

HOUSE BILL NO. 481
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE BUNDE

Introduced: 2/14/94

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to audits of recipients of grants and of certain other financial
2 assistance from state agencies."

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

4 * Section 1. AS 37.05.318 is amended to read:

5 Sec. 37.05.318. FURTHER REGULATIONS PROHIBITED. Notwithstanding
6 AS 44.62 ([THE] Administrative Procedure Act) [(AS 44.62)], AS 37.05 ([THE]
7 Fiscal Procedures Act) [(AS 37.05)], and AS 37.07 ([THE] Executive Budget Act)
8 [(AS 37.07)], a state agency may not adopt regulations or impose additional
9 requirements or procedures to implement, interpret, make specific, or otherwise carry
10 out the provisions of AS 37.05.315 - 37.05.317 unless required by the federal
11 government for participation in federal programs or except as provided in
12 AS 37.05.810.

13 * Sec. 2. AS 37.05 is amended by adding a new section to read:

14 Sec. 37.05.810. AUDIT REQUIREMENT. (a) A person who receives a grant

1 or other financial assistance from a state agency shall submit to the office of
2 management and budget in the Office of the Governor

3 (1) a single audit of the person's operations for a fiscal year if the
4 amount of the financial assistance received by the person from state agencies during
5 the fiscal year is more than \$150,000;

6 (2) a financial audit of the person's operations for a fiscal year if the
7 amount of the financial assistance received by the person from state agencies is
8 between \$25,000 and \$150,000.

9 (b) A person shall submit an audit required by (a) of this section within one
10 year of the end of the fiscal year covered by the audit, and the person shall pay the
11 cost of obtaining the audit.

12 (c) In this section,

13 (1) "financial assistance" means state money and includes state money
14 received through grants, provider agreements, cooperative agreements, and other
15 contracts;

16 (2) "person" does not include a state agency;

17 (3) "state agency" has the meaning given in AS 37.05.990 and also
18 includes public corporations, including the Alaska Railroad Corporation;

19 (4) "state money" means money appropriated to an agency or spent by
20 an agency, but does not include

21 (A) money held in trust by an agency for a person;

22 (B) public assistance provided under AS 47;

23 (C) goods and services purchased for the direct administration
24 or operation of a state agency;

25 (D) the license fees refunded to municipalities under
26 AS 04.11.610;

27 (E) state revenue sharing and municipal assistance money
28 provided under AS 29.60.010 - 29.60.375, unless the money is passed through
29 to a nonprofit organization;

30 (F) the tax proceeds refunded to municipalities under
31 AS 43.35.050;

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(G) the tax proceeds received under AS 43.40.010; or

(H) the tax proceeds paid to municipalities under AS 43.75.130.

* Sec. 3. This Act does not apply to contracts for financial assistance that are entered into before the effective date of this Act. In this section, "financial assistance" has the meaning given in AS 37.05.810, enacted by sec. 2 of this Act.