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LEGISLATIVE
REPORTING SERVICE

(907) 586-6672 P.O. BOX 1376 JUNEAU, ALASKA 99802

January 25, 1982

REPORT NO. 2

INTRODUCTION OF BILLS (Senate)

Sunset Laws SPONSOR SUBSTITUTE FOR SENATE BILL NO. 630, (see page 6). Only
(amendments to) change from original bill is that the Alcoholic Bev. Control Board
and the Alaska Transportation Commission are not deleted from the
list of those agencies, boards, and commissions which must periodically be reviewed for possible termination.

Introduced January 18 and referred to State Affairs and Labor & Commerce.

Appropriation SENATE BILL NO. 665, by Senator Ferguson. Would appropriate
(supplemental) \$1.5 million from the general fund to the Department of Commerce and
(Low Income Economic Development for the low income weatherization program.
Weatherization Program) Effective immediately.

Introduced January 18 and referred to Labor & Commerce and Finance.

Mining Loan SENATE BILL NO. 666, by Senators Fahrenkamp, Bennett and Parr.
Fund Amends law pertaining to the Mining Loan Fund by adding: "The mining
(money in) loan fund is a revolving fund consisting of appropriations made to
the fund by the legislature and repayments of principal and interest
on loans made from the fund. Money appropriated to or repaid into
the fund does not lapse in accordance with AS 37.25.010." Effective
immediately.

Introduced January 19 and referred to Resources and Finance.

Adult SENATE BILL NO. 667, by the Rules Committee by request of the Governor.
Preparatory Amends statute describing secondary schools in general (AS 14-
Education .03.060(b) to delete a provision which allows secondary schools in
the state to establish one or two grades beyond the 12th at the
option of the governing body of the school district. Adds language
which instead allows secondary schools to "offer noncredit programs
of adult preparatory education." (See Governor's letter.)

Adds definitions of "adult preparatory education" and "noncredit program" to AS 14.03 (Public Schools Generally). Adult preparatory education is described as "instruction, including basic academic

INTRODUCTION OF BILLS (Senate)

Appropriation SENATE BILL NO. 629, by Senators Stimson, Bradley, Bennett, Colletta, (supplemental) Eliason, Fahrenkamp, Ferguson, Fischer, Kelly, Rodey, Sturgulewski (Student Loan Ziegler, Gilman and Mulcahy. Makes a supplemental appropriation Fund) in the amount of \$7 million to replenish the Scholarship Revolving Loan Fund. Provides that appropriation is for capitalization of a loan fund and does not lapse. Effective immediately.

Introduced January 11 and referred to Finance. (Passed this week, p. 25.)

Sunset Laws
(amendments
to)

SENATE BILL NO. 630, by Senator Sturgulewski. Proposes various changes to the state Sunset Laws for agencies, boards, and commissions (AS 44.66). Deletes the Alcoholic Beverage Control Board and the Alaska Transportation Commission from the list (in AS 44.66.010) of those agencies, boards, and commissions which must periodically come under sunset scrutiny. Both agencies are set to terminate on June 30, 1983 unless extended by the Legislature.

Amends AS 44.66.010(b) which allows an agency, board, or commission, upon termination, to remain in existence until June 30 of the following year. Adds: "During this period, termination does not reduce or limit the powers or authority of the state agency, board, or commission."

Deletes provision in 44.66.010(c) which limits the Legislature to extending the life of a board or commission a maximum of four years before it must be examined again.

Adds new subsection to AS 44.66.050 to read: "(f) Notwithstanding (a) - (e) of this section, a failure on the part of the committee of reference to comply with the requirements of this section does not affect the termination date established under AS 08.03.010 or AS 44.66.010 for a state agency, board, or commission." Provides for an immediate effective date.

Introduced January 11 and referred to State Affairs and Labor & Commerce.

U of A Board
of Regents
(terms of
members)

SENATE BILL NO. 631, by Senators Sturgulewski and Fischer. Shortens the term of a member of the Board of Regents of the Univ. of Alaska from eight to five years. Provides that a member of the Board of Regents appointed before the effective date of the bill may serve for the remainder of the eight-year term for which appointed. Regents appointed after effective date serve five-year terms. Does not provide for an effective date.

Introduced January 11 and referred to Health, Education & Social Services.

Pull-Tabs &
Punchboards

SENATE BILL NO. 632, by Senators Parr, Ray, Dankworth, Bennett, Gilman, Hohman, Ferguson, Mulcahy, Ziegler and Fahrenkamp. Would allow pull-tabs and punch-boards as permissible games of chance for which the Commissioner of Revenue may issue a permit. Adds definition of "game of chance" to definitions section for AS 05.15 (Bingo, Raffles & Ice Pools) to read: ". . . a game in which the skill and experience of the player is secondary to purely fortuitous or acci-

INTRODUCTION OF BILLS (Senate)

~~SB~~ SB 632 (cont'd)

dental circumstances incidental to the game and includes pull-tabs, punchboards, and raffles and lotteries." Above change would be retroactive to January 1, 1982.

Adds to AS 05.15.130: "(b) Notwithstanding (a) of this section, the commissioner may not limit the amount or type of prizes awarded in a raffle or lottery."

Amends definition of "labor organization" contained in AS 05.15.210 (19) to read: ". . . an organization, not for pecuniary profit, constituted wholly or partly to bargain collectively or deal with employers or employees, including the state and its political subdivisions, concerning grievances, terms, or conditions of employment or other mutual aid or protection in connection with employees or employers;" Provides for an immediate effective date. (Note: similar to HB 623 and HB 640.)

Introduced January 11 and referred to State Affairs and Judiciary.

Prisoner Work Programs

SENATE BILL NO. 633, by Senator Parr. Re-writes existing section (AS 33.30.225) relating to voluntary work performed by prisoners in state institutions. Currently law reads that a prisoner not on furlough may not be required to perform work other than personal housekeeping. Those prisoners who volunteer to participate in institutional work programs are eligible for a maximum \$3 per day gratuity payment.

New section (Work Programs; Remuneration) would allow the Commissioner of Health & Social Services, "in his discretion," to "direct that a prisoner participate in non-institutional work projects and in institutional work programs, including personal housekeeping . . ." while in prison. Prisoner would receive a credit or gratuity payment of up to \$3 per day for work performed on a non-institutional work project (government or public projects outside prison), and the \$3 gratuity for work performed in prison. Allows the Commissioner to adopt regulations which establish disciplinary measures to be used against those prisoners who refuse to work when directed to do so.

Amends provisions contained in AS 33.30.250 relating to Work Furloughs to give the Commissioner of Health the Soc. Services the power to require a prisoner to be released on work furlough (now reads that the Commissioner may direct that the person "be permitted to" continue in his regular job or find a job). Adds provision which would allow the Commissioner to impose disciplinary measures upon any prisoner who refuses to go on a work furlough.

Amends AS 41.20.110(b) which relates to the use of volunteer prisoner labor to construct or maintain campsites. Reworded to allow the Commissioner of Health & Soc. Services to require a prisoner to participate and adds language which would allow Commissioner to discipline those who refuse.

INTRODUCTION OF BILLS (Senate)

SB 663 (cont'd)

of the value of the article must be derived from hand labor (currently not specified). Makes other minor changes in wording. Adds definition of "made in Alaska." Does not provide for an effective date.

Introduced January 15 and referred to Labor & Commerce.

Driving While
Intoxicated

SENATE BILL NO. 664, by Senators Dankworth and Sturgulewski. Makes clarifying amendments to AS 28.35.030(c) relating to sentencing for the crime of drunk driving. Changes wording so that minimum sentence for first conviction reads "72 consecutive hours" instead of "three consecutive days" and minimum sentence for subsequent convictions reads "240 consecutive hours" rather than "10 consecutive days." Does not provide for an effective date.

Introduced January 15 and referred to Health, Education & Social Services and Judiciary.

INTRODUCTION OF RESOLUTIONS (Senate)

Pioneers'
Homes
(teleconfer-
ence facili-
ties)

SENATE RESOLUTION NO. 20, by Senator Fischer. Requests the Alaska Legislative Council to direct the Legislative Affairs Agency to provide teleconference facilities at each Pioneers' Home site.

Introduced January 14 and referred to State Affairs and Finance.

Terms of
Legislators
(constitution-
al amendment)

SENATE JOINT RESOLUTION NO. 55, by Senator Colletta. Proposes an amendment to the state constitution which would place a limit on the terms a legislator may serve. Would limit Senators to two consecutive full four-year terms and Representatives to four consecutive full two-year terms. A legislator ineligible for reelection in one body could be elected to the other body at any time and could be elected to the same body if four years have elapsed. The limit would apply to legislative terms that begin after the effective date of the amendment. Provides that proposed amendment be placed before the voters in the November, 1982 general election.

Introduced January 11 and referred to State Affairs and Judiciary.

Elected State
Auditor
(constitu-
tional amend-
ment)

SENATE JOINT RESOLUTION NO. 56, by Senator Kelly. Proposes an amendment to the state constitution relating to the election of a State Auditor. Would require the election of the first State Auditor in 1984. Auditor would be elected to a four-year term and could not serve more than two full successive terms. Provides: "The state auditor shall be the auditor of the accounts of all departments, offices, and agencies of the State including the Legislature, the Executive, and the Judiciary and the University of Alaska and shall perform other duties prescribed by law. The state auditor constitutes an agency independent of the executive branch agencies named in Section 22 of Article III." (Note: See SB 645.) Provides proposed

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

January 20, 1982

SUBJECT: Sunset of state agencies, boards and
commissions -- SSSB 630

TO: Senator Arliss Sturgulewski

FROM: Edward H. Hein *EHA*
Legislative Counsel

Merle Jensen - auditor

You have asked for a section-by-section analysis of
SSSB 630.

Sec. 1. The language of the title of the section, the first sentence of subsection (a) and the first sentence of subsection (b) has been amended to include state agencies, and in subsection (b) also state boards. The last half of the first sentence of subsection (a) has been reworded for purposes of clarity. In Paragraph (11) the statutory reference to the Council on Domestic Violence and Sexual Assault has been renumbered in accordance with changes made during the interim by the Revisor of Statutes. In the first sentence of subsection (b) the phrase "for the purpose of concluding its affairs" has been deleted and a new sentence has been added in an attempt to make clear that during the year in which a "terminated" agency, board or commission is "winding down", it may carry on business as usual. Subsection (c), which purported to give the legislature authority to continue or reestablish a state board or commission for a period not to exceed four years has been deleted.

Sec. 2 provides in a new subsection (f) even if a committee of reference fails to comply strictly with every requirement in AS 44.66.050(a) - (e), the state agency, board or commission will terminate on schedule. For example, if a report required by AS 44.66.050(d) were to be submitted to the presiding officer on the 61st day of the legislative session, instead of the 60th day, such a failure to comply

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 24, 1982

SUBJECT: Sunset of state agencies, boards and
commissions -- CSSSSB 630 (SA)

TO: Senator Arliss Sturgulewski

FROM: Edward H. Hein *EHA*
Legislative Counsel

You have asked for a section-by-section analysis of
CSSSSB 630 (SA).

Sec. 1. The title of AS 44.66.010 and the first sentence of subsections (a), (b) and (c) have been amended to include state agencies, and in subsections (b) and (c) also state boards. The last half of the first sentence of subsection (a) has been reworded for purposes of clarity. In Paragraph (11) the statutory reference to the Council on Domestic Violence and Sexual Assault has been renumbered in accordance with changes made during the interim by the Revisor of Statutes.

In subsection (b) a new sentence has been added to provide that during the year for which a "terminated" agency, board or commission is extended for the purpose of concluding its affairs, its powers and authority are not reduced. The meaning of this sentence is not clear. One interpretation is that it means that the agency, board or commission may exercise its powers and authority only for the purpose of concluding its affairs. Another interpretation is that the agency, board or commission may continue to exercise all its powers and authority and carry on "business as usual".

Subsection (c) provides that the legislature has authority to continue or reestablish a state agency, board or commission for a period not to exceed four years unless it decides to continue or reestablish the agency, board or commission for a period exceed for years.

Sec. 2 provides for an immediate effective date if the section is approved by a two-thirds vote of each house. The act would take effect on 12:01 am on the day after it is signed by the governor or the day after he gives written notice that he is allowing the act to become effective without his approval.

EHH:ljb

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS SB 630

Title Act. relat. to legis. oversight proced./state agencies boards comm. AS08.03,44.66

Requested by STATE AFFAIRS COMMITTEE Date 3/18/82

II. FISCAL DETAIL

Agency Affected Department of Public Safety

Program Category Affected Administration of Justice

BRU, Program, Or Subprogram(s) Affected Council on Domestic Violence & S/A

(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 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | -0- | -0- | -0- | -0- | -0- | -0- |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section II)

IV. DATE 3/18/82

PREPARED BY Betsey W. McGuire, Exec. Director

AGENCY Council on Domestic Violence

Original: Legislative Finance

PHONE 465-4356

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

BWMc
McG

Merle Jensen

Introduced: 1/18/82
Referred: State Affairs and
Labor & Commerce

1 IN THE SENATE

BY STURGULEWSKI

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 630

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 the legislative oversight procedures
7 relating to state agencies, boards, and commissions
8 under AS 08.03 and AS 44.66; and providing for an
9 effective date."

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

11 * Section 1. AS 44.66.010 is amended to read:

12 Sec. 44.66.010. TERMINATION OF STATE AGENCIES, BOARDS, AND COMMIS-
13 SIONS. (a) A state agency, board, or commission [BOARDS AND COMMIS-
14 SIONS] listed in this subsection is terminated on the date established
15 by this subsection [EXPIRE ON THE DATE SET OUT AFTER EACH]:

- 16 (1) Alcoholic Beverage Control Board (AS 04.06.010) --
17 June 30, 1983;
- 18 (2) Alaska Transportation Commission (AS 42.07.011) --
19 June 30, 1983;
- 20 (3) State Board of Parole (AS 33.15.010) -- June 30, 1982;
- 21 (4) Alaska Public Utilities Commission (AS 42.05.010) --
22 June 30, 1985;
- 23 (5) (repealed)
- 24 (6) Alaska Council on Science and Technology (AS 44.21.241 -
25 44.21.255) -- June 30, 1983;
- 26 (7) Alaska Renewable Resources Corporation (AS 37.12.010) --
27 June 30, 1982;
- 28 (8) Alaska Code Revision Commission (AS 24.20.075) -- June 30
29 1982;

1 (9) Rural Development Council (AS 44.47.160 - 44.47.190) --
2 June 30, 1987;

3 (10) Older Alaskans Commission (AS 44.21.200 - 44.21.240) --
4 June 30, 1985;

5 (11) Council on Domestic Violence and Sexual Assault (AS 18.-
6 66.010) -- June 30, 1985.

7 (b) Upon termination, a state agency, board, or commission listed
8 in (a) of this section shall continue in existence until June 30 of the
9 next succeeding year [FOR THE PURPOSE OF CONCLUDING ITS AFFAIRS].
10 During this period, termination does not reduce or limit the powers or
11 authority of the state agency, board, or commission.

12 (c) A COMMISSION SCHEDULED FOR TERMINATION UNDER THIS CHAPTER MAY
13 BE CONTINUED OR REESTABLISHED BY THE LEGISLATURE FOR A PERIOD NOT TO
14 EXCEED FOUR YEARS, *unless the fd is continued or*

15 * Sec. 2. AS 44.66.050 is amended by adding a new subsection to read:
16 *for a longer period under*

17 (f) Notwithstanding (a) - (e) of this section, a failure on the
18 part of the committee of reference to comply with the requirements of
19 this section does not affect the termination date established under
20 AS 08.03.010 or AS 44.66.010 for a state agency, board, or commission.

21 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
22 070(c).