

# COMMITTEE REPORT

## HOUSE

FURTHER:

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on \_\_\_\_\_ has had \_\_\_\_\_

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
CHAIRMAN

Introduced: 1/20/82  
Referred: Finance

BY COTTEN, FREEMAN, BETTISWORTH,  
ADAMS, BEIRNE, CHUCKWUK, MONTGOMERY,  
HURLBERT, FULLER, HALFORD AND  
PHILLIPS

1 IN THE HOUSE

2 HOUSE BILL NO. 675

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to limitation of the number of state  
7 employees; and providing for an effective date."

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

9 \* Section 1. AS 37.07.080(d) is amended to read:

10 (d) No state agency may increase the salaries of its employees,  
11 employ additional employees, or expend money or incur obligations except  
12 in accordance with law and properly approved operations plan. A limit  
13 on state employees set out in an appropriation act may not be exceeded  
14 by a state agency. However, this prohibition does not apply to addition-  
15 al positions approved through a revised program under (h) of this  
16 section.

17 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-  
18 070(c).



# Alaska State Legislature

## House of Representatives

### Committee on Finance

Official Business

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### M E M O R A N D U M

DATE: February 22, 1982

TO: Representative Pat Carney

FROM: Becky Fritz, Secretary  
House Finance Committee

SUBJ: HB 101 and HB 675 Committee Reports

After our conversation today on HB 344 I checked the House Journal for January 29, 1982 and saw that the Finance Committee reports for HB 101 (repealing the tax on motor fuel used in/or on watercraft) and HB 675 (relating to limitation of the number of state employees) also do not include your recommendation. Our House Finance Committee copies indicate you signed "no recommendation" for HB 101 and "do pass" for HB 675.'

In talking to Edith Carter in the Chief Clerk's Office, she recalled that although the Committee on Committee report adding you and Representative Meekins to the Finance Committee was approved on January 27th, notice of reconsideration was given. Apparently since the reconsideration vote couldn't be taken until January 29th, and the Finance Committee meeting was on the 28th, there was a question as to whether or not you were formally on the Committee at that time, and that is why your name was not included on the Committee report. The House Finance Committee staff did not cross your name off the Committee reports.

# STATE OF ALASKA

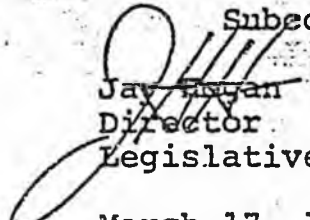
## THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION  
POUCH WF-STATE CAPITOL  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3795

### MEMORANDUM

TO: Senator Arliss Sturgulewski  
Chairman  
Senate Finance Transportation  
Subcommittee

FROM:  Jay Egan  
Director  
Legislative Finance

DATE: March 17, 1981

SUBJECT: Position control through appropriations

This memorandum assumes two things:

- (1) There exists a desire to have some legislative control over the size and growth rate of the state operating budget, and
- (2) The size and growth rate of the operating budget are in large part related to the number of state employees.

During the early and mid 1970's, the legislature had some degree of control over the number of state employees assigned to various state operations. During the regular session the finance committees received, reviewed, and approved, where appropriate, agency requests for new positions. During the interim and throughout the budget year, the Legislative Budget & Audit Committee received, reviewed, and approved, where appropriate, revised programs establishing new positions. This process disintegrated in May of 1978 with the Superior Court decision in Kelley v. Hammond, in which the court held that the Budget & Audit Committee could not approve or veto the establishment of positions (see attached partial summary judgment). The decision opened the gates for the establishment of new positions during the budget year via revised programs requiring approval only of the Director of Budget and Management.

MEMORANDUM

March 17, 1981

Position control through appropriations

Page 2

The shortcomings of the currently-existing system are nowhere better illustrated than in RP 81-14x (attached). Through this RP, Central Region, Highways, established ten new positions for the current budget year, FY 1981, four days following adjournment of the Second Session of the Eleventh Legislature. According to the new rules of the game, legislative approval of these ten positions is now requested of this legislature in the FY 82 DOT operating budget.

At the request of the Senate Finance Committee, I sent a memo dated February 10, 1981, to all departments and agencies, requesting among other things the numbers, salaries, and positions requested in the FY 82 budget that had been established by revised program. I further requested an indication as to whether or not these positions were currently filled (memorandum attached). The responses to this request are still trickling in, but of particular interest is a memorandum from the Director of Budget and Management to all agencies, the first paragraph of which reads as follows:

The Governor's Office is concerned about the rapid growth of new positions in State Government. Many of these positions have been established by revised program. This fact reveals that many agencies have not done an adequate job of estimating their FY 81 staffing requirements. Ultimately this reflects on the quality of the Governor's budget.

(copy of memorandum attached).

Obviously, as long as the governor's budget office can authorize the establishment of new positions at will, there is no way the legislature can effectively control the number of state employees. In my view, the Executive Budget Act as currently written allows the legislature, if it wishes, to state as a condition of its appropriations that the amounts budgeted for personal services are for a specified number of positions and that that number may not be exceeded. In support of this AS 37.07.080(d) (attached) states:

MEMORANDUM

March 17, 1981

Position control through appropriations

Page 3

---

(d) No state agency may increase the salaries of its employees, employ additional employees, or expend money or incur obligations except in accordance with law and properly approved operations plan.

If adopted by the legislature, a policy of legislative position control would require the insertion of language conditioning those portions of appropriations budgeted for personal services with language similar to that shown in Sec. 3 from a State of Maine general appropriation act (copy attached). For all appropriations or allocations that include budgets for positions, we have for the past several years--for informational purposes only--included a parenthetical reference to the total number of permanent full time and part time positions approved. Under this proposal that parenthetical reference would shift from an "informational" item to a permanent position ceiling not to be exceeded except through an additional authorization for personal services contained in some other appropriation approved by the legislature.

Attachments

N O T I C E

Section 7, chapter 82, SLA 1981 became law on January 16, 1982, following a vote of the legislature to override the governor's 1981 veto of the section.

The section (part of the 1981 - 1982 general appropriation bill) reads as follows:

\* Sec. 7. The figures in parentheses indicating numbers of positions which follow certain program or subprogram names throughout sec. 28 of this Act shall be the total number of permanent full-time or part-time positions for which expenditures are authorized from appropriations made in this Act. The amounts budgeted for personal services within an appropriation are conditioned upon compliance with the requirement that the total number of permanent full-time or part-time positions shall not be increased during the fiscal year over the numbers shown in parentheses for program or subprogram units within the appropriation. Additional positions beyond those indicated in parentheses may be authorized through an appropriated fiscal note or revised program authorizing receipt and expenditure of additional federal or other program receipts approved in accordance with AS 37.07.080(h).