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Referred: State Affairs and
Finance

1 IN THE HOUSE

BY BETTISWORTH

2

HOUSE BILL NO. 485

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act establishing a biennial state budget; and
7 providing for an effective date."

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

9 * Section 1. INTENT. It is the intent of the legislature that the
10 planning and preparation of the state budget be on a biennial basis. The
11 biennial budget shall contain appropriations for the succeeding two fiscal
12 years and state agencies shall prepare their budgets on this basis. Howev-
13 er, the legislature further intends that reporting and auditing required of
14 state agencies by law remain on an annual basis, for each fiscal year of
15 the biennial budget.

16 * Sec. 2. AS 14.17.225(b) is amended to read:

17 (b) Funds to carry out the provisions of AS 14.17.010 - 14.17.-
18 190 may be appropriated [ANNUALLY] by the legislature into the public
19 school foundation account. If amounts in the account are insufficient
20 to meet the allocations authorized under AS 14.17.010 - 14.17.190,
21 such funds as are available shall be distributed pro rata among each
22 district based upon the district's basic need.

23 * Sec. 3. AS 14.17.225(d) is amended to read:

24 (d) The average daily membership allotment supplemental account
25 is established. Funds to carry out the provisions of AS 14.17.215 may
26 be appropriated [ANNUALLY] by the legislature to the account. If
27 amounts in the account are insufficient to meet the allocations author-
28 ized under AS 14.17.215, such funds as are available shall be dis-
29 tributed pro rata among eligible districts based upon AS 14.17.215.

1 * Sec. 4. AS 14.17.225(f) is amended to read:

2 (f) Funds necessary to carry out the provisions of AS 14.17.205
3 may be appropriated [ANNUALLY] to the Department of Education. If
4 amounts appropriated are insufficient to meet the allocations author-
5 ized under AS 14.17.205, such funds as are available shall be dis-
6 tributed pro rata among eligible districts.

7 * Sec. 5. AS 22.30.040 is amended to read:

8 Sec. 22.30.040. PREPARATION OF BUDGET. The Alaska court system
9 shall be responsible for preparing and presenting to the legislature
10 proposed [ANNUAL] budgets for the commission.

11 * Sec. 6. AS 23.30.241(b) is amended to read:

12 (b) Appropriations [ANNUAL APPROPRIATIONS] to fund the coverage
13 provided for in (a) of this section shall be provided for in the
14 budget of the Department of Public Safety.

15 * Sec. 7. AS 23.30.242(b) is amended to read:

16 (b) Appropriations [ANNUAL APPROPRIATIONS] to fund the coverage
17 provided for in (a) of this section shall be provided for in the
18 budget of the Office of the Governor.

19 * Sec. 8. AS 24.05.210 is amended to read:

20 Sec. 24.05.210. LEGISLATIVE OPERATING EXPENSES. The estimate of
21 operating expenses for the legislature shall be included in the bien-
22 ennial [ANNUAL] budget submitted by the legislative council. A summary
23 total by major item shall be submitted by the council to the governor
24 for information purposes in the preparation of the executive budget. A
25 detailed budget document shall be submitted to the house and senate
26 finance committees. All disbursements from legislative appropriations
27 shall be certified by the bonded certifying officer designated by the
28 council.

29 * Sec. 9. AS 24.20.130 is amended to read:

1 Sec. 24.20.130. BUDGETS. The council shall submit a budget of
2 its anticipated needs for each fiscal year to the finance committees
3 of the legislature. The executive director shall biennially [ANNUA-
4 LLY] submit an estimated budget to the governor for information pur-
5 poses in the preparation of the executive budget. The council staff
6 shall also assist, as needed, in preparing a budget of the anticipated
7 [ANNUAL] needs of the legislature.

8 * Sec. 10. AS 24.55.080(c) is amended to read:

9 (c) The ombudsman shall submit a budget for each fiscal year to
10 the finance committees of the legislature and shall biennially [ANNUA-
11 LLY] submit an estimated budget to the governor for information pur-
12 poses in the preparation of the executive budget.

13 * Sec. 11. AS 26.05.226(b) is amended to read:

14 (b) The amount required for contributions from the Department of
15 Military Affairs under (a) of this section shall be included in [THE
16 ANNUAL] appropriations made to the Department of Military Affairs.

17 * Sec. 12. AS 26.23.080 is amended to read:

18 Sec. 26.23.080. COMMUNITY DISASTER LOANS. Whenever, at the
19 request of the governor, the President has declared a major disaster
20 to exist in this state, the governor may

21 (1) upon a [HIS] determination that a local government of
22 the state will suffer a substantial loss of tax and other revenues
23 from the disaster and has demonstrated a need for financial assistance
24 to perform its governmental functions, apply to the federal govern-
25 ment, on behalf of the local government, for a loan; the governor [HE]
26 may receive and disburse the proceeds of any approved loan to any
27 applicant local government;

28 (2) determine the amount needed by any applicant local
29 government to restore or resume its governmental functions, and to

1 certify the amount to the federal government; however, no application
2 amount may exceed 25 percent of the [ANNUAL] operating budget of the
3 applicant for the fiscal year in which the major disaster occurred;

4 (3) recommend to the federal government, based upon the
5 governor's [HIS] review, the cancellation of all or any part of repay-
6 ment when, for the first three full fiscal years following the major
7 disaster, the revenues of the local government are insufficient to
8 meet its operating expenses, including additional disaster-related
9 expenses of a municipal operation character.

10 * Sec. 13. AS 33.32.080(a) is amended to read:

11 (a) The Correctional Industries Commission shall monitor the
12 correctional industries program, [ANNUALLY] review the proposed budget
13 of the program, and make appropriate recommendations to the commis-
14 sioner of health and social services. This budget must be transmitted
15 in the normal budgetary process to the legislature as part of the
16 governor's budget.

17 * Sec. 14. AS 37.05.157(c) is amended to read:

18 (c) The proceeds of the reserve for capital outlay account are
19 subject to [ANNUAL] appropriation by the general appropriation act.

20 * Sec. 15. AS 37.05.158(c) is amended to read:

21 (c) The proceeds of the reserve for energy facilities develop-
22 ment account shall be subject to [ANNUAL] appropriation by the legis-
23 lature. Plans for expenditures from the account shall be submitted by
24 the governor in accordance with the Executive Budget Act (AS 37.07) as
25 part of the biennial [HIS ANNUAL] budget presentation.

26 * Sec. 16. AS 37.05.400 is amended to read:

27 Sec. 37.05.400. DEFINITIONS. In this chapter

28 (1) "fiscal year," ["BUDGET YEAR,"] "accounting year," or
29 similar term means a year beginning on July 1 of one calendar year and

1 ending on June 30 of the following calendar year;

2 (2) "state agency," "agency," "department," or similar term
3 means a department, officer, institution, board, commission, bureau,
4 division, or other administrative unit forming the state government,
5 and includes the Alaska Pioneers' Home and the University of Alaska;

6 (3) "handicapped individual" means an individual under a
7 physical or mental disability which constitutes a substantial handicap
8 to employment;

9 (4) "sheltered workshop" means a place where manufacture or
10 handiwork is carried on, and which is operated for the primary purpose
11 of providing remunerative employment to handicapped individuals.

12 * Sec. 17. AS 37.07.010 is amended to read:

13 Sec. 37.07.010. STATEMENT OF POLICY. It is the purpose of this
14 chapter to establish a comprehensive system for state program and
15 financial management which furthers the capacity of the governor and
16 legislature to plan and finance the services which they determine the
17 state will provide for its citizens. The system shall include proce-
18 dures for

19 (1) the orderly establishment, continuing review, and
20 periodic revision of the program goals and policies of state agencies
21 and financial goals and policies of the state;

22 (2) the development, coordination and review of long-range
23 program and financial plans that will implement established state
24 goals and policies;

25 (3) the preparation, coordination, analysis, and enactment
26 of a biennial budget which is organized to focus on the services
27 provided by state agencies and on the cost of those services and which
28 provides for implementation of policies and plans in the succeeding
29 budget period;

1 (4) the evaluation of alternatives to existing policies,
2 plans and procedures that offer potential for more efficient state
3 services;

4 (5) the regular appraisal and reporting of program perfor-
5 mance;

6 (6) public participation in the development of the biennial
7 [ANNUAL] budget, including opportunity for the public to review and
8 comment upon the plans and programs of the Office of the Governor and
9 all state agencies in the executive branch, the legislature, the
10 judicial system, the University of Alaska and the public corporations
11 of the state.

12 * Sec. 18. AS 37.07.020(a) is amended to read:

13 (a) The governor shall prepare and submit to the legislature
14 before the fourth legislative day of each second regular legislative
15 session a budget for the succeeding two fiscal years [YEAR] which
16 shall cover all estimated receipts, including all grants, loans, and
17 money received from the federal government, and all proposed expendi-
18 tures of the state government. The budget submitted by the governor
19 shall be organized so that the proposed expenditures for each agency
20 are presented separately. The budget shall be accompanied by a gener-
21 al appropriation bill to authorize the proposed expenditures, and a
22 bill or bills covering recommendations in the budget for new or addi-
23 tional revenues.

24 * Sec. 19. AS 37.07.020(c) is amended to read:

25 (c) Proposed expenditures may not exceed estimated revenues for
26 the succeeding two fiscal years [YEAR]. The expenditures proposed in
27 the six-year capital improvements program and financial plan shall not
28 exceed the estimated revenues and bond authorizations passed and
29 proposed.

1 * Sec. 20. AS 37.07.020 is amended by adding a new subsection to read:
2 (e) During each first regular legislative session, the governor
3 may propose adjustments to the biennial budget including special and
4 supplemental appropriations.

5 * Sec. 21. AS 37.07.030 is amended to read:

6 Sec. 37.07.030. RESPONSIBILITIES OF THE LEGISLATURE. The legis-
7 lature shall

8 (1) provide for a budget review function;

9 (2) analyze the comprehensive operating and capital im-
10 provements programs and financial plans recommended by the governor;

11 (3) adopt legislation to authorize implementation of the
12 governor's comprehensive operating and capital improvements programs
13 and financial plans or appropriate alternatives to those plans;

14 (4) provide for a post-audit function, to cover financial
15 transactions, program accomplishment and compliance with legislative
16 intent;

17 (5) adopt or revise the estimate or receipts required to
18 balance the biennial [SUCCEEDING FISCAL YEAR'S] budget in order that
19 proposed expenditures do not exceed estimated receipts for the suc-
20 ceeding budget period [THAT FISCAL YEAR];

21 (6) adopt, revise, or initiate revenue measures in order to
22 balance the biennial [SUCCEEDING FISCAL YEAR'S] budget and the capital
23 improvements section of the budget for the succeeding six years.

24 * Sec. 22. AS 37.07.040 is amended to read:

25 Sec. 37.07.040. OFFICE OF MANAGEMENT AND BUDGET. The Alaska
26 office of management and budget shall

27 (1) assist the governor in the preparation and explanation
28 of the proposed comprehensive program and financial plan, including
29 the coordination and analysis of state agency goals and objectives,

1 plans, and budget requests;

2 (2) prepare for submission to the governor an annually
3 updated six-year capital improvements program and the proposed capital
4 improvements budget for the succeeding budget period [COMING FISCAL
5 YEAR], the latter to include individual project justification with
6 documentation of estimated project cost;

7 (3) develop procedures to produce the information needed
8 for effective policy decision making, including procedures to provide
9 for the dissemination of information about plans, programs, and
10 budget requests to be included in the biennial [ANNUAL] budget and
11 opportunity for public review and comment during the period of budget
12 preparation;

13 (4) assist state agencies in their statement of goals and
14 objectives, preparation of plans, budget requests, and reporting of
15 program performance; all documents forwarded by the office to a state
16 agency containing instructions for the preparation of program plans
17 and budget requests and the reporting of program performance are
18 public information after the date they are forwarded;

19 (5) administer its responsibilities under the program
20 execution provisions of this chapter so that the policy decisions and
21 budget determinations of the governor and the legislature are imple-
22 mented;

23 (6) provide the legislative finance division with the
24 budget information it may request;

25 (7) provide the legislative finance division with an ad-
26 vance copy of the governor's budget workbooks by the first Monday in
27 January of each second regular legislative session; [YEAR, EXCEPT THAT
28 FOLLOWING A GUBERNATORIAL ELECTION YEAR THE ADVANCE COPY SHALL BE
29 PROVIDED BY THE SECOND MONDAY IN JANUARY.]

1 (8) prepare the proposed capital improvements budget for
2 the succeeding budget period [COMING FISCAL YEAR] evaluating both
3 state and local requests from the standpoint of need, equity, and
4 priorities of the jurisdiction; other factors such as project amounts,
5 population, local financial match, federal funds being used for local
6 match, municipality or unincorporated community acceptance of the
7 facility and all associated costs of the facility may be considered.

8 * Sec. 23. AS 37.07.050(a) is amended to read:

9 (a) Each state agency, on the date and in the form and content
10 prescribed by the office, shall prepare and forward to the office and
11 the legislative finance division

12 (1) the goals and objectives of the agency programs, to-
13 gether with proposed supplements, deletions and revisions;

14 (2) its proposed plans to implement the goals and objec-
15 tives, including estimates of future service needs, planned methods of
16 administration, proposed modification of existing program services and
17 establishment of new program services, and the estimated resources
18 needed to carry out the proposed plan;

19 (3) the budget requested to carry out its proposed plans in
20 the succeeding two fiscal years [YEAR], including information reflect-
21 ing the expenditures during the last two fiscal years [YEAR], those
22 authorized for the current fiscal year, those proposed for the succe-
23 eding two fiscal years [YEAR], an explanation of the services to be
24 provided, the number of total positions for all persons employed or
25 under contract by the agency for personal services including those
26 rendered for capital improvement projects, the need for the services,
27 the cost of the services, and any other information requested by the
28 division;

29 (4) a report of the receipts during the last two fiscal

1 years [YEAR], an estimate of the receipts during the current fiscal
2 year, and an estimate for the succeeding two fiscal years [YEAR];

3 (5) a statement of legislation required to implement the
4 proposed programs and financial plans;

5 (6) an evaluation of the advantages and disadvantages of
6 specific alternatives to existing or proposed program policies or
7 administrative methods.

8 * Sec. 24. AS 37.07.050(f) is amended to read:

9 (f) Budget requests for boards and commissions and for those
10 agency programs for the two fiscal years [YEAR] following termination
11 under AS 44.66 shall be prepared and submitted. The recommended
12 appropriation request shall include:

13 (1) an identification of the objectives intended for the
14 program and the problem or need which the activities and operations of
15 the board, commission or program is intended to address;

16 (2) an assessment of the degree to which the original
17 objectives of the program have been achieved expressed in terms of
18 performance, effects, or accomplishments of the program and of the
19 program or need which it was intended to address;

20 (3) a statement of the performance and accomplishments of
21 the program in each of the last four completed fiscal years and of the
22 costs incurred in the operation of the program;

23 (4) a statement of the number and types of persons affected
24 by operation of the program;

25 (5) a summary statement, for each of the last three com-
26 pleted fiscal years, of the number of personnel employed in carrying
27 out the program and a summary of the cost of personnel employed under
28 contract in carrying out the program;

29 (6) an assessment of the effect of the program on the

1 economy of the state;

2 (7) an assessment of the degree to which the overall pol-
3 icies of the program, as expressed in regulations adopted by the
4 agency, board or commission and its decisions, meet the objectives of
5 the legislature in establishing the program; and

6 (8) an analysis of the services and performance estimated
7 to be achieved if the life of the agency, board or commission were to
8 be continued.

9 * Sec. 25. AS 37.07.060 is amended to read:

10 Sec. 37.07.060. GOVERNOR'S RECOMMENDATION. (a) The governor
11 shall formulate the operating and capital improvements programs and
12 financial plans required to be recommended to the legislature by AS
13 37.07.020 after considering the state agency proposed program and
14 financial plans, and other programs and alternatives that the governor
15 considers appropriate. The plans shall include the governor's recom-
16 mended goals and policies, recommended plans to implement the goals
17 and policies, recommended operating program for the succeeding two
18 fiscal years [YEAR], recommended capital improvements program for the
19 succeeding six fiscal years, and recommended revenue measures to
20 support the programs.

21 (b) The governor shall present the proposed comprehensive op-
22 erating and capital improvements programs and financial plans in a
23 message to a joint session of the legislature before the fourth legis-
24 lative day following the convening of the legislature in each second
25 regular session. The message shall be accompanied by an explanatory
26 report which summarizes recommended goals, plans, and appropriations.
27 The report shall contain

28 (1) the coordinated program goals and objectives which the
29 governor recommends to guide the decisions on the proposed program

1 plans and budget appropriations;

2 (2) the governor's operating program and budget recommenda-
3 tions for the succeeding two fiscal years [YEAR] organized by agency
4 as required by AS 37.07.020(a);

5 (3) the governor's capital improvements program and budget
6 recommendations for the succeeding two fiscal years [YEAR] and capital
7 improvements program for the succeeding six fiscal years which shall
8 include

9 (A) a description of each project, its estimated cost
10 for the year construction is to start and the estimated cost of
11 the project adjusted for inflation over the estimated period of
12 construction, and the source of financing for the project; the
13 project description for a new building or a new facility or for a
14 major addition to a building or facility should include a site
15 plan, preliminary drawings, and architect's or engineer's total
16 cost estimate for the project;

17 (B) a summary of projects previously authorized and
18 not yet completed;

19 (C) a summary, listed by agency, of all previously
20 proposed projects which have been deferred beyond the six years
21 covered by the plan and the year in which construction has been
22 rescheduled to begin;

23 (D) a forecast of the debt structure of the state and
24 the various debt ratios over the life of the state's bonds out-
25 standing, bonds authorized and to be issued, and bond authoriza-
26 tions recommended in the plan;

27 (E) a description of additional revenue measures
28 needed to finance the plan in lieu of debt;

29 (F) bond election bills to authorize the bonds

1 required to fund the projects scheduled for the first three years
2 of the plan;

3 (G) projections of population of the state and its
4 regions and communities;

5 (H) economic data and projections necessary for the
6 evaluation of the plan;

7 (4) a summary of state receipts in the last two fiscal
8 years [YEAR], a revised estimate for the current fiscal year, and an
9 estimate for the succeeding two fiscal years [YEAR];

10 (5) a summary of expenditures during the last two fiscal
11 years [YEAR], those authorized for the current fiscal year, and an
12 estimate for the succeeding two fiscal years [YEAR];

13 (6) any additional information which will facilitate under-
14 standing of the governor's proposed programs and financial plans by
15 the legislature and the public.

16 * Sec. 26. AS 37.11.030 is amended to read:

17 Sec. 37.11.030. FUND UTILIZATION. Appropriations from this fund
18 shall provide funding for capital and operating expenditures for the
19 rehabilitation, enhancement and development of renewable resources
20 programs. Plans for expenditures from this fund shall be submitted by
21 the governor in accordance with the Executive Budget Act (AS 37.07) as
22 part of the governor's biennial [ANNUAL] budget presentation to the
23 legislature.

24 * Sec. 27. AS 37.11.070(b) is amended to read:

25 (b) Plans for expenditures from fund income shall be prepared in
26 detail by the cooperative efforts of the Departments of Natural Re-
27 sources, Fish and Game, Environmental Conservation, and Commerce and
28 Economic Development, and shall be submitted by the governor in accor-
29 dance with the Executive Budget Act (AS 37.07) as part of the

1 governor's biennial [ANNUAL] budget presentation to the legislature.
2 Not less than 80 percent of the total plan submitted biennially [EACH
3 YEAR] shall be apportioned for direct capital expenditures or
4 investments.

5 * Sec. 28. AS 37.12.075 is amended to read:

6 Sec. 37.12.075. DUTIES. In carrying out the purposes of this
7 chapter the board shall

8 (1) provide financial assistance for resource projects that
9 the board finds will accomplish the purposes of the corporation as set
10 out in AS 37.12.015;

11 (2) keep minutes of each meeting of the board and send a
12 certified copy of the minutes to the governor and the Legislative
13 Budget and Audit Committee;

14 (3) [ANNUALLY] prepare long-range operating and financial
15 plans and the budget for the next two fiscal years [YEAR];

16 (4) monitor approved projects for compliance with this
17 chapter and provide operational and performance evaluations of proj-
18 ects receiving financial assistance;

19 (5) before an investment is made in a resource project by
20 the corporation, prepare written findings on the project that include
21 a consideration of the expectation of return from the project and the
22 risk involved in undertaking the project.

23 * Sec. 29. AS 37.13.150 is amended to read:

24 Sec. 37.13.150. CORPORATION BUDGET. The revenues generated by
25 the corporation's investments must be identified as the source of the
26 operating budget of the corporation in the state's operating budget
27 under the Executive Budget Act (AS 37.07). The unexpended balance of
28 the corporation's biennial [ANNUAL] operating budget does not lapse at
29 the end of the fiscal year but shall be treated as income under

1 AS 37.13.140.

2 * Sec. 30. AS 38.04.020(e) is amended to read:

3 (e) The commissioner shall [ANNUALLY] submit to the governor an
4 appropriation request necessary for the disposal of state land in the
5 land disposal bank that shall be included in the budget submitted to
6 the legislature by the governor. For each fiscal year, the request
7 shall include an estimate of the amount necessary

8 (1) for survey and disposal of land proposed to be made
9 available for homestead staking, with the general location of the
10 land;

11 (2) for survey and disposal of land to be offered as ag-
12 ricultural, commercial, industrial, or other uses under AS 38.05.095
13 or 38.05.057, with the general location of the land;

14 (3) for the survey and disposal of land proposed to be
15 offered as subdivisions, with the general location of the land;

16 (4) for preliminary feasibility studies, engineering design
17 work, and construction of access roads and capital improvements
18 required by municipal subdivision ordinance or regulation of the
19 platting board under AS 29.33.150; if an accurate determination of the
20 amounts necessary for access roads or capital improvements cannot be
21 made at the time the estimate is submitted, a schedule for obtaining
22 the estimates, constructing the access roads or capital improvements,
23 and disposing of the land shall be submitted;

24 (5) for identification of land that will be proposed for
25 disposal under this subsection in future fiscal years.

26 * Sec. 31. AS 39.30.050 is amended to read:

27 Sec. 39.30.050. ADMINISTRATIVE COSTS. The department shall
28 collect from each participating political subdivision its respective
29 pro rata share of the expenses incurred in the administration of

1 AS 39.30.010 - 39.30.080. The amounts collected from participating
2 political subdivisions, together with money appropriated by the state
3 for covering the state's share of administrative costs, shall be
4 deposited in an FICA administration fund and are not allocable to any
5 other purpose. Expenditures from the FICA administration fund shall
6 be included in the governor's budget for each fiscal year and are
7 subject to appropriation by the legislature. At the time of prepara-
8 tion of the governor's biennial [ANNUAL] budget the department shall
9 review the FICA administration fund and adjust the rate of assessment
10 on political subdivisions so as to prevent the accumulation of more
11 money than is needed to administer AS 39.30.010 - 39.30.080.

12 * Sec. 32. AS 41.98.170 is amended to read:

13 Sec. 41.98.170. OUTDOOR RECREATIONAL, OPEN SPACE, AND HISTORIC
14 PROPERTIES DEVELOPMENT FUND. There is in the Department of Natural
15 Resources an outdoor recreational, open space, and historic properties
16 development fund to be administered by the division of parks. Appro-
17 priations or other money deposited in the fund shall be utilized by
18 the department to pay the nonfederal share of costs of projects which
19 are initiated by the state to acquire, develop, or extend outdoor
20 recreation sites and facilities and to acquire, preserve, or protect
21 historic sites, buildings and monuments. Plans for expenditures from
22 the fund shall be submitted by the governor in accordance with the
23 Executive Budget Act (AS37.07) as part of the biennial [ANNUAL]
24 budget presentation to the legislature.

25 * Sec. 33. AS 43.40.010(i) is amended to read:

26 (i) Within 30 days after the legislature convenes in each second
27 regular session the Department of Public Works shall submit a biennial
28 [AN ANNUAL] budget covering anticipated revenues and their expendi-
29 ture, for the consideration and approval by the legislature. The

1 budget shall cover all money collected or anticipated to be collected
2 under AS 43.40.010 - 43.40.100 for the two years [YEAR] following the
3 adjournment of each second regular session of the legislature.

4 * Sec. 34. AS 43.76.030 is amended to read:

5 Sec. 43.76.030. ACCOUNTING OF FINANCING RECEIVED AS A RESULT OF
6 THE SALMON ENHANCEMENT TAX. A qualified regional association request-
7 ing state financial assistance in accordance with AS 43.76.025(c)
8 shall submit an annual financial report to the Department of Commerce
9 and Economic Development on a form provided by the Department of
10 Commerce and Economic Development. The Department of Commerce and
11 Economic Development may, by regulation, require that a qualified
12 regional association use a uniform system of accounting. A qualified
13 regional association requesting state assistance shall submit a bienn-
14 ial [AN ANNUAL] budget to the Department of Commerce and Economic
15 Development on or before a date specified by the Department of Com-
16 merce and Economic Development.

17 * Sec. 35. AS 44.07.310 is amended to read:

18 Sec. 44.07.310. BIENNIAL [ANNUAL] BUDGET. The board of direc-
19 tors shall review and approve, by a two-thirds vote of members of the
20 board, the biennial [ANNUAL] operational and capital program and
21 budget for the corporation and may, by two-thirds vote, and in accor-
22 dance with AS 37.07 amend the program and budget. No corporate funds
23 may be expended or money borrowed except in accordance with appro-
24 priations.

25 * Sec. 36. AS 44.74.050 is amended to read:

26 Sec. 44.74.050. ADDITIONS AND REPLACEMENTS TO FUND. Additions
27 to capital equipment, replacements of capital equipment or improve-
28 ments paid from the working capital fund are subject to [ANNUAL]
29 appropriation by the legislature and shall be detailed in the

1 executive budget.

2 * Sec. 37. AS 44.83.396(e) is amended to read:

3 (e) When the authority permits a power project to be operated by
4 a qualified utility under a contract or lease, the authority shall

5 (1) review and approve the biennial [ANNUAL] budget for the
6 operation and maintenance of the power project; and

7 (2) assure that the project is being operated efficiently
8 and in a manner that is consistent with national standards for the
9 industry and agreements with bondholders.

10 * Sec. 38. AS 44.85.110 is amended to read:

11 Sec. 44.85.110. BIENNIAL [ANNUAL] BUDGET. The bond bank author-
12 ity shall prepare and submit a biennial [AN ANNUAL] budget in accor-
13 dance with the provisions of the Executive Budget Act (AS 37.07).

14 * Sec. 39. AS 44.99.009(c) is amended to read:

15 (c) The governor shall submit as part of the biennial [ANNUAL]
16 budget submission to the legislature a complete program budget for
17 state participation in the Comprehensive Employment and Training Act
18 of 1973 (P.L. 93-203) as amended.

19 * Sec. 40. AS 46.03.758(k) is amended to read:

20 (k) Penalties received by the state under this section shall be
21 deposited in the general fund and credited to a special account called
22 the "oil spill mitigation account". The legislature may [ANNUALLY]
23 appropriate from the oil spill mitigation account a sum equivalent to
24 the amount of penalties received under this section for the calendar
25 year preceding the legislative session in which the appropriation is
26 made, the appropriations to be made for the purpose of restoring and
27 enhancing environments affected by oil pollution, including but not
28 limited to the funding of aquaculture projects.

29 * Sec. 41. AS 47.80.090 is amended to read:

1 Sec. 47.80.090. RESPONSIBILITIES. The council shall

2 (1) serve as a forum by which issues and benefits regarding
3 current and potential services to handicapped and gifted persons may
4 be discussed by consumer, public, private, professional, and lay
5 interests;

6 (2) advocate the needs of handicapped and gifted persons
7 before the executive and legislative branches of the state government
8 and before the public;

9 (3) advise the executive and legislative branches of the
10 state government and the private sector on programs and policies
11 pertaining to current and potential services to handicapped or gifted
12 persons and their families;

13 (4) submit periodic reports to the commissioner of health
14 and social services, the commissioner of education and to other appro-
15 priate departments, on the effects of current federal and state pro-
16 grams regarding services to handicapped or gifted persons; these
17 reports shall include program performance reports to the governor, the
18 federal government, and to state agencies as required by P.L. 91-517,
19 P.L. 94-103, or P.L. 94-142, as amended;

20 (5) in conjunction with the Departments of Health and
21 Social Services and Education, develop, prepare, adopt, periodically
22 review, and revise as necessary an annual state plan prescribing
23 programs which meet the needs of persons with developmental disabil-
24 ities as required under P.L. 91-517 or P.L. 94-103, as amended;

25 (6) review and comment to commissioners of state depart-
26 ments on all state plans and proposed regulations relating to programs
27 for persons with handicaps before the adoption of a plan or regu-
28 lation; for this purpose, the appropriate departments shall submit the
29 plans and proposed regulations to the council;

1 (7) recommend the priorities and specifications for the use
2 of funds received by the state under P.L. 91-517, P.L. 94-103 and
3 P.L. 94-142, as amended;

4 (8) submit biennially [ANNUALLY] to the commissioner of
5 health and social services, the commissioner of education, and the
6 commissioner of community and regional affairs a proposed interdepart-
7 mental program budget for services to handicapped or gifted persons
8 which includes, insofar as possible, projected revenues and expendi-
9 tures for programs implemented by state agencies, local governmental
10 agencies, and private organizations; the interdepartmental program
11 budget is an informational supplement to the regular biennial [ANNUAL]
12 budgetary submissions of the departments to the Office of the Gover-
13 nor;

14 (9) provide information and guidance for the development of
15 appropriate special educational programs and services for exceptional
16 children as defined in AS 14.30.350;

17 (10) monitor and evaluate budgets or other implementation
18 plans and programs for handicapped and gifted persons to assure nondu-
19 plication of services and encourage efficient and coordinated use of
20 federal, state and private resources in the provision of services;
21 members of the council, with the approval of the council, have access
22 to information in the possession of state agencies subject to disclo-
23 sure restrictions imposed by state or federal confidentiality or
24 privacy laws; and

25 (11) perform other duties required under P.L. 91-517, P.L.
26 94-103, P.L. 94-142, as amended, or AS 14.30.231, and as the governor
27 may assign.

28 * Sec. 42. This Act takes effect on the effective date of an amendment
29 to art. IX, sec. 12, of the Constitution of the State of Alaska, providing

1 for a biennial state budget.