

(LIMITED RUN FOR ALL ADDITIONAL SPONSORSHIPS)

HOUSE CS FOR CS FOR SENATE BILL NO. 45(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 5/17/03

Referred: Rules

Sponsor(s): SENATOR GREEN

REPRESENTATIVES Foster, Lynn

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Legislative Budget and Audit Committee."**

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

3 * **Section 1.** AS 11.56 is amended by adding a new section to article 6 to read:

4 **Sec. 11.56.870. Hindering the Legislative Budget and Audit Committee.**

5 (a) A person commits hindering the Legislative Budget and Audit Committee if the
6 person intentionally (1) fails to give, or (2) directs, orders, threatens, restrains, coerces,
7 forces, or prevents another person from giving, full cooperation to the legislative
8 auditor or the legislative fiscal analyst in assembling or furnishing requested
9 information to the committee or its staff, and the person did not reasonably believe
10 that the action or failure to act was legally justified.

11 (b) Hindering the Legislative Budget and Audit Committee is a violation,
12 punishable by a fine of not more than \$5,000.

13 * **Sec. 2.** AS 24.20.201 is amended by adding a new subsection to read:

14 (c) The Legislative Budget and Audit Committee may delegate the powers
15 authorized by (a)(2) of this section to the legislative fiscal analyst and the legislative

1 auditor.

2 * **Sec. 3.** AS 39.25.020 is amended by adding a new subsection to read:

3 (b) Unless a waiver is granted by the commissioner of administration, an
4 appointing authority may not appoint a person to state service if the person has been
5 convicted under AS 11.56.870. Before granting a waiver under this subsection, the
6 commissioner shall give notice in writing to the Legislative Budget and Audit
7 Committee of the intent to grant a waiver.

8 * **Sec. 4.** AS 39.25.080(b) is amended to read:

9 (b) The following information is available for public inspection, subject to
10 reasonable regulations on the time and manner of inspection:

11 (1) the names and position titles of all state employees;

12 (2) the position held by a state employee;

13 (3) prior positions held by a state employee;

14 (4) whether a state employee is in the classified, partially exempt, or
15 exempt service;

16 (5) the dates of appointment and separation of a state employee;

17 [AND]

18 (6) the compensation authorized for a state employee; **and**

19 **(7) whether a state employee has been dismissed or disciplined for**
20 **a violation of AS 39.25.160(l) (interference or failure to cooperate with the**
21 **Legislative Budget and Audit Committee).**

22 * **Sec. 5.** AS 39.25.160 is amended by adding a new subsection to read:

23 (l) A state employee may not intentionally (1) fail to give, or (2) direct, order,
24 threaten, restrain, coerce, force, or prevent another person from giving, full
25 cooperation to the legislative auditor or the legislative fiscal analyst in assembling or
26 furnishing requested information to the Legislative Budget and Audit Committee or its
27 staff if the person did not reasonably believe that the action or failure to act was
28 legally justified. Violation of this section constitutes just cause for dismissal or other
29 appropriate disciplinary action.

30 * **Sec. 6.** AS 39.90.140(3) is amended to read:

31 (3) "matter of public concern" means

1 (A) a violation of a state, federal, or municipal law, regulation,
2 or ordinance;

3 (B) a danger to public health or safety;

4 (C) gross mismanagement, a substantial waste of funds, or a
5 clear abuse of authority; [OR]

6 (D) a matter accepted for investigation by the office of the
7 ombudsman under AS 24.55.100 or 24.55.320; **or**

8 **(E) interference or any failure to cooperate with an audit or**
9 **other matter within the authority of Legislative Budget and Audit**
10 **Committee;**

11 * **Sec. 7.** AS 24.20.201(a)(9) and 24.20.206(1) are repealed.