

Introduced: 2/14/83
Referred: Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE LEGISLATIVE
BUDGET AND AUDIT COMMITTEE

1 IN THE HOUSE

2

HOUSE BILL NO. 198 am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to membership of the Legislative
7 Budget and Audit Committee, the Alaska Legislative
8 Council and to records of the legislative audit
9 division; and providing for an effective date."

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

11 * Section 1. AS 24.20.030(a) is amended to read:

12

(a) Members serve for the duration of the legislature during
13 which they are appointed [AND, IF THEY ARE REELECTED TO OR THEIR TERM
14 OF OFFICE EXTENDS INTO THE NEXT SUCCEEDING LEGISLATURE, CONTINUE TO
15 SERVE UNTIL REAPPOINTED OR THEIR SUCCESSORS ARE APPOINTED].

16

* Sec. 2. AS 24.20.171(a) is amended to read:

17

(a) The committee shall be organized within 15 days after the
18 organization of each legislature. Members serve for the duration of
19 the legislature during which they are appointed. [IF THEY ARE RE-
20 ELECTED OR THEIR TERM OF OFFICE EXTENDS INTO THE NEXT SUCCEEDING
21 LEGISLATURE, THEY CONTINUE TO SERVE UNTIL REAPPOINTED OR THE APPOINT-
22 MENT OF THEIR SUCCESSOR.]

23

* Sec. 3. AS 24.20.301(a) is amended to read:

24

(a) The legislative audit division shall keep a complete file of
25 all audit reports and other reports or releases issued by the divi-
26 sion, and a complete file of audit work papers and other related
27 supportive material. The division shall also keep a complete and
28 accurate record of all fiscal transactions involving the division.
29 Audit records are confidential and audit reports are confidential

1 unless the report has been approved for release under AS 24.20.311.

2 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-

3 10.070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 198

Title Relating to the membership of LB&A, and records of legis. audit div.
Requested by House Finance Committee Date 2/23/83

II. FISCAL DETAIL

Agency Affected Legislative Affairs Agency

Program Category Affected Legislature

BRU, Program, Or Subprogram(s) Affected LR&A Cmtee, Legis Audit Division

(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 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES		0	0	0	0	0
200 TRAVEL		0	0	0	0	0
300 CONTRACTUAL		0	0	0	0	0
400 COMMODITIES		0	0	0	0	0
500 EQUIPMENT		0	0	0	0	0
600 LAND & STRUCTURES		0	0	0	0	0
700 GRANTS, CLAIMS, ETC.		0	0	0	0	0
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME		0	0	0	0	0
PART TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

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

The legislation has no fiscal impact.

IV. DATE 2/23/83

PREPARED BY Rep. Al Adams

AGENCY House Finance Committee

Original: Legislative Finance

PHONE 465-3706

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

COMMITTEE REPORT
SENATE

FURTHER FINANCE

3/1/83

Date: 3/17/83

Mr. President:

The Committee on STATE AFFAIRS has had HB 198 am

Relating to membership of the Legislative Budget and Audit Committee, the Alaska Legislative Council and to records of the legislative audit division; eff. date

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

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

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tom Kelly

Arline Stungel

Patrick Bodney

Zero fiscal note
attached

William L. ...
CHAIRMAN

Introduced: 2/14/83
Referred: Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE LEGISLATIVE
BUDGET AND AUDIT COMMITTEE

1 IN THE HOUSE

2

HOUSE BILL NO. 198

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to membership of the Legislative
7 Budget and Audit Committee and to records of the
8 legislative audit division; and providing for an
9 effective date."

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

11 * Section 1. AS 24.20.171(a) is amended to read:

12 (a) The committee shall be organized within 15 days after the
13 organization of each legislature. Members serve for the duration of
14 the legislature during which they are appointed. [IF THEY ARE RE-
15 ELECTED OR THEIR TERM OF OFFICE EXTENDS INTO THE NEXT SUCCEEDING
16 LEGISLATURE, THEY CONTINUE TO SERVE UNTIL REAPPOINTED OR THE APPOINT-
17 MENT OF THEIR SUCCESSOR.]

18 * Sec. 2. AS 24.20.301(a) is amended to read:

19 (a) The legislative audit division shall keep a complete file of
20 all audit reports and other reports or releases issued by the divi-
21 sion, and a complete file of audit work papers and other related
22 supportive material. The division shall also keep a complete and
23 accurate record of all fiscal transactions involving the division.
24 Audit records are confidential and audit reports are confidential
25 unless the report has been approved for release under AS 24.20.311.

26 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
27 10.070(c).

STATE OF ALASKA

THE LEGISLATURE BUDGET AND AUDIT COMMITTEE

ROOM 508
CAPITOL BUILDING
POUCH V
JUNEAU, ALASKA 99811

907-465-3818
907-465-3810

DATE: February 24, 1983

TO: Rep. Al Adams, Chairman
House Finance Committee

FROM: Rep. Bob Bettisworth, Chairman *PAB*
Legislative Budget and Audit Committee

RE: HB 198: "An Act relating to membership of the Legislative Budget and Audit Committee and to records of the legislative audit division; and providing for an effective date."

I would like to express my appreciation to you and the House Finance Committee for taking the time to hear HB 198.

In an effort to effectuate the Legislative Budget and Audit Committee's responsibilities, I respectfully urge the Committee's approval of this bill.

This legislation is a direct result of the transitional problems the Legislative Budget and Audit Committee faced earlier this year, due to organizational problems in the other body. Two years hence, however, this same problem occurred due to organizational problems in the House.

The Legislative Budget and Audit Committee, being a permanent interim committee, with certain statutory mandates to uphold, will be greatly enhanced by this legislation. It will insure continuity in carrying out the Committee's responsibilities. By adopting this proposed amendment, there will be a definite date when the new Legislative Budget and Audit Committee members take on their respective responsibilities, resulting in the Committee's continuous operation.

The intent of incorporating the confidentiality language on lines 24 and 25, is to do just that. Audit records and reports are confidential until approved by the Committee. This amendment will provide a statutory mandate to uphold this recognized procedure.

Again, I respectfully urge the House Finance Committee's approval of H.B. 198.

SENATOR
ARLISS STURGULEWSKI

12957 SHELDON JACKSON
ANCHORAGE, ALASKA 99506
SENATE DISTRICT F, SEAT A

Alaska State Legislature




Senate

Chair in Juneau
POUCH V
JUNEAU, ALASKA 99811
(907) 465-3816

M E M O R A N D U M

February 22, 1983

TO: Representative Fob Bettisworth, Chairman
Legislative Budget and Audit Committee

FROM: Senator Arliss Sturgulewski 
Senate District F, Seat A

RE: HB 198 "An Act relating to membership of the Legislative Budget and Audit Committee and to records of the legislative audit division; and providing for an effective date."

I appreciate the fact that the Legislative Budget and Audit Committee has taken action to change the duration of the committee and to confine the committee members terms of office to the duration of the legislature in which they had been appointed. The present statute has created some difficulties. I recall that in 1981, the House did not organize until February 2 and the Legislative Budget and Audit Committee was not appointed on the House side until February 6. It was not until February 13 that a Committee meeting could be held and a new chair, in that instance myself, could be elected. You can well imagine that there was considerable confusion as to space allocations and Committee responsibilities during this in between time.

A similar circumstance arose during the current session. Although the statute is clear and there has been an Attorney General's opinion regarding the ongoing role of the Committee until such time as the reappointment or appointment of the committee members successors take place, considerable confusion has resulted from the current practice as set forth by statute. I strongly support the submission of your legislation. I think it will make future transition times much clearer. The one negative factor, of course, is in the event of delays in organizing that there would not be a chairman and a committee in place to conduct special needed business. However, since the legislature would be in session, alternative methods of solving emergency situations are certainly available.

I would like to bring to your attention another matter which has some bearing on the Legislative Budget and Audit Committee. It has to do

February 22, 1983

with the allocation of legislative space. Apparently through the years there have been various non-binding intent statements placed in the budget document that appear to give some authority to the Budget and Audit Committee and/or the Finance Committees to make space allocations. I did not feel that was appropriate and the Committee did not take any action to implement these non-binding intent statements. I do feel, in addition, that there is a major unresolved area between the Legislative Council and the Rules Committee as to space allocations that needs clarification. I am enclosing for your review a copy of a memo that speaks to this issue. I am also making a copy of this memo available to the Special Committee on Legislative Reform since I think this area of possible overlap and confusion is one they may wish to address.

Please contact me further if I can give you more information regarding the issue raised in HB 198.

Enclosure

HB 198 am "An Act relating to membership of the Legislative Budget and Audit Committee, the Alaska Legislative Council and to records of the legislative audit division; and providing for an effective date."

HOUSE ACTION

2-14-83 Introduced by the Rules Committee by request of the
Legislative Budget and Audit Committee
Referred: Finance

2-28-84 Finance DP09, NR01

2-28-84 Second Reading
Amendment No. 1 adopted by unanimous consent

2-28-84 Third Reading
Passed: 39-00-01

SENATE ACTION

3-01-83 First Reading
Referred: State Affairs, Finance

3-18-84 State Affairs: DP04

FISCAL NOTE: ZERO

SUMMARY

HB 198 am limits the terms of members appointed to the Legislative Budget and Audit Committee and the Alaska Legislative Council to the "...duration of the legislature during which they are appointed."

In addition, the bill specifies that audit records and reports be confidential unless the report has been approved for release by a majority of the committee (specified under AS 24.20.311).

5-23-84

STATE OF ALASKA

THE LEGISLATURE BUDGET AND AUDIT COMMITTEE

ROOM 508
CAPITOL BUILDING
POJCH V
JUNEAU, ALASKA 99811

907-465-3818
907-465-3810

DATE: February 24, 1983

TO: Rep. Al Adams, Chairman
House Finance Committee

FROM: Rep. Bob Bettisworth, Chairman *PAB*
Legislative Budget and Audit Committee

RE: FB 198: "An Act relating to membership of the Legislative Budget and Audit Committee and to records of the legislative audit division; and providing for an effective date."

I would like to express my appreciation to you and the House Finance Committee for taking the time to hear HB 198.

In an effort to effectuate the Legislative Budget and Audit Committee's responsibilities, I respectfully urge the Committee's approval of this bill.

This legislation is a direct result of the transitional problems the Legislative Budget and Audit Committee faced earlier this year, due to organizational problems in the other body. Two years hence, however, this same problem occurred due to organizational problems in the House.

The Legislative Budget and Audit Committee, being a permanent interim committee, with certain statutory mandates to uphold, will be greatly enhanced by this legislation. It will insure continuity in carrying out the Committee's responsibilities. By adopting this proposed amendment, there will be a definite date when the new Legislative Budget and Audit Committee members take on their respective responsibilities, resulting in the Committee's continuous operation.

The intent of incorporating the confidentiality language on lines 24 and 25, is to do just that. Audit records and reports are confidential until approved by the Committee. This amendment will provide a statutory mandate to uphold this recognized procedure.

Again, I respectfully urge the House Finance Committee's approval of H.B. 198.

HOUSE BILL NO. 198am - "An Act relating to membership of the Legislative Budget and Audit Committee, the Alaska Legislative Council and to records of the Legislative Audit Division; and providing for an effective date."

HOUSE: 2-04-83 - 1st reading
2-28-83 - House Finance [DP09/NR01 (Zharoff)]
2-28-83 - 2nd & 3rd reading - Passes House, Unanimous consent

SENATE: 3-01-83 - 1st reading
3-18-83 - Senate State Affairs - Passes [DP04]

Ø statement of fiscal impact

HB 198 by the Rules Committee by the request of the Budget and Audit Committee - relates to membership of the Legislative Budget and Audit Committee and the Legislative Council, providing members serve for the duration of the legislature during which they are appointed. The law currently provides that members serve for the duration of the legislature during which they are appointed & that a member who is reelected or whose term of office extends into the next succeeding legislature continues to serve until reappointed or until the appointment of their successor.

The bill also amends the section relating to records of the Legislative Audit Division, by adding that audit records are confidential and audit reports are confidential unless the report has been approved for release under AS 24.20.311 (Reports, "...Reports shall be approved by a majority of the [Legislative Budget & Audit] committee before their release and shall be open to public inspection after their release to the legislature.")

Provides Act takes effect immediately.

ATTACHED: Memorandum dated 2-22-83 from Senator Sturgulewski to Representative Bettisworth

Memorandum dated 2-24-83 from Representative Bettisworth to Representative Adams

STATE OF ALASKA

THE LEGISLATURE BUDGET AND AUDIT COMMITTEE

ROOM 508
CAPITOL BUILDING
POUCH V
JUNEAU, ALASKA 99811

907-465-3818
907-465-3810

DATE: February 24, 1983

TO: Rep. Al Adams, Chairman
House Finance Committee

FROM: Rep. Bob Bettisworth, Chairman *RBB*
Legislative Budget and Audit Committee

RE: HB 198: "An Act relating to membership of the Legislative Budget and Audit Committee and to records of the legislative audit division; and providing for an effective date."

I would like to express my appreciation to you and the House Finance Committee for taking the time to hear HB 198.

In an effort to effectuate the Legislative Budget and Audit Committee's responsibilities, I respectfully urge the Committee's approval of this bill.

This legislation is a direct result of the transitional problems the Legislative Budget and Audit Committee faced earlier this year, due to organizational problems in the other body. Two years hence, however, this same problem occurred due to organizational problems in the House.

The Legislative Budget and Audit Committee, being a permanent interim committee, with certain statutory mandates to uphold, will be greatly enhanced by this legislation. It will insure continuity in carrying out the Committee's responsibilities. By adopting this proposed amendment, there will be a definite date when the new Legislative Budget and Audit Committee members take on their respective responsibilities, resulting in the Committee's continuous operation.

The intent of incorporating the confidentiality language on lines 24 and 25, is to do just that. Audit records and reports are confidential until approved by the Committee. This amendment will provide a statutory mandate to uphold this recognized procedure.

Again, I respectfully urge the House Finance Committee's approval of H.B. 198.

SENATOR
ARLISS STURGULEWSKI

2957 SHELDON JACKSON
ANCHORAGE, ALASKA 99506
SENATE DISTRICT F, SEAT A

Alaska State Legislature



Senate

White or Juneau
POUCH V
JUNEAU, ALASKA 99801
(907) 465-3818

MEMORANDUM

February 22, 1983

TO: Representative Bob Bettisworth, Chairman
Legislative Budget and Audit Committee

FROM: Senator Arliss Sturgulewski *AS*
Senate District F, Seat A

RE: HB 198 "An Act relating to membership of the Legislative Budget and Audit Committee and to records of the legislative audit division; and providing for an effective date."

I appreciate the fact that the Legislative Budget and Audit Committee has taken action to change the duration of the committee and to confine the committee members terms of office to the duration of the legislature in which they had been appointed. The present statute has created some difficulties. I recall that in 1981, the House did not organize until February 2 and the Legislative Budget and Audit Committee was not appointed on the House side until February 6. It was not until February 13 that a Committee meeting could be held and a new chair, in that instance myself, could be elected. You can well imagine that there was considerable confusion as to space allocations and Committee responsibilities during this in between time.

A similar circumstance arose during the current session. Although the statute is clear and there has been an Attorney General's opinion regarding the ongoing role of the Committee until such time as the reappointment or appointment of the committee members successors take place, considerable confusion has resulted from the current practice as set forth by statute. I strongly support the submission of your legislation. I think it will make future transition times much clearer. The one negative factor, of course, is in the event of delays in organizing that there would not be a chairman and a committee in place to conduct special needed business. However, since the legislature would be in session, alternative methods of solving emergency situations are certainly available.

I would like to bring to your attention another matter which has some bearing on the Legislative Budget and Audit Committee. It has to do

with the allocation of legislative space. Apparently through the years there have been various non-binding intent statements placed in the budget document that appear to give some authority to the Budget and Audit Committee and/or the Finance Committees to make space allocations. I did not feel that was appropriate and the Committee did not take any action to implement these non-binding intent statements. I do feel, in addition, that there is a major unresolved area between the Legislative Council and the Rules Committee as to space allocations that needs clarification. I am enclosing for your review a copy of a memo that speaks to this issue. I am also making a copy of this memo available to the Special Committee on Legislative Reform since I think this area of possible overlap and confusion is one they may wish to address.

Please contact me further if I can give you more information regarding the issue raised in HB 198.

Enclosure