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Official Business

# Alaska State Legislature

## Senate

Pouch V  
State Capitol  
Juneau, Alaska 99811

### Summary of CS SB 179 (Jud)

This bill will allow the commissioners of the principal departments of the state to delegate their membership on boards and commissions to high level subordinate employees. Delegation shall be to an equivalent of a division director, subject to approval by the Governor, and must be in writing. Delegation remains in effect until principal executive officer revokes it, resigns, or otherwise forfeits office.

The Judiciary CS adds a provision which allows the legislature to nullify a delegation by adopting a concurrent resolution within 30 days after the legislature is notified of the delegation.

#### Current Commissioners Responsibilities:

Commissioner Casey (5)  
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Commissioner Lind (3)  
Commissioner Lyon (11)  
Commissioner Neve (4)  
Commissioner Robison (2)  
Commissioner Rudd (3)  
Commissioner Smith (7)  
Commissioner Sundberg (5)  
Commissioner Wunnicke (7)

GMB

I. REQUEST

Bill/Resolution No.: SB 179  
Title: "An act relating to the delegation of  
Sponsor: Department head membership on boards.  
Requestor: Governor

II. FISCAL DETAIL

Agency Affected: A11  
Program Category Affected: A11  
BRU, Program of Subprogram(s) Affected: \_\_\_\_\_

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
CAPITAL		0	0	0	0	0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

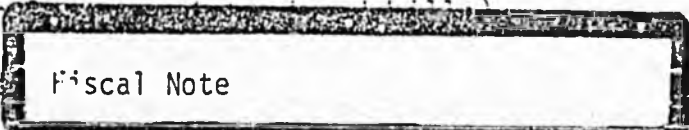
IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Jeff Morrison, Program Budget Analyst *JM*  
Division: OMB - Division of Budget Review  
Approved by Commissioner: *[Signature]*  
Department: *[Signature]*

Phone: 465-3568  
Date: March 8, 1983  
Date: 3/9/83

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for \_\_\_\_\_)
- Copy to Sponsor
- Copy to Requestor (if \_\_\_\_\_)



# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## OFFICE OF THE GOVERNOR

POUCH AM  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3568

### OFFICE OF MANAGEMENT AND BUDGET

#### POSITION PAPER

SB 179

#### A Bill Relating to the Delegation of Department Head Membership on Boards, Commissions, and Other Units of State Government

The Sheffield Administration supports this bill -- a bill which allows Commissioners to delegate their membership on boards and commissions to high-level subordinate employees.

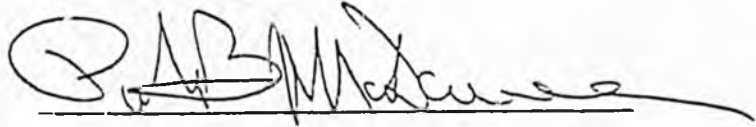
This bill would serve to clarify the management responsibilities of the heads of principal departments of the State. Present statutes provide that the heads of several principal departments must sit on many boards of the plethora of public agencies throughout the executive branch of government, in addition to serving as the chief executive officers (CEOs) of their respective agencies.

These provisions have created an anomalous situation that inhibits the ability of these key members of government to exercise either their duties as commissioners or board members. The statutes in question leave little room to allocate top management resources to these important functions. In fact, most of the public agency statutes require that important board memberships can only be filled from a group of fifteen (15) people.

Another effect of this severe limitation on the pool of talent available for boards has been the creation of single-deputy positions to assume CEO duties for principal departments. This creates an otherwise unnecessary layer of management that insulates the operational management of each agency from the line of accountability of top management. This insulation is not in the public interest.

It is in the public interest to ensure that government makes the best use of the abilities of the people who are appointed to manage the principal agencies.

Our laws must provide that the uppermost duty of the head of each department is to manage the affairs of that department. The laws should also provide that the many important public agencies directed by boards should benefit from access to the larger pool of top management talent presently available within the Alaska government.

A handwritten signature in dark ink, appearing to read "P. B. McDowell", written over a horizontal line.

Peter B. McDowell, Director  
Office of Management and Budget

March 30, 1983

Date

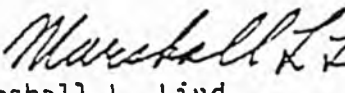
# MEMORANDUM

MEMORANDUM  
State of Alaska

TO: Peter B. McDowell, Director  
Office of Management and Budget  
Office of the Governor

DATE: March 18, 1983

FILE NO: 020.1

FROM:   
Marshall L. Lind  
Commissioner  
Department of Education

TELEPHONE NO: 455-2800

SUBJECT: Position Paper, SB 179

We concur with your position regarding Senate Bill 179, as expressed in the draft position paper.

# MEMORANDUM

# State of Alaska

TO: Peter McDowell, Director  
Office of Management and Budget  
Office of the Governor

DATE: March 25, 1983

FILE NO:

TELEPHONE NO:

FROM: Richard A. Lyon, Commissioner  
Department of Commerce and  
Economic Development

SUBJECT: SB 179 Delegation of  
membership on boards  
and commissions

SB 179 allows a commissioner, subject to the Governor's approval, to delegate his membership on a board, commission, public authority or other unit of State Government to a subordinate employee (director status or above). I agree with this proposal and request the Administration to support its passage.

RAL/mc5/12

# MEMORANDUM

State of Alaska

TO: Peter B. McDowell  
Director  
Office of Management & Budget

DATE: March 25, 1983

FILE NO:

TELEPHONE NO:

FROM: Esther C. Wunnicke *E.C.W.*  
Commissioner  
Department of Natural Resources

SUBJECT: SB 179

Thank you for inviting my comments on SB 179 and the draft position paper which you drafted.

I agree that SB 179 should be enacted into law, and, with one exception, I agree with the case you have so well presented for its enactment.

That part of the agreement with which I disagree is the assertion that it is the membership of Commissioners on boards which has led to the establishment of single-deputy positions. Given the range of Commissioner responsibilities to the Governor, to departmental employees, to legislators, and to the public, I think there are a multiplicity of reasons for the appointment of single deputy commissioners.

# MEMORANDUM

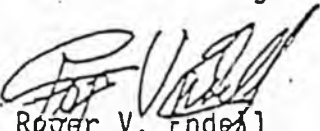
State of Alaska  
OFFICE OF  
MANAGEMENT & BUDGET

TO: Peter B. McDowell  
Director  
Office of Management & Budget

DATE: March 23, 1983  
MAR 25 1983

FILE NO: DIRECTOR

TELEPHONE NO: 465-3376

FROM:   
Roger V. Endell  
Director  
Division of Adult Corrections

SUBJECT: Senate Bill No. 179 and  
Draft Position Paper

Senate Bill No. 179 "An Act relating to the delegation of department head membership on boards, commissions, and other units of the state government," and the draft Position Paper has been reviewed. Adult Corrections is in agreement with the position that public agencies directed by boards would benefit from access to a larger pool of top management personnel.

RVE/AW/mjr

OFFICE OF  
MANAGEMENT & BUDGET  
MAR 29 1983  
STRATEGIC PLANNING

# MEMORANDUM

# State of Alaska

TO: The Cabinet

DATE: March 17, 1983

FILE NO:

TELEPHONE NO: 465-3568

SUBJECT: Draft SB 179 and  
Position Paper

FROM:

*[Handwritten signature]*  
 Peter B. McDowell  
 Director  
 Office of Management  
 and Budget

Attached for your review is a copy of SB 179 and a draft Position Paper on the bill. We request your comments and suggestions on the Position Paper.

Thank you.

*Peter,  
 I STRONGLY  
 CONCUR; WE'VE GOT  
 TO MUCH INFORMATION IF  
 STATE GOV & NOT ENOUGH!!  
 DETERMINATION!!  
 DAE*

RECEIVED

MAR 18 1983

DOT/PF  
COMMISSIONER'S OFFICE

# MEMORANDUM

State of Alaska

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

TO: Peter B. McDowell  
Director

DATE: March 23, 1983

Office of Management and Budget FILE NO:

TELEPHONE NO: 465-2600

FROM: Richard A. Neve' *RAN*  
Commissioner  
Environmental Conservation

SUBJECT: SB 179  
Position Paper

This department fully supports the draft position paper on SB 179 which you sent; for comment on March 17.

# MEMORANDUM

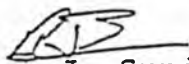
State of Alaska

TO: Peter B. McDowell  
Director  
Office of Management  
and Budget

DATE: March 23, 1983

FILE NO:

TELEPHONE NO: 465-4322

FROM:   
Robert J. Sundberg  
Commissioner  
Department of Public Safety

SUBJECT: Draft SB 179 and  
related position  
paper

The draft legislation and accompanying position paper were reviewed and I am in complete agreement. Passage of the legislation will be a godsend in allowing more time to manage the department.

OFFICE OF  
MANAGEMENT & BUDGET

MAR 29 1983

STRATEGIC PLANNING

# MEMORANDUM

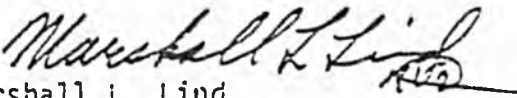
State of Alaska

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Office of Management and Budget  
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Marshall L. Lind  
Commissioner  
Department of Education

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We concur with your position regarding Senate Bill 179, as expressed in the draft position paper.

# MEMORANDUM

# State of Alaska

TO: Peter B. McDowell  
Director  
Office of Management  
and Budget

DATE: March 30, 1983

FILE NO:

*Robert London Smith*  
FROM: Robert London Smith, Ph.D.  
Commissioner  
Department of Health and  
Social Services

TELEPHONE NO: 465-3030

SUBJECT: Draft SB 179 and  
Position Paper

This is in reply to your memorandum of March 17, 1983 on the above subject. I fully concur with SB 179 and the draft position paper setting forth support for the Administration of that bill.



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The Judiciary CS adds a provision which allows the legislature to nullify a delegation by adopting a concurrent resolution within 30 days after the legislature is notified of the delegation.

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AMB

Summary of Judiciary Committee Sub.