST. IF THE GRANT IS  
 31 AWARDED TO A PARTY OTHER THAN THAT NAMED BY THE

1 LEGISLATURE, THE BASIS OF THAT ACTION SHALL BE STATED IN  
 2 WRITING AT THE TIME THE GRANT IS ISSUED AND A COPY OF THE  
 3 WRITTEN STATEMENT SHALL BE SENT TO THE LEGISLATIVE BUDGET  
 4 AND AUDIT COMMITTEE.] A grant agreement must be executed within 60 days  
 5 after the effective date of the appropriation or allocation.

6 \* **Sec. 5.** AS 37.07.020(a) is amended to read:

7 (a) The governor shall prepare [AND SUBMIT TO THE LEGISLATURE  
 8 BEFORE THE FOURTH LEGISLATIVE DAY] a budget for the succeeding fiscal  
 9 year **that** [WHICH] must cover all estimated receipts, including all grants, loans, and  
 10 money received from the federal government [,] and all proposed expenditures of the  
 11 state government. The budget [SUBMITTED BY THE GOVERNOR] shall be  
 12 organized so that the proposed expenditures for each agency are presented separately.  
 13 The budget must be accompanied by **the following separate bills: (1) an**  
 14 **appropriation bill authorizing the operating and capital expenditures of the state's**  
 15 **integrated comprehensive mental health program under AS 37.14.003(a); (2) an**  
 16 **appropriation bill authorizing state operating expenditures other than those**  
 17 **included in the state's integrated comprehensive mental health program; (3) an**  
 18 **appropriation bill authorizing capital expenditures other than those included in**  
 19 **the state's integrated comprehensive mental health program; and (4) [A**  
 20 **GENERAL APPROPRIATION BILL TO AUTHORIZE THE PROPOSED**  
 21 **EXPENDITURES, AND] a bill or bills covering recommendations, **if any,** in the**  
 22 **budget for the succeeding fiscal year and**  
 23 **each of the bills** [PROPOSED GENERAL APPROPRIATION BILL] shall become  
 24 public information on December 15 [OF EACH YEAR] at which time the governor  
 25 shall submit copies to the legislature and make copies available to the public. **The**  
 26 **bills, identical in content to the copies released on December 15, shall be delivered**  
 27 **to the rules committee of each house before the fourth legislative day of the next**  
 28 **regular session for introduction.**

29 \* **Sec. 6.** AS 37.07.020(b) is amended to read:

30 (b) In addition to the budget and **bills submitted under (a) of this section**  
 31 [GENERAL APPROPRIATION BILL], the governor shall submit a capital

1 improvements program and financial plan covering the succeeding six fiscal years.

2 \* **Sec. 7.** AS 37.07.040 is amended by adding a new paragraph to read:

3 (9) for each department in the executive branch, report to the legislature  
4 by the 45th day of each regular session the amount of money appropriated to the  
5 department that is expected to lapse into the general fund at the end of the current  
6 fiscal year.

7 \* **Sec. 8.** AS 37.07.062(a) is amended to read:

8 (a) **Each** [THE GENERAL] appropriation bill **authorizing capital**  
9 **expenditures** required to be submitted to the legislature in AS 37.07.020(a) must **be**  
10 **accompanied by documents supporting the expenditures** [CONTAIN A SEPARATE  
11 SECTION FOR CAPITAL OUTLAYS WHICH IS DIVIDED INTO SUBSECTIONS]  
12 for each of the capital projects funds (AS 44.42.080). **The documents must list**  
13 [WHICH LISTS], for each project, the (1) project identification number; (2) project  
14 title; (3) source of funding; (4) amount expended on the project during the preceding  
15 fiscal year, the amount authorized for the current fiscal year, and the amount proposed  
16 to be expended during the succeeding fiscal year; (5) estimated start for construction;  
17 (6) schedule of bond elections pertaining to the appropriation, including elections  
18 previously held. The total appropriation to each capital projects fund must be reflected  
19 in the balance sheet of each fund as of June 30 of each fiscal year.

20 \* **Sec. 9.** AS 37.07.062(b) is amended to read:

21 (b) Upon the effective date of **each** [THE GENERAL] appropriation bill  
22 **authorizing capital expenditures**, the amounts appropriated by the bill for capital  
23 outlay shall be paid into the appropriate capital project funds established under  
24 AS 44.42.080.

25 \* **Sec. 10.** AS 37.07.070 is amended to read:

26 **Sec. 37.07.070. Legislative review.** The legislature shall consider the  
27 governor's proposed comprehensive operating and capital improvements programs and  
28 financial plans, evaluate alternatives to the plans, make program selections among the  
29 various alternatives and determine, subject to available revenues, the level of funding  
30 required to support authorized state services. The operating and capital budgets of  
31 each agency shall be separately reviewed. During each regular session of the

1 legislature, legislative review of the governor's supplemental appropriation bills and  
2 the governor's budget amendments shall be governed by the following time limits:

3 (1) Requests by the governor for supplemental appropriations for state  
4 agency operating and capital budgets for the current fiscal year may be introduced by  
5 the rules committee only through the 30th legislative day.

6 (2) Requests by the governor for budget amendments to state agency  
7 budgets for the budget fiscal year may be received and reviewed by the finance  
8 committees only through the **45th** [60TH] legislative day.

9 \* **Sec. 11.** AS 37.07.090(b) is amended to read:

10 (b) The office shall summarize the performance reports and forward copies to  
11 each member of the legislature **by January 10 each year.**

12 \* **Sec. 12.** AS 47.30.380 is amended to read:

13 **Sec. 47.30.380. Appropriation authorized.** Funds to carry out AS 47.30.350  
14 - 47.30.400 shall be set out in the [GENERAL] appropriation bill **authorizing the**  
15 **operating and capital expenditures of the state's integrated comprehensive mental**  
16 **health program under AS 37.14.003(a) and submitted to the legislature under**  
17 **AS 37.07.020(a)(1).**