

Original sponsors: Duncan, Fuller,
Grussendorf, et al

Offered: 5/5/81
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 489 (Finance) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a joint committee of the legisla-
7 ture to meet with executive branch officials to review
8 and report on the effect of proposed federal budget
9 reductions on programs that benefit the people of the
10 state; and providing for an effective date."

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

12 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

13 (1) proposed reductions in federal appropriations have the
14 potential to sharply reduce financial support for programs and services
15 provided to residents throughout the state;

16 (2) by October 1, 1981 (the beginning of the federal fiscal
17 year), the legislature, the governor, and the affected state agencies should
18 know with certainty the effect of the reductions so that, if necessary,
19 remedial action may be promptly taken by the Twelfth Legislature during its
20 Second Session; and

21 (3) the proposed federal budget reductions affect a range of
22 programs and services, including housing, health care, education and employ-
23 ment, and those reductions affect a number of budget program categories and
24 agencies of the state government.

25 (b) It is the purpose of this Act to provide the means by which the
26 legislature and the executive branch may undertake a comprehensive review of
27 the effect of federal program support and federal reductions of appropria-
28 tions for programs and services, and recommend appropriate action to the
29 Second Session of the Twelfth Legislature for its consideration.

1 * Sec. 2. JOINT COMMITTEE ESTABLISHED. (a) The Joint Federal Program
2 Review Committee is established as a temporary interim committee of the
3 legislature.

4 (b) The committee is composed of the following members:

5 (1) two members of the house of representatives appointed by the
6 speaker of the house of representatives; the two members appointed under
7 this subsection shall not be members of the same political party;

8 (2) two members of the senate appointed by the president of the
9 senate; the two members appointed under this subsection shall not be members
10 of the same political party;

11 (3) the chairman of the Legislative Council, or a member of the
12 Legislative Council appointed by the chairman; and

13 (4) the chairman of the Legislative Budget and Audit Committee,
14 or a member of that committee appointed by the chairman.

15 (c) If a vacancy occurs in the membership of the committee, the person
16 authorized to make an appointment under (b) of this section shall fill the
17 vacancy by appointment.

18 (d) The committee may meet during sessions of the legislature and
19 during the interim between legislative sessions. The committee may meet at
20 any time and in any place in the state. A member of the committee may
21 receive, for the minimum time required to travel to and return from a meet-
22 ing of the committee and for the time while attending a meeting, the same
23 travel and per diem allowances provided by law for members of the legisla-
24 ture while attending sessions of the legislature. However, a member of the
25 committee may not receive a per diem allowance for attending a meeting which
26 is held at the state capital while the legislature is in session other than
27 the per diem allowance paid to legislators under AS 24.15.010.

28 * Sec. 3. DUTIES AND POWERS OF THE COMMITTEE. (a) The members of the
29 Joint Federal Program Review Committee shall meet regularly with the follow-

1 ing state officials for the purposes set out in (b) of this section:

2 (1) the persons designated by the governor to serve as his budget
3 review committee; and

4 (2) the chairman of the Rural Development Council (AS 44.47.160).

5 (b) The Joint Federal Program Review Committee and the state officials
6 designated in (a) of this section shall

7 (1) organize and adopt procedures for the conduct of business;

8 (2) review programs and services which are affected by reductions
9 in federal appropriations;

10 (3) identify and assess the impact of proposed reductions in
11 federal appropriations for programs and services of benefit to the people of
12 the state;

13 (4) review the adequacy of state agencies to plan for, receive,
14 and administer federal "block grants" or other federal appropriations or
15 allocations which may be substituted for deleted or reduced federal program
16 appropriations; and

17 (5) recommend to the Second Session of the Twelfth Legislature by
18 February 10, 1982, specific revisions in state programs, and in appropria-
19 tions for those programs, to reduce or minimize the disruptive effect of
20 lower federal appropriations occurring after January 20, 1981; when the
21 committee and state officials recommend revisions in and appropriations for
22 state programs under this paragraph, the committee shall identify the federal
23 programs and appropriations which its recommendations are intended to supple-
24 ment, enhance, support, or replace.

25 (c) The Joint Federal Program Review Committee, meeting jointly with
26 the officials designated in sec. 3(a) of this Act, may

27 (1) hold public hearings;

28 (2) require state officials and members of governing boards of
29 municipalities and the school boards of regional educational attendance

1 areas to cooperate with the committee in furnishing requested information;

2 (3) request and receive recommendations for specific program
3 revisions from nonprofit corporations and other organizations which provide
4 services; and

5 (4) review the governor's allocation of grants for programs from
6 any temporary contingency grant program established to provide state assist-
7 ance for reductions of federal appropriations and make recommendations on
8 those allocations.

9 * Sec. 4. This Act terminates June 30, 1982.

10 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
11 070(c).

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ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSE BILL..... NO. 489...

By DUNCAN, FULLER, GRUSSENDORF,
ZHAROFF, HAYES, CHUCKWUK,
PHILLIPS AND VASKA

"An Act establishing a joint committee of the legislature to meet with executive branch officials to review and report on the effect of proposed federal budget reductions on programs that benefit the people of the state; and providing for an effective date."

Joint comm. legislature/
exec. branch off./review &
report proposed fed. budget

Introduced in the House 4/9....., 1981.

HISTORY IN THE HOUSE

19 81		Read first time and referred to Committee on Finance										
Apr 9												
May 5		Reported back with recommendation that Finance replace a/c (Fin) & report, 2 more to rule										
May 8		Read second time and C.S. (Fin) adopted, amended to do										
May 8		Read third time and										
May 8		<table border="0"> <tr> <td>PASS ed</td> <td>Effective Date</td> </tr> <tr> <td>Yeas 35</td> <td>Yeas</td> </tr> <tr> <td>Nays 2</td> <td>Nays</td> </tr> <tr> <td>Absent 3</td> <td>Absent Done</td> </tr> <tr> <td>Excused Voling</td> <td>Excused</td> </tr> </table>	PASS ed	Effective Date	Yeas 35	Yeas	Nays 2	Nays	Absent 3	Absent Done	Excused Voling	Excused
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Nays 2	Nays											
Absent 3	Absent Done											
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		Reconsideration										
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Excused	Excused											
5 8	8	Reported correctly engrossed										
5 8	8	Signed by Speaker										
5 8	8	Sent to Senate										
		<i>Harold Robinson</i> CHIEF CLERK OF THE HOUSE										

HISTORY IN THE SENATE

1981		Read first time and referred to Committee on										
5 11		<i>Sen</i>										
		Reported back with recommendation that										
		Read second time and										
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		Reported correctly engrossed										
		Signed by President										
		Returned to House										
		SECRETARY OF THE SENATE										

HISTORY IN THE HOUSE

19		Received from Senate
		Concurred in Senate amendment thus adopting: VOTE
		Failed to concur in Senate amendment; asked Senate to recede VOTE
		Senate receded from amendment VOTE
		Senate failed to recede from amendment VOTE
		CC appointed by House
		CC appointed by Senate
		CC adopted by House VOTE
		CC adopted by Senate VOTE
		To enrolling Reported correctly enrolled Sent to Governor
	 by Governor
		Filed with Lt. Governor
		Chapter No.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 489 (Finance) am
 Title Joint Committee of the Legislature to review & report on proposed federal budget
 Requested by Jim Duncan Date 6/5/81

II. FISCAL DETAIL

Agency Affected Legislature
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Legislative Council
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		90.9				
200 TRAVEL		42.8				
300 CONTRACTUAL		10.0				
400 COMMODITIES		1.0				
500 EQUIPMENT		2.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		146.7				

FUNDING (Thousands of Dollars)

GENERAL FUND		146.7				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		2				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Staff:

- 1 Administrative Assistant - Range 22C
- 1 Secretary - Range 15A

Travel:

Anticipates meetings approximately once a month; meetings to be held in Anchorage, Juneau, Fairbanks, Seattle, Washington, D.C.

IV. DATE 6/5/81 PREPARED BY Alison Elgee
 AGENCY Legislative Finance Division
 PHONE 465-3795
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Alaska MUNICIPAL League

TELEPHONES
(907) 586-1325
586-6526

204 N. FRANKLIN ST.
JUNEAU, ALASKA 99801

May 19, 1981

To: Senate Finance Committee

From: Ginny Chitwood

Re: HB 489 - Federal Program Review Committee

The Federal Program Review Committee, as established in HB 489, should be a big help to the Legislature in identifying the effect of federal budget reductions on Alaska programs and services.

There currently are a large number of federal programs providing direct assistance to municipalities, but most of them probably will be eliminated or replaced with block grants to states. Nationwide there is a fear among local governments that this shift from categorical municipal grants to block state grants will have an adverse effect on communities. This concern is not shared to any great extent by Alaskan municipalities. We feel we have had a good relationship with the State and see no reason for it not to continue.

We do believe, however, that there should be a municipal official included in the group with which the Federal Program Review Committee will meet because the state officials may not be aware of all the cuts at the local level. The following minor changes to CSHB 489 (Fin) would allow for municipal participation:

page 2, line 29 - delete "state"

page 3, line 4 - delete "and"

page 3, line 6 - change "." to "; and"

page 3, after line 6 - add "(5) a municipal representative."

page 3, line 7 - delete "state"

Original sponsors: Duncan, Fuller,
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14 potential to sharply reduce financial support for programs and services
15 provided to residents throughout the state;

16 (2) by October 1, 1981 (the beginning of the federal fiscal
17 year), the legislature, the governor, and the affected state agencies should
18 know with certainty the effect of the reductions so that, if necessary,
19 remedial action may be promptly taken by the Twelfth Legislature during its
20 Second Session; and

21 (3) the proposed federal budget reductions affect a range of
22 programs and services, including housing, health care, education and employ-
23 ment, and those reductions affect a number of budget program categories and
24 agencies of the state government.

25 (b) It is the purpose of this Act to provide the means by which the
26 legislature and the executive branch may undertake a comprehensive review of
27 the effect of federal program support and federal reductions of appropria-
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29 Second Session of the Twelfth Legislature for its consideration.

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3 legislature.

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6 speaker of the house of representatives; the two members appointed under
7 this subsection shall not be members of the same political party;

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9 senate; the two members appointed under this subsection shall not be members
10 of the same political party;

11 (3) the chairman of the Legislative Council, or a member of the
12 Legislative Council appointed by the chairman; and

13 (4) the chairman of the Legislative Budget and Audit Committee,
14 or a member of that committee appointed by the chairman.

15 (c) If a vacancy occurs in the membership of the committee, the person
16 authorized to make an appointment under (b) of this section shall fill the
17 vacancy by appointment.

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1 ing state officials for the purposes set out in (b) of this section:

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5 (b) The Joint Federal Program Review Committee and the state officials
6 designated in (a) of this section shall

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8 (2) review programs and services which are affected by reductions
9 in federal appropriations;

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11 federal appropriations for programs and services of benefit to the people of
12 the state;

13 (4) review the adequacy of state agencies to plan for, receive,
14 and administer federal "block grants" or other federal appropriations or
15 allocations which may be substituted for deleted or reduced federal program
16 appropriations; and

17 (5) recommend to the Second Session of the Twelfth Legislature by
18 February 10, 1982, specific revisions in state programs, and in appropria-
19 tions for those programs, to reduce or minimize the disruptive effect of
20 lower federal appropriations occurring after January 20, 1981; when the
21 committee and state officials recommend revisions in and appropriations for
22 state programs under this paragraph, the committee shall identify the federal
23 programs and appropriations which its recommendations are intended to supple-
24 ment, enhance, support, or replace.

25 (c) The Joint Federal Program Review Committee, meeting jointly with
26 the officials designated in sec. 3(a) of this Act, may

27 (1) hold public hearings;

28 (2) require state officials and members of governing boards of
29 municipalities and the school boards of regional educational attendance

1 areas to cooperate with the committee in furnishing requested information;

2 (3) request and receive recommendations for specific program
3 revisions from nonprofit corporations and other organizations which provide
4 services; and

5 (4) review the governor's allocation of grants for programs from
6 any temporary contingency grant program established to provide state assist-
7 ance for reductions of federal appropriations and make recommendations on
8 those allocations.

9 * Sec. 4. This Act terminates June 30, 1982.

10 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
11 070(c).

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STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
POUCH W — ALASKA OFFICE BUILDING

FINANCE DIVISION
POUCH WF — STATE CAPITOL

JUNEAU 99801

MEMORANDUM

DATE: April 15, 1981

TO: Sam Cotten, Chairman
House Finance Committee

FROM: J.H. Hogan, Director
Division of Legislative Finance

SUBJECT: HB 489

You have requested an analysis of HB 489. AS 24.20.201.(a) grants the Legislative Budget and Audit Committee the power to:

...

(4) review revenue projections, state agency appropriation requests, the expenditure of state funds, including the relationship between state agency program accomplishments and legislative intent, and the fiscal policies and procedures of state government;

(5) review and approve proposed changes to agency authorized budgets as provided in the Executive Budget Act (AS 37.07);

(6) make recommendations concerning appropriations, their expenditure and the fiscal policies and procedures of state government to the governor when appropriate, and to the legislature;

...

Under the proposed HB 489, on page 3, the Joint Federal Program Review Committee would have the power to:

...

(2) review programs and services which are affected by reductions in federal appropriations;

(3) identify and assess the impact of proposed reductions in federal appropriations for programs and services of benefit to the people of the state;

Sam Cotten
April 15, 1981
Page 2

(4) review the adequacy of state agencies to plan for, receive, and administer federal "block grants" or other federal appropriations or allocations which may be substituted for deleted or reduced federal program appropriations; and

(5) recommend to the Second Session of the Twelfth Legislature by February 10, 1982, specific revisions in state programs, and in appropriations for those programs, to reduce or minimize the disruptive effect of lower federal appropriations occurring after January 20, 1981.

. . .

It appears that the duties proposed for the new four-member Joint Federal Program Review Committee parallel those of the existing Legislative Budget and Audit Committee.

A legal problem appears in the composition of the Joint Federal Review Committee. Again referring to page 3, the four-member Joint Federal Review Committee is directed to "...meet regularly with the following state officials..."; the commissioner of administration, the commissioner of community and regional affairs, the chairman of the Rural Development Council, and the director of the division of budget and management, Office of the Governor.

It appears that the Joint Federal Review Committee and the four named state officials are to "organize and adopt procedures for the conduct of business". This mix of executive/legislative branch officials is one not envisioned under the Alaska constitution, and previous efforts along this line have been strongly resisted by the Attorney General. (The Special Legislative Oil-Development Impact Review Committee, established in law without the Governor's signature during the 1974 legislative session, had duties that resembled those of the proposed committee. The Oil Impact Committee was promptly taken to court by the then Governor, and the review and approval powers of the committee knocked down in a superior court decision.)

In summary, I think the functions outlined in HB 489 for the Joint Federal Review Committee can be adequately accomplished at minimal additional cost by assigning them to the Legislative Budget and Audit Committee.

JHH:vsw

Attachment:

* Sec. 3. CAPITAL IMPROVEMENT GRANTS. (a) Where the impact of rapid, sudden population growth threatens to develop open space land that otherwise would remain free of urban development, the department may make grants to an oil-development-impacted municipality contributing an equal amount for the acquisition or improvement of open space or greenbelt lands, recreation facilities, parks or wildlife refuges.

(b) No grant under this section may exceed \$500,000.

(c) Grants made under this section may not be used directly or indirectly to reduce current municipal tax rates or to retire existing bonded indebtedness.

* Sec. 4. APPLICATIONS. Grants under this Act may be made only upon application by the municipality to the department. Each grant application shall state the intended use for which the grant will be expended.

* Sec. 5. ACCOUNTABILITY FOR GRANTS. (a) A municipality receiving a direct pipeline impact grant under ch. 147 SLA 1974 shall submit a financial report covering the expenditure of the direct pipeline impact grant before a grant may be received under this Act.

(b) A municipality shall submit a financial report covering the expenditure of any grant already received under this Act to the department before another grant may be received under this Act.

(c) A municipality receiving grants under this Act shall

(1) maintain a separate account for the grants received under this Act;

(2) provide for an annual independent audit of the separate account for grants received under this Act; and

(3) submit a copy of the independent audit report to the department.

* Sec. 6. POPULATION. A municipality shall submit estimated population and population growth figures to the department. These population and population growth figures are subject to review and approval by the department. The decisions of the department as to population and population growth figures are final.

* Sec. 7. REGULATIONS. The department may adopt regulations necessary to carry out the purpose of this Act.

* Sec. 8. AUTHORITY TO ACCEPT SERVICE, GIFTS, GRANTS, AND LOANS. When the federal government or an agency or officer of the federal government offers to the state, or through the state to a municipality, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for the purpose of alleviating the social or economic impact resulting from oil development construction, the state acting through the commissioner of community and regional affairs, or the municipality acting through its executive officer or governing body, may accept the offer subject to the terms of the offer and the rules and regulations of the agency making the offer.

* Sec. 9. SPECIAL LEGISLATIVE OIL-DEVELOPMENT IMPACT REVIEW COMMITTEE. There is established the Special Legislative Oil-Development Impact Review Committee composed of three members of the senate appointed by the president of the senate and three members of the house appointed by the speaker of the house. The committee shall select its own chairman.

* Sec. 10. TERM OF MEMBERSHIP. The committee shall be organized within 15 days after the organization of each legislature. Members serve for the duration of the legislature during which they are appointed. If they are reelected or their term of office extends into the next succeeding legislature, they continue to serve until reappointed or the appointment of their successor. The first committee shall be appointed within 15 days of the adjournment of the Second Special Session, Eighth Legislature.

* Sec. 11. MEETINGS. (a) The committee may meet during sessions of the legislature and during the interim between sessions at such times and places in the state as the chairman may determine. Members may receive, for the minimum time required to get to and from meetings and for the period while attending meetings, the same travel and per diem allowances provided by law for members of the legislature when attending sessions, except that members of the committee receive no per diem during legislative sessions other than the per diem allowance paid to other members of the legislature.

(b) A majority of the members of the committee constitutes a quorum for the purpose of carrying out its duties under this Act.

* Sec. 12. DUTIES OF COMMITTEE. Grants under this Act shall be made by the Department of Community and Regional Affairs at the direction of the governor subject to approval of the Special Legislative Oil-Development Impact Review Committee.

* Sec. 13. DIVISION OF LEGISLATIVE FINANCE ASSISTANCE. The division of legislative finance shall cooperate with the committee and shall furnish technical assistance and personnel, if available, upon request.

* Sec. 14. DEFINITIONS. In this Act

(1) "department" means the Department of Community and Regional Affairs;

(2) "municipality" means a home rule or general law city or borough, including but not limited to a unified municipality established under AS 29.68;

(3) "operating expenditures" means personal services, contractual services, travel, commodities, and up to \$20,000 per item of equipment, except that the term does not include any of these items if part of a capital improvement expenditure; relocatable classrooms are not subject to the \$20,000 limitation;

(4) "committee" means the Special Legislative Oil-Development Impact Review Committee.

* Sec. 15. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.