

COMMITTEE REPORT HOUSE

FURTHER:

2/11/83

Date: 2/10/83

Mr. Speaker:

The Committee on FINANCE has had HSCR 2
Disapproving Executive Order No. 53.

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 Zero Fiscal Note Attached
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]
CHAIRMAN

Introduced: 2/11/83
Referred: Finance

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 HOUSE SPECIAL CONCURRENT RESOLUTION NO. 2
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 Disapproving Executive Order No. 53.

6 WHEREAS the governor, under authority of art. III, sec. 23, of the
7 Constitution of the State of Alaska, has proposed to merge the division of
8 budget and management and the division of policy development and planning,
9 including the latter's office of coastal management, into an office of
10 management and budget within the Office of the Governor by Executive Order
11 No. 53; and

12 WHEREAS the governor has submitted Executive Order No. 53 to the
13 presiding officer of each house of the legislature as required by AS 24.-
14 30.130(b); and

15 WHEREAS art. III, sec. 23, of the Constitution of the State of Alaska
16 provides that unless disapproved within 60 days of a regular session by
17 resolution concurred in by a majority of the members of the legislature in
18 joint session, an executive order becomes effective at a date thereafter
19 designated by the governor; and

20 WHEREAS it is not in the best interests of the state to merge the
21 division of budget and management and the division of policy development
22 and planning, including the latter's office of coastal management, into an
23 office of management and budget within the Office of the Governor as pro-
24 posed in Executive Order No. 53;

25 BE IT RESOLVED by the Alaska State Legislature that Executive Order
26 No. 53 is disapproved.

THE FOLLOWING INDIVIDUAL IS EXPECTED TO TESTIFY ON HSCR 2:

Peter McDowell
Director
Office of Management & Budget

I. REQUEST

Bill/Resolution No.: SCS HCR 2 (State Affrs)
 Title: Senior Cit. & Handicapped Travel
 Sponsor: Grussendorf
 Requestor: Transportation

II. FISCAL DETAIL

Agency Affected: DOT/PF
 Program Category Affected: Transportation
 BRU, Program of Subprogram(s) Affected: Marine Highways

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	N/A	(185.0)	(203.0)	(223.0)	(245.0)	(269.0)

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Source)						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Martin J. Nusbaum Phone: 465-3950
 Division: Marine Highway Systems Date: 4/19/83
 Approved by Commissioner: *Martin J. Nusbaum* Date: 4/20/83
 Department: DOT/PF

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III. ANALYSIS

Senate Committee Substitute for House Resolution No. 2 (State Affairs), is a request relating to space available free passage for all senior citizens and handicapped persons at all times on specific vessels of the marine highway system. Those vessels called out are the M/V's AURORA, LeCONTE, CHILKAT, TUSTUMENA and BARTLETT.

The Department of Transportation and Public Facilities is in the process of completing a "User Survey" of travelers on vessels of the system. The survey reveals that during the winter, (September 15 through May 14) the majority (about 70%) of the passengers on the Marine Highway are Alaskans, of this group approximately 10% are traveling under the Senior Citizen Free Passage program. Therefore, the majority of beneficiaries of Senior Citizen Free Passage are Alaskans.

In the summer (May 16 through September 30) the majority of the systems users (approximately 80%) as reflected in the survey, are from out-of-state. It would appear then that the beneficiaries of Senior Citizens Free Passage during this time would be from out-of-state and the state would be subsidizing this travel. Senior Citizens' groups are well organized on both local and national levels.

Capacity loads are already experienced on the M/V BARTLETT during the summer on her Valdez to Whittier route. Increasing the number of travelers competing for this space, through free passage incentives, might well be counter productive. This also applies to the M/V CHILKAT and M/V TUSTUMENA on certain portions of their routes.

The "User Survey" information reflects that approximately 10% of the passengers on the Marine Highway would be eligible for Senior Citizen rates. Reducing passenger revenue by 10% for the summer months on the specified vessels would approximate the following estimates of reduced revenue.

Vessel	1982 Passenger Revenue 15 May - Oct. 1	10% of 1982 Passenger Revenue for Period
M/V AURORA	\$275,000	\$ 27,500
M/V LeCONTE	271,000	27,100
M/V CHILKAT	42,000	4,200
M/V BARTLETT	710,000	71,000
M/V TUSTUMENA	468,000	46,800

Free Senior Citizen passage for a full twelve months could approximate a loss of revenue of \$175,000 each year. Although loss of revenue due to expansion of free travel to handicapped persons on these vessels is estimated to be minimal (\$10,000 a year) there are certain considerations that must be taken into account.

Annual or unrestricted free passage on the vessels named might create a burden

on both the passengers and the vessel operations. None of the vessels, with the exception of the M/V TUSTUMENA have stateroom capacity. They do not have first aid rooms, elevators or facilities to provide for handicapped persons in restrooms, passageways or lounges. The mission of these vessels is the servicing of "outport" towns and villages. Medical facilities are far and few in these areas should the occasion arise for their need. On the other hand the "mainline" vessels are somewhat equipped for handicapped persons. All have elevators, first aid rooms, emergency medical supplies, trained personnel, handicapped facilities in the restrooms and are only a few hours from a town where medical facilities are available.

While the "User Survey" does not identify handicapped passengers as a group the ferry system has experienced a steady increase in this class passenger. It is felt as the public becomes more aware of this program it will accelerate.

Assuming a 50% discount was passed on the Senior Citizens and handicapped persons for staterooms, for a full twelve months per year, the loss of additional revenue would approximate an additional \$106,000.00. This estimate is founded using the same approach as the estimate on revenue loss on passage.

We believe there would be insurmountable administrative problems by the establishment of discounted stateroom tariffs for senior citizens and handicapped persons. The main problem would be the establishment of priorities. Would these reduced fare passengers be allowed to make reservations for staterooms or would the staterooms be on a "space available" basis?

We believe that senior citizens from out-of-state would again be the beneficiaries of such a program.

The figures outlined above are viewed as conservative losses because more senior tourists would change travel plans and travel on these vessels in Southeast Alaska instead of the larger vessels for short trips. We also believe that special rates on certain vessels would cause confusion among people not familiar with the various vessels and greatly increase the demand for expansion of free service to all vessels.

STATE OF ALASKA
FINAL* STATEMENT OF FISCAL IMPACT

Bill No: HSCR No. 2 Date on Bill: February 11, 1983
 Title: Disapproving Executive Order No. 53
 Sponsor: House Finance Committee
 Requestor: Governor - Office of Management and Budget

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital	-0-	-0-	-0-	
Operating	-0-	-0-	-0-	
Total	-0-	-0-	-0-	

b. Revenues:

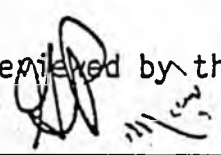
Revenue	-0-	-0-	-0-	
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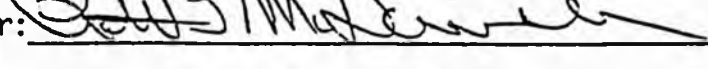
2. Source of funds to offset fiscal impact of bill:

No Fiscal Impact.

3. Assumptions:

*This statement has been reviewed by the OMB in the Office of the Governor.

Prepared By: Glen Price  Phone: 465-3538
 Division: Office of Management and Budget - Budget Review Date: 2/24/83

Approved by Commissioner:  Date: 2/24/83
 Department: OMB

Reviewed by OMB:  Date: 2-24-83
 Phone: 3468

5. Distribution:

- Original to Legislative Finance
- Copy to Department
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- Copy to Requestor

2/24/83

From THE UNIFORM RULES

the purpose of expelling a member under provisions of Sec. 12, Art. II, of the State Constitution. The special resolution requires a referral to the Rules Committee, three readings, and a two-thirds vote of the full membership of the house for approval.

(3) A concurrent resolution is similar to the simple resolution but reflects the will, wish, view or decision of both houses speaking concurrently. It is used particularly to handle the internal business of the legislature, e.g., adjournment of the legislature, suspension and amendment of the Uniform Rules, requesting action of executive agencies and interim committees, and fixing the time and place for joint assemblies. This resolution is also used for establishing joint committees. This resolution does not require committee referral, three readings, or anything other than approval of a majority vote of the full membership of each house unless otherwise required by the rules.

(4) A special concurrent resolution is employed to consider disapproval of an executive order of the governor laid before the legislature under provisions of Sec. 23, Art. III, of the State Constitution. This resolution must be considered by a joint committee and may be adopted by a majority vote of the full membership of the legislature in joint session without recourse to three readings.

(5) A joint resolution is the most formal type of resolution and is adopted by both houses and then signed by the governor as a ministerial formality. The joint resolution is treated in all respects as a bill but it is not subject to veto. It is usually reserved for addressees outside the state. This resolution is used mainly to express the view or wish of the legislature to the President, the Congress or agencies of the United States Government or the governments of other states. It is required for proposing or ratifying amendments to the U. S. Constitution, proposing amendments to the State Constitution under provisions of Sec. 1, Art. XIII, of the State Constitution, and for disapproval of local government boundary changes recommended by the Local Boundary Commission under provisions of Sec. 12, Art. X, of the State Constitution. Approval of a joint resolution requires a majority vote of the full membership of each house.

(b) All resolutions passed by one or both houses are sent to the governor as a matter of information and for permanent filing with the lieutenant governor. The lieutenant governor sends enrolled copies of joint resolutions to the federal and other state officers, agencies and jurisdictions. The transmittal of copies of all other resolutions to designated addressees is the responsibility of the Legislative Affairs Agency.

LEGISLATIVE CITATIONS

RULE 50. LEGISLATIVE CITATIONS. (a) The appropriate instrument for expressing commendation, condolences, appreciation or congratulations to an individual or a group, or to recognize a particular event or occasion, is a "Legis-

Sec. 24.30.090. Vote on passage. No bill may become law without the affirmative vote of a majority of the membership of each house. The yeas and the nays on final passage shall be recorded in the journal. (§ 37 ch 157 SLA 1959)

Sec. 24.30.100. Action upon veto. When the governor vetoes a bill or by veto strikes or reduces an item in an appropriation bill, during a regular session of the legislature, the legislature shall proceed to act in accordance with § 16, art. II, of the state constitution as it is implemented by the rules of the legislature. A bill vetoed after adjournment of the first regular session shall be reconsidered by the legislature sitting as one body no later than the fifth day of the next regular or special session convened during that legislature. Bills vetoed after adjournment of the second regular session shall be reconsidered by the legislature sitting as one body no later than the fifth day of a special session of that legislature, if one is called. (§ 38 ch 157 SLA 1959; am § 2 ch 67 SLA 1975)

Effect of amendment. — The 1975 amendment inserted "during a regular session of the legislature" in the first sentence and added the second and third sentences.

Sec. 24.30.110. Effective date of laws.

Repealed by § 9 ch 126 SLA 1966.

Editor's note. — The repealed section derived from § 39, ch. 157, SLA 1959.

Sec. 24.30.120. Bills carry over. A bill introduced but not receiving final action in the first regular session of a legislature carries over in the same reading or status into the second regular session of the same legislature. (§ 40 ch 157 SLA 1959)

Sec. 24.30.130. Constitutional amendments and executive orders.
(a) The legislature may propose amendments to the state constitution through the adoption of a joint resolution by an affirmative vote of two-thirds of the membership of each house. Resolutions proposing constitutional amendments shall be treated as bills.

(b) An executive order proposing a change in the executive branch and requiring the force of law under § 23, art. III, of the state constitution shall be submitted to the presiding officer of each house on the day the house organizes. The legislature has 60 days of a regular session, or a full session if of shorter duration to disapprove the order. Unless disapproved by a special concurrent resolution introduced in either house, concurred in by a majority of the members in joint session, the order becomes effective at a date thereafter to be designated by the governor. An order submitted to but not disapproved by the legislature shall be published in the bound session laws and any codification of state law. (§ 41 ch 157 SLA 1959; am § 12 ch 47 SLA 1961)

BILL SHEFFIELD
GOVERNOR



EQ 53

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 17, 1983

The Honorable Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance with AS 24.30.130(b), I am transmitting an executive order which creates as a part of my office the office of management and budget (OMB). This new unit is being created from the division of budget and management and the division of policy development and planning.

The OMB will also be responsible for the state's federal consistency determinations and certifications under the federal Coastal Zone Management Act of 1972, as amended. This function is currently carried out by the division of policy development and planning in accordance with AS 44.19.160 -- 44.19.162 and AS 46.40.040 (in the Alaska Coastal Management Act) and Alaska Administrative Order No. 54 (April 23, 1979). The coordinator of the office of coastal management will be under the direction of the council co-chair who is selected from among the members who are state officials, instead of under the direction of the council as a whole.

Although not requiring statutory amendment, the OMB will also incorporate the existing division of internal audit and the office of regulatory reform. Section 17 of this order makes the appropriate name change (with a reference to the OMB director's designee) in the statute specifying the membership of the Alaska Power Authority.

I believe that these changes, with a consolidation of related activities, will significantly improve the efficiency of state government.

Sincerely,


Bill Sheffield
Governor

IN SENATE - Offered: 1/18/83
Referred: State Affairs,
Health, Education & Social
Services and Finance

IN HOUSE -- Offered: 1/17/83
Referred: State Affairs
and Finance

EXECUTIVE ORDER NO. 53

Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance with AS 24.30.130(b), I order the following:

* Section 1. FINDINGS. As governor, I find that it would be in the best interests of efficient administration and state planning to merge the division of budget and management and the division of policy development and planning, including the latter's office of coastal management, into an office of management and budget within the Office of the Governor.

* Sec. 2. AS 37.07.040 is amended to read:

Sec. 37.07.040. OFFICE OF MANAGEMENT AND BUDGET [DIVISION OF BUDGET AND MANAGEMENT]. The Alaska office of management and budget [BUDGET AND MANAGEMENT DIVISION] shall

(1) assist the governor in the preparation and explanation of the proposed comprehensive program and financial plan, including the coordination and analysis of state agency goals and objectives, plans, and budget requests;

(2) prepare for submission to the governor an annually updated six-year capital improvements program and the proposed capital improvements budget for the coming fiscal year, the latter to include individual project justification with documentation of estimated project cost;

(3) develop procedures to produce the information needed for effective policy decision making, including procedures to provide for the dissemination of information about plans, programs, and budget requests to be included in the annual budget and opportunity for public review and comment during the period of budget preparation;

(4) assist state agencies in their statement of goals and objectives, preparation of plans, budget requests, and reporting of program performance; all documents forwarded by the office [DIVISION]

1 to a state agency containing instructions for the preparation of pro-
2 gram plans and budget requests and the reporting of program perfor-
3 mance are public information after the date they are forwarded;

4 (5) administer its responsibilities under the program exe-
5 cution provisions of this chapter so that the policy decisions and
6 budget determinations of the governor and the legislature are imple-
7 mented;

8 (6) provide the legislative finance division with the bud-
9 get information it may request;

10 (7) provide the legislative finance division with an ad-
11 vance copy of the governor's budget workbooks by the first Monday in
12 January of each year, except that following a gubernatorial election
13 year the advance copy shall be provided by the second Monday in Janu-
14 ary.

15 * Sec. 3. AS 37.07.080(b) is amended to read:

16 (b) Each state agency shall prepare an annual plan for the
17 operation of each of its assigned programs except for programs that
18 are exempted from this requirement by the office [DIVISION]. The
19 operations plan shall be prepared in the form and content and be
20 transmitted on the date prescribed by the office [DIVISION].

21 * Sec. 4. AS 37.07.080(c) is amended to read:

22 (c) The office [DIVISION] shall

23 (1) review each operations plan to determine that it is
24 consistent with the policy decisions of the governor and appropria-
25 tions by the legislature, that it reflects proper planning and effi-
26 cient management methods, that appropriations have been made for the
27 planned purpose and will not be exhausted before the end of the fiscal
28 year;

29 (2) approve the operations plan if satisfied that it meets

1 the requirements under (1) of this subsection; otherwise, the office
2 [DIVISION] shall require revision of the operations plan in whole or
3 in part;

4 (3) Repealed by sec. 1 ch 26 SLA 1976.

5 * Sec. 5. AS 37.07.080(e) is amended to read:

6 (e) Transfers or changes between objects of expenditures or be-
7 tween allocations may be made by the head of a state agency upon ap-
8 proval of the office [DIVISION]. No transfers may be made between ap-
9 propriations except as provided in an act making the transfers between
10 appropriations.

11 * Sec. 6. AS 37.07.080(f) is amended to read:

12 (f) The office [DIVISION] shall report quarterly to the governor
13 and the legislature on the operations of each state agency, relating
14 actual accomplishments to those planned and modifying, if necessary,
15 the operations plan of any agency for the balance of the fiscal year.

16 * Sec. 7. AS 37.07 is amended by adding a new section to read:

17 Sec. 37.07.090. DEFINITION. In AS 37.07, "office" means the
18 Alaska office of management and budget established in the Office of
19 the Governor by AS 44.19.141.

20 * Sec. 8. AS 44.19.141 is amended to read:

21 ARTICLE 12. OFFICE OF MANAGEMENT AND BUDGET [DIVISION
22 OF POLICY DEVELOPMENT AND PLANNING].

23 Sec. 44.19.141. ALASKA OFFICE OF MANAGEMENT AND BUDGET [DIVISION
24 OF POLICY DEVELOPMENT AND PLANNING]. There is in the Office of the
25 Governor the Alaska office of management and budget [DIVISION OF
26 POLICY DEVELOPMENT AND PLANNING].

27 * Sec. 9. AS 44.19.142 is amended to read:

28 Sec. 44.19.142. DIRECTOR. The office of management and budget
29 [DIVISION OF POLICY DEVELOPMENT AND PLANNING] is administered by a

1 director who is appointed by, and serves at the pleasure of, the gov-
2 ernor.

3 * Sec. 10. AS 44.19.143 is amended to read:

4 Sec. 44.19.143. PERSONNEL. The director shall employ such per-
5 sonnel as may be necessary to carry out the provisions of AS 44.19.-
6 141 -- 44.19.152 and the relevant provisions of AS 37.07.

7 * Sec. 11. AS 44.19.144 is amended to read:

8 Sec. 44.19.144. POWERS AND DUTIES OF THE DIRECTOR. (a) The di-
9 rector shall

10 (1) supervise and administer the activities of the office
11 [DIVISION];

12 (2) advise the governor on matters of comprehensive state
13 planning;

14 (3) make an annual report to the governor of the activities
15 of the office [DIVISION].

16 (b) The director may

17 (1) with the written concurrence of the governor, enter in-
18 to contracts and subcontracts on behalf of the state to carry out the
19 provisions of AS 44.19.141 -- 44.19.152;

20 (2) act for the state in the initiation, investigation,
21 evaluation of or participation in any program relative to the stated
22 purpose of AS 44.19.141 -- 44.19.152 which may involved more than one
23 government or governmental unit;

24 (3) on behalf of the state, accept and expend any gifts or
25 grants made to the state with the approval of the governor where such
26 gifts or grants were made for the purposes of furthering the objec-
27 tives of the office [DIVISION].

28 * Sec. 12. AS 44.19.145 is amended to read:

29 Sec. 44.19.145. FUNCTIONS AND DUTIES OF THE OFFICE [DIVISION].

1 (a) The office [DIVISION] shall

2 (1) provide technical assistance to the governor and the
3 legislature in identifying long range goals and objectives for the
4 state and its political subdivisions;

5 (2) prepare and maintain a state comprehensive development
6 plan;

7 (3) provide information and assistance to state agencies to
8 aid in governmental coordination and unity in the preparation of agen-
9 cy plans and programs;

10 (4) review planning within state government as may be nec-
11 essary for receipt of federal, state or other funds;

12 (5) Repealed by sec. 10 ch 200 SLA 1972, effective July 1,
13 1972.

14 (6) participate with other countries, provinces, states or
15 subdivisions of them [THEREOF] in international or interstate plan-
16 ning, and assist Alaska's local governments, governmental conferences
17 and councils, in planning and coordinating their activities;

18 (7) Repealed by sec. 2 ch 60 SLA 1972.

19 (8) encourage educational and research programs that fur-
20 ther state planning and development, and provide administrative and
21 technical services for them;

22 (9) publish such statistical information or other documen-
23 tary material as will further the provisions and intent of AS 44.19.-
24 141 -- 44.19.152;

25 (10) assist the governor and the Department of Community and
26 Regional Affairs in coordinating the activities of state agencies
27 which have an impact on the solution of local and regional development
28 problems;

29 (11) serve as a clearinghouse for information, data, and

1 other materials which may be helpful or necessary to federal, state or
2 local governmental agencies in discharging their respective responsi-
3 bilities or in obtaining federal or state financial or technical as-
4 sistance;

5 (12) review all proposals for the location of capital im-
6 provements by any state agency and advise and make recommendations
7 concerning location of these capital improvements;

8 (13) perform the state's review and comment on federal con-
9 sistency determinations and certifications authorized by sec. 307 of
10 the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. sec.
11 1456, and the state coastal management program.

12 (b) The office [DIVISION] shall, in carrying out its functions,
13 consult with local, regional, state and federal officials, private
14 groups and individuals, and with officials[,] of other countries,
15 provinces and states, and may hold public hearings to obtain informa-
16 tion for the purpose of carrying out the provisions of AS 44.19.141 --
17 44.19.152.

18 (c) The governor may establish coordinating or advisory planning
19 groups.

20 (d) The office [DIVISION] shall

21 (1) coordinate its services and activities with those of
22 other state departments and agencies to the fullest extent possible to
23 avoid duplication;

24 (2) prepare an integrated annual report on the long-range
25 development program of the state and submit it to the governor for in-
26 corporation into his report to the legislature;

27 (3) cooperate with the University of Alaska and other ap-
28 propriate public and private institutions in research and investiga-
29 tions.

1 * Sec. 13. AS 44.19.152 is amended to read:

2 Sec. 44.19.152. DEFINITIONS. In AS 44.19.141 -- 44.19.152,

3 (1) ["DIVISION" MEANS THE DIVISION OF POLICY DEVELOPMENT
4 AND PLANNING;]

5 (2) "director" means the director of the office of manage-
6 ment and budget; [DIVISION OF POLICY DEVELOPMENT AND PLANNING.]

7 (3) "office" means the Alaska office of management and bud-
8 get.

9 * Sec. 14. AS 44.19.155(a)(2)(A) is amended to read:

10 (A) the director of the office of management and bud-
11 get [DIVISION OF POLICY DEVELOPMENT AND PLANNING];

12 * Sec. 15. AS 44.19.155(d) is amended to read:

13 (d) Each member of the council shall select one person to serve
14 as a permanent alternate at meetings of the council. If a member of
15 the council is unable to attend, he shall advise the alternate who may
16 attend and act in the place of the member. The alternate for a public
17 member appointed after July 9, 1978 under (a)(1) of this section
18 shall, at the time of his designation and throughout the period of his
19 service as a permanent alternate, be the mayor or member of the assem-
20 bly or council of a municipality within the region from which the per-
21 manent member is appointed. The alternate for the director of the
22 office of management and budget, serving under (a)(2)(A) of this sec-
23 tion, shall be the director's designee within that office. The alter-
24 nate for a designated member serving under (a)(2)(B) -- (G) of this
25 section shall be a deputy commissioner of the department or the direc-
26 tor of a division in the department. The names of alternates shall be
27 filed with the council.

28 * Sec. 16. AS 44.19.162 is amended to read:

29 Sec. 44.19.162. COUNCIL STAFF. The council shall use [UTILIZE]

1 the staff of the office of coastal management within the office of
2 management and budget [DIVISION OF POLICY DEVELOPMENT AND PLANNING] in
3 discharging its powers and duties. The coordinator of the office of
4 coastal management, under the direction of the council co-chair who is
5 selected from among the members designated in AS 44.19.155(a)(2) [,
6 WITH THE CONCURRENCE OF THE COUNCIL], may contract with or employ per-
7 sonnel or consultants the coordinator [HE] considers necessary to car-
8 ry out the powers and duties of the council.

9 * Sec. 17. AS 44.83.030(2) is amended to read:

10 (2) the director of the office of [DIVISION OF BUDGET AND]
11 management and budget, or the director's designee within that office,
12 and three commissioners of principal executive departments appointed
13 by the governor.

14 * Sec. 18. TRANSITION. All litigation, hearings, investigations and
15 other proceedings pending under a law amended or repealed by this Order, or
16 in connection with functions transferred by this Order, continue in effect
17 and may be continued and completed notwithstanding a transfer or amendment
18 or repeal provided for in this Order. Certificates, orders, and regula-
19 tions issued or adopted under authority of a law amended or repealed by
20 this Order remain in effect for the term issued, or until revoked, vacated,
21 or otherwise modified under the provisions of this Order. All contracts,
22 rights, liabilities, and obligations created by or under a law amended or
23 repealed by this Order, and in effect on the effective date of this Order,
24 remain in effect notwithstanding this Order's taking effect. Records,
25 equipment, and other property of agencies of the state whose functions are
26 transferred under this Order shall be transferred commensurate with the
27 provisions of this Order.

28 * Sec. 19. NAME CHANGE. To be consistent with the changes made by this
29 Order, wherever in the Alaska Statutes and in regulations adopted under

1 those statutes "division of budget and management" and "division of policy
2 development and planning," and other terms identifying those divisions, are
3 used, they must be read as referring to the office of management and bud-
4 get. Similarly, references to the directors of those divisions must be
5 read as references to the director of the office of management and budget.
6 Under AS 01.05.031, the revisor of statutes shall implement this section in
7 the statutes, and, under AS 44.62.125(b)(6), the regulations attorney shall
8 implement this section in the administrative regulations.

9 * Sec. 20. This Order takes effect March 18, 1983.

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11 DATED: Jan 17, 1983

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14 Bill Sheffield
15 Governor
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From THE UNIFORM RULES

the purpose of expelling a member under provisions of Sec. 12, Art. 11, of the State Constitution. The special resolution requires a referral to the Rules Committee, three readings, and a two-thirds vote of the full membership of the house for approval.

(3) A concurrent resolution is similar to the simple resolution but reflects the will, wish, view or decision of both houses speaking concurrently. It is used particularly to handle the internal business of the legislature, e.g., adjournment of the legislature, suspension and amendment of the Uniform Rules, requesting action of executive agencies and interim committees, and fixing the time and place for joint assemblies. This resolution is also used for establishing joint committees. This resolution does not require committee referral, three readings, or anything other than approval of a majority vote of the full membership of each house unless otherwise required by the rules.

(4) A special concurrent resolution is employed to consider disapproval of an executive order of the governor laid before the legislature under provisions of Sec. 23, Art. III, of the State Constitution. This resolution must be considered by a joint committee and may be adopted by a majority vote of the full membership of the legislature in joint session without recourse to three readings.

(5) A joint resolution is the most formal type of resolution and is adopted by both houses and then signed by the governor as a ministerial formality. The joint resolution is treated in all respects as a bill but it is not subject to veto. It is usually reserved for addressees outside the state. This resolution is used mainly to express the view or wish of the legislature to the President, the Congress or agencies of the United States Government or the governments of other states. It is required for proposing or ratifying amendments to the U. S. Constitution, proposing amendments to the State Constitution under provisions of Sec. 1, Art. XIII, of the State Constitution, and for disapproval of local government boundary changes recommended by the Local Boundary Commission under provisions of Sec. 12, Art. X, of the State Constitution. Approval of a joint resolution requires a majority vote of the full membership of each house.

(b) All resolutions passed by one or both houses are sent to the governor as a matter of information and for permanent filing with the lieutenant governor. The lieutenant governor sends enrolled copies of joint resolutions to the federal and other state officers, agencies and jurisdictions. The transmittal of copies of all other resolutions to designated addressees is the responsibility of the Legislative Affairs Agency.

LEGISLATIVE CITATIONS

RULE 50. LEGISLATIVE CITATIONS. (a) The appropriate instrument for expressing commendation, condolences, appreciation or congratulations to an individual or a group, or to recognize a particular event or occasion, is a "Legis-

Sec. 24.30.090. Vote on passage. No bill may become law without the affirmative vote of a majority of the membership of each house. The yeas and the nays on final passage shall be recorded in the journal. (§ 37 ch 157 SLA 1959)

Sec. 24.30.100. Action upon veto. When the governor vetoes a bill or by veto strikes or reduces an item in an appropriation bill, during a regular session of the legislature, the legislature shall proceed to act in accordance with § 16, art. II, of the state constitution as it is implemented by the rules of the legislature. A bill vetoed after adjournment of the first regular session shall be reconsidered by the legislature sitting as one body no later than the fifth day of the next regular or special session convened during that legislature. Bills vetoed after adjournment of the second regular session shall be reconsidered by the legislature sitting as one body no later than the fifth day of a special session of that legislature, if one is called. (§ 38 ch 157 SLA 1959; am § 2 ch 67 SLA 1975)

Effect of amendment. — The 1975 amendment inserted "during a regular session of the legislature" in the first sentence and added the second and third sentences.

Sec. 24.30.110. Effective date of laws.

Repealed by § 9 ch 126 SLA 1966.

Editor's note. — The repealed section derived from § 39, ch. 157, SLA 1959.

Sec. 24.30.120. Bills carry over. A bill introduced but not receiving final action in the first regular session of a legislature carries over in the same reading or status into the second regular session of the same legislature. (§ 40 ch 157 SLA 1959)

Sec. 24.30.130. Constitutional amendments and executive orders.
 (a) The legislature may propose amendments to the state constitution through the adoption of a joint resolution by an affirmative vote of two-thirds of the membership of each house. Resolutions proposing constitutional amendments shall be treated as bills.

(b) An executive order proposing a change in the executive branch and requiring the force of law under § 23, art. III, of the state constitution shall be submitted to the presiding officer of each house on the day the house organizes. The legislature has 60 days of a regular session, or a full session if of shorter duration to disapprove the order. Unless disapproved by a special concurrent resolution introduced in either house, concurred in by a majority of the members in joint session, the order becomes effective at a date thereafter to be designated by the governor. An order submitted to but not disapproved by the legislature shall be published in the bound session laws and any codification of state law. (§ 41 ch 157 SLA 1959; am § 12 ch 47 SLA 1961)

Introduced: 2/11/83
Referred: Finance

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 HOUSE SPECIAL CONCURRENT RESOLUTION NO. 2
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 Disapproving Executive Order No. 53.

6 WHEREAS the governor, under authority of art. III, sec. 23, of the
7 Constitution of the State of Alaska, has proposed to merge the division of
8 budget and management and the division of policy development and planning,
9 including the latter's office of coastal management, into an office of
10 management and budget within the Office of the Governor by Executive Order
11 No. 53; and

12 WHEREAS the governor has submitted Executive Order No. 53 to the
13 presiding officer of each house of the legislature as required by AS 24.-
14 30.130(b); and

15 WHEREAS art. III, sec. 23, of the Constitution of the State of Alaska
16 provides that unless disapproved within 60 days of a regular session by
17 resolution concurred in by a majority of the members of the legislature in
18 joint session, an executive order becomes effective at a date thereafter
19 designated by the governor; and

20 WHEREAS it is not in the best interests of the state to merge the
21 division of budget and management and the division of policy development
22 and planning, including the latter's office of coastal management, into an
23 office of management and budget within the Office of the Governor as pro-
24 posed in Executive Order No. 53;

25 BE IT RESOLVED by the Alaska State Legislature that Executive Order
26 No. 53 is disapproved.

Introduced: 2/11/83
Referred: Finance

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BY THE FINANCE COMMITTEE

2

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 2

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRTEENTH LEGISLATURE - FIRST SESSION

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