

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 132 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act approving and ratifying executive restric-  
7 tions on the fiscal year 1987 operating budget; and  
8 providing for an effective date."

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

10 \* Section 1. LEGISLATIVE FINDINGS, PURPOSE, AND INTENT. (a) The  
11 legislature finds that

12 (1) estimated receipts and surpluses will not be sufficient to  
13 cover appropriations for fiscal year 1987;

14 (2) in response to the anticipated deficit, Governor Sheffield  
15 issued Administrative Order Number 90 on August 22, 1986, which restricted  
16 the rate of obligation or expenditure of a number of appropriations under  
17 the authority conferred by AS 37.07.080; Governor Cowper made a similar but  
18 more limited reduction in Administrative Order Number 91 on December 8,  
19 1986;

20 (3) the orders were in response to a fiscal crisis that was  
21 facing the state;

22 (4) the orders have been challenged in court by the Fairbanks  
23 North Star Borough and others, and the superior court has invalidated those  
24 orders as they apply to the Fairbanks North Star Borough and the Fairbanks  
25 North Star Borough School District;

26 (5) if the restrictions on the one-year appropriations for  
27 fiscal year 1987 in Administrative Orders Numbers 90 and 91 are overturned  
28 in full or in part, the consequences would impede rational state fiscal  
29 management.

1 (b) It is the purpose of this Act to approve and ratify the orders  
2 and the actions taken by the governor and the executive branch under those  
3 orders and to remove any uncertainty about the status of the money with-  
4 held, insofar as the orders concern the restrictions on one-year appropria-  
5 tions for fiscal year 1987.

6 (c) In approving the restrictions on the one-year appropriations for  
7 fiscal year 1987, the legislature intends that the unobligated portion of  
8 those appropriations restricted by Administrative Orders Numbers 90 and 91  
9 lapse in accordance with AS 37.25.010.

10 \* Sec. 2. APPROVAL AND RATIFICATION. The actions of the governor and  
11 the executive branch in restricting one-year appropriations for fiscal year  
12 1987 by issuing and implementing Administrative Orders Numbers 90 and 91 as  
13 reflected in the budget workbooks submitted to the legislature under  
14 AS 37.07.040 and entitled "Operating Budget FY 87 Revised" are approved and  
15 ratified.

16 \* Sec. 3. SUSPENSION OF OTHER LAW. The provisions of sec. 2 of this  
17 Act are effective notwithstanding the provisions of any other law, includ-  
18 ing but not limited to AS 37.05.315, 37.05.316, and 37.05.317.

19 \* Sec. 4. This Act is retroactive to July 1, 1986.

20 \* Sec. 5. This Act takes effect immediately under AS 01.10.070(c).