

DEPT. of
C + R A

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

DIVISION OF LOCAL GOVERNMENT ASSISTANCE

F: CSHB
483 am
JAY S. HAMMOND, Governor

POUCH B - JUNEAU 99811

May 25, 1978

The Honorable Joseph Orsini
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Orsini:

Your have requested comments from this Department concerning CS for House Bill 483am relating to "clean-up" of the Municipal Code (Title 29).

Although the bill, in its current form, received some minor amendments from the House, we very strongly support the bill. Our only concern is that Section 16, which repeals a section of Title 14 perhaps should not be in a "clean-up" bill to amend Title 29, but I presume your legal advisors can more adequately respond to this concern.

Basically, the bill originated with this Department. A group of municipal attorneys who participated in the original drafting of the 1972 version of Title 29 were invited to a special work session to offer suggested amendments to Title 29. Once drafted, the bill was widely circulated among municipalities for comment. Among others, the Association of Municipal Clerks offered additional amendments, some of which are incorporated in this bill.

Billy Berrier, now Director of the Legal Services Division for the Legislative Affairs Agency (and one of the participants in the original drafting of this bill) will hopefully be available to your committee when this bill is calendared, since he, perhaps better than anyone, can explain the reasoning for many of the proposed, technical amendments offered by HB 483.

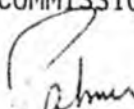
Although this bill, if enacted by the Legislature, won't "clean-up" all of the problems of Title 29, we feel that passage of HB 483 will markedly improve the language of the Municipal Code and eliminate some of the more obvious problems which we, in this Department, and municipalities have had to live with during the past few years.

The Honorable Joseph Orsini
May 25, 1978
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If we can provide additional comments, please advise.

Sincerely,

LEE McANERNEY
COMMISSIONER


by: Palmer McCarter
Director

PMcC:ssh

cc: Billy Berrier, Director
Legal Services - LAA

STATE OF ALASKA

F. D. C/RA
AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

FINANCE DIVISION
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU 99801

March 3, 1978

SUMMARY OF: A Review of the Department of Community and Regional Affairs

PURPOSE OF THE REVIEW

In accordance with the provisions of Title 24 of the Alaska Statutes, a review of the Department of Community and Regional Affairs was conducted to determine if the financial statements appearing in the State's Annual Financial Report for fiscal year 1976-1977 are fairly presented.

FINANCIAL STATEMENTS

Because of scope limitations, we do not express an opinion on the Statement of Revenues-Estimated and Actual. Because the unencumbered balances for continuing programs were overstated \$7,392,880, the Statement of Expenditures and Encumbrances Compared with Appropriations and its related schedules are not presented fairly. The Statement of General Fixed Assets is presented fairly.

NOTE TO FINANCIAL STATEMENTS

Audits of grants under the Comprehensive Employment and Training Act (CETA), for which the Division of Manpower is the prime sponsor, have disclosed questioned costs of \$868,561.

FINDINGS AND CONCLUSIONS

1. The Division of Budget and Management, Office of the Governor, should obtain Legislative Budget and Audit Committee approval on all transfers between budget request units and new positions.

During the fiscal years 1977 and 1978 positions were created and funds transferred between appropriations without Budget and Audit Committee approval.

2. The Department should review year-end contract encumbrances and reduce or close out unrealistically high encumbrance balances.

Year-end encumbrances for the Child Assistance program were overstated by \$183,497.98, 11% of program expenditures and encumbrances. Community Services was overstated by \$78,950.27, 7% of program expenditures and encumbrances.

3. The Department should be more timely in submitting billings for reimbursement on Federal grants.

Revised final billings on a Federal grant were not submitted until a year after grant closing.

4. The Division of Finance, Department of Administration, should report all General Fund revenues in the financial statements and should enforce administrative regulations regarding receivables. The Department of Community and Regional Affairs should follow those regulations.

Errors by the departments in recording receivables and prior year revenues, and the method used by Finance to calculate adjustments to revenues are among the reasons why some revenues are never reported as revenues in the financial statements.

5. The Department should take a complete inventory to update the property list.

The use of the property list as a management tool is reduced because divisions swap equipment and never record the exchange.

State 'glacially slow'

By ROSEMARY SHINOHARA
Daily News Staff Writer

It's nasty in a couple of spots, funny in others, and if there were a best seller's list for annual reports, it would definitely be a candidate.

The third annual report of the Ombudsman for the State of Alaska is most remarkable for its brevity. The gist of the story can be absorbed in 10 or 15 minutes.

IT'S SMALLER than a comic book, larger than a paperback, a total of 65 loosely-filled pages.

The brevity is explained in the introduction:

"In light of the legislative desire to minimize pomp and paperwork, we have reduced the size of last year's report and have attempted to present the relevant facts and statistics in as clear and concise a manner as possible."

THE NASTINESS starts on page 15, prefaced by a comment that "most" state agencies are very cooperative in resolving complaints which poured into the office at the rate of 7.31 for every day of the year in 1977.

So, acknowledging that most people are nice, let's look at the facts: for the best agencies, cases closed equal more than 80 percent of the new cases opened in complaints about dealings with the agency.

"The major exceptions are Community and Regional Affairs, in which closures equalled only ten percent of openings; Environmental Conservation, where closures equalled 56 percent of openings; and Natural Resources where closures equalled 50 percent of openings."

THE REPORT, signed by chief ombudsman Frank Flavin, says the Natural Resources Department is "glacially slow" at making decisions, but when they're made, they're generally well-re-



searched and documented.

And Environmental Conservation is excused because of the "complexity of the complaint load."

But, says the report, "Community and Regional Affairs complaints are open 'forever' due to an agency tendency to 'dig in and lower the flak shields' at the least hint of criticism — no matter how constructive."

NO SPECIFIC mention is made in the report of the biggest complaint to surface involving the Community and Regional Affairs Department — a complaint against the hiring practices of a division

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• Ombudsman's report

(Continued from Page 1)

director that led to his indictment by a state grand jury. Charges were eventually dismissed.

The department takes exception to the comments in the annual report. Carl M. Gonder, deputy commissioner, said there's a "very strong inference" on page 15 that the department was uncooperative. "We felt that anytime they had a request for information or an investigation they were conducting we were cooperative."

People in the department who dealt with the Juneau representative of the ombudsman felt they had good relations, Gonder said.

"I THINK the crux of the thing in our view is that the ombudsman, when he makes an investigation, draws his own conclusions. If somebody disagrees with his conclusions, then he's unwill-

ing to admit he might be wrong himself."

The ombudsman's report also passed out praise to individuals, and gave a "most improved" accolade to the people in state government who handle the longevity bonus system.

Occupational Licensing, Revenue, Audit, Student Financial Aid and Workmens Compensation agencies were also cited for being easy to deal with.

ON THE WHOLE, the report concludes Alaskans are complaining at a higher rate than elsewhere, and they're doing it more every year.

The 1977 complaints, totalling 2,569, were up 31 percent over 1976 complaints. And the number of Alaska complaints exceeds those in Hawaii by 46 percent, in Iowa by 51 percent, and in Nebraska by 2-7 percent.

Bureaucratic 'Shuffle' Spurs Lawmakers

By The Associated Press

In voting overwhelmingly last week to override Gov. Jay Hammond's veto of a bill to give a legislative committee authority to suspend administrative regulations between sessions, lawmakers were expressing a rising frustration with the state's growing bureaucracy.

Just about every member of the House and Senate has a favorite story about alleged bureaucratic blundering in the implementation of regulations which often have more impact on people than the acts of the Legislature itself.

One classic example of what lawmakers call the "bureaucratic shuffle" surfaced Tuesday

in a letter from Rep. Bill Miles to Rep. Bob Bradley, chairman of the House State Affairs Committee, over the status of regulations necessary to fully implement a \$7.5 million bond issue for elderly housing approved by voters in the 1976 general election.

The two Anchorage Democrats want the current Legislature to begin appropriating money from the bond issue for projects around the state, but found they couldn't proceed without the regulations.

So, Miles took on the job of trying to find out what was going on. The following is a summary of his account to Bradley about the effort.

Last Wednesday, Kevin Waring of the Department of Community and Regional Affairs told Miles that the regulations were completed and were in the lieutenant governor's office awaiting the expiration of a statutory 30-day grace period before they could be implemented.

Miles sent his administrative assistant to the lieutenant governor's office to obtain a copy of the regulations, but was told they had not arrived yet.

On Friday, Miles received a letter from Community and Regional Affairs Commissioner Lee McAnerney, containing a copy of what was listed as the final regulations approved by the at-

torney general's office for filing with the lieutenant governor.

Miles then contacted Waring again and was told that, yes, it was true that the attorney general's office had completed its review and, yes, the regulations were on file in the lieutenant governor's office.

Once again, Miles sent his assistant up to the lieutenant governor's office and once again she came down with the message that the regulations weren't there.

Miles then asked the attorney general's office in Juneau if it knew anything about the regulations and was informed that they were being worked on in the Anchorage office, and had not yet been approved.

A short time later, however, the attorney general's office called Miles back to report that the regulations were not in Anchorage after all but were being reviewed in the Juneau office.

"If a legislator has this hard of a time getting information on regulations from the bureaucracy, imagine what a citizen has to go through," said Miles, chairman of the House Democratic caucus.

Miles said he concluded that "either the department does not know where the regulations are

located or misinformation is being deliberately spread.

In his letter to Bradley, Miles said he was particularly upset because the Department of Community and Regional Affairs had been promising him all year that the regulations soon would be ready.

"Regardless, housing for Alaska's elderly is most important," Miles said. "We cannot allow continued delay and risk missing another construction season."

Bradley responded to Miles'

letter with a resolution which asks the governor to direct McAnerney to adopt the regulations within 90 days.

McAnerney could not be reached for comment.

Bradley said he didn't think the resolution was unreasonable in light of Miles' experience and fact that the department was asked to adopt emergency regulations within less than two months. Passage of the bond issue would spend \$2 million to complete elderly housing projects in Ketchikan and Juneau.

