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COMMITTEE REPORT

SENATE

3/15/63

FURTHER:

Date: 3/15/63

Mr. President:

The Committee on Judiciary

has had 41-177

Relative to the delimitation of department head membership
of boards, commissions, and other units of the state government.

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 SP 177, 178, 179

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:

CHAIRMAN

ALASKA STATE LEGISLATURE - SENATE

SENATOR RICHARD I. ELIASON

April 15

LABOR AND COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
JUDICIARY COMMITTEE
FISHERIES SUB-COMMITTEE



P.O. BOX 143
SITKA, ALASKA 99835
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4916

MEMORANDUM

TO: Senator Bill Ray, Chair
Senate Judiciary Committee

FROM: Senator Dick Eliason *Dick*

DATE: March 31, 1983

RE: SB 179---"An Act relating to the delegation of department head memberships on boards, commissions, and other units of the state government."

As requested, I reviewed the above-referenced bill and I am now reporting my findings to you.

Senate Bill 179, introduced by Senator Mulcahy, would allow Commissioners to delegate their membership on boards and commissions to high-level subordinate employees. This legislation has the support of the Sheffield administration, as evidenced by the enclosed position paper by Peter Mc Dowell, Director, OMB.

Senator Mulcahy and Peter McDowell have expressed their desire to testify before the Judiciary Committee.

Enclosures

asey	Dan	Comm.	Coastal Policy Council			FD
asey	Dan	Comm.	Geographic Board			
asey	Dan	Comm.	Power Authority	03/01/18		FD
asey	Dan	Comm.	Rural Development Council			
asey	Dan	Comm.	Transportation Safety			
ollinsworth	Don	Comm.	Coastal Policy Council			FD
ollinsworth	Don	Comm.	Fisheries Board	03/02		FD LC
ollinsworth	Don	Comm.	Game Board	03/02		FD LC
ollinsworth	Don	Comm.	Pacific Marine Fisheries		84/10/03	
ollinsworth	Don	Comm.	Wood-Tikchik State Park			
each	Robert	Comm.	Housing Finance	03/01/24		FD
each	Robert	Comm.	Industrial Development			
each	Robert	Comm.	Medical Facilities			FD
each	Robert	Comm.	Municipal Bond Bank			FD
each	Robert	Comm.	Permanent Fund Corporation	03/01/18		FD
each	Robert	Comm.	Royalty Oil & Gas			FD
ewis	Mark	Comm.	Coastal Policy Council			FD
ewis	Mark	Comm.	Geographic Board			
ewis	Mark	Comm.	Industrial Development	02/12/17	84/07/01	
ewis	Mark	Comm.	Medical Facilities			FD
ewis	Mark	Comm.	Municipal Bond Bank			FD
ewis	Mark	Comm.	Older Alaskans Commission			
ewis	Mark	Comm.	Rural Development Council			
ind	Marshall	Comm.	Domestic Violence			FD
ind	Marshall	Comm.	Educational Commission			
ind	Marshall	Comm.	Geographic Board			
von	Richard	Comm.	Agricultural Action	03/01/03		FD
von	Richard	Comm.	Coastal Policy Council			FD
von	Richard	Comm.	Housing Authority			FD
von	Richard	Comm.	Housing Finance	03/01/13		FD
von	Richard	Comm.	Industrial Development			
von	Richard	Comm.	International Trade			
von	Richard	Comm.	Marine Pilots			LC
von	Richard	Comm.	Power Authority	03/01/18		FD
von	Richard	Comm.	Royalty Oil & Gas			FD
von	Richard	Comm.	Rural Development Council			
von	Richard	Comm.	Science & Technology		03/10/03	
edowell	Peter	Director	Power Authority	03/01/18		FD
eve	Richard	Comm.	Agricultural Action	03/01/13		FD
eve	Richard	Comm.	Coastal Policy Council			FD
eve	Richard	Comm.	Water & Wastewater Works			
eve	Richard	Comm.	Water Resources Board			
obison	Jim	Comm.	Fishermen's Fund Advisory			FD

LAST NAME	FIRST	TITLE	BOARD	APPT	TERM	FD	LC
Robison	Jim	Comm.	Worker's Compensation			FD	LC
Redd	Lisa	Comm.	Correctional Industries				
Redd	Lisa	Comm.	Housing Finance	03/01/13	04/07/01	FD	
Redd	Lisa	Comm.	Older Alaskans Commission				
Rhith	Robert	Comm.	Administration of Justice			FD	
Rhith	Robert	Comm.	Controlled Substances				
Rhith	Robert	Comm.	Correctional Industries				
Rhith	Robert	Comm.	Domestic Violence			FD	
Rhith	Robert	Comm.	Medical Facilities			FD	
Rhith	Robert	Comm.	Older Alaskans Commission				
Rhith	Robert	Comm.	Transportation Safety				
Randberg	Robert	Comm.	Administration of Justice			FD	
Randberg	Robert	Comm.	Controlled Substances				
Randberg	Robert	Comm.	Domestic Violence			FD	
Randberg	Robert	Comm.	Police Standards Council				
Randberg	Robert	Comm.	Transportation Safety				
Rannicke	Esther	Comm.	Agricultural Action	03/02/28	06/06/30	FD	
Rannicke	Esther	Comm.	Coastal Policy Council			FD	
Rannicke	Esther	Comm.	Geographic Board				
Rannicke	Esther	Comm.	Power Authority	03/01/10		FD	
Rannicke	Esther	Comm.	Royalty Oil & Gas			FD	
Rannicke	Esther	Comm.	Water Resources Board				
Rannicke	Esther	Comm.	Wood-Tikchik State Park				

DATE	LAST NAME	FIRST	TITLE	APPT	PERM	FD	LC
	Smith	Robert	Comm.			FD	
	Sundberg	Robert	Comm.			FD	
	Lyon	Richard	Comm.	83/01/03		FD	
	Neve	Richard	Comm.	83/01/13		FD	
	Wunnicke	Esther	Comm.	83/02/28	86/06/30	FD	
	Casey	Dan	Comm.			FD	
	Collinsworth	Don	Comm.			FD	
	Lewis	Mark	Comm.			FD	
	Lyon	Richard	Comm.			FD	
	Neve	Richard	Comm.			FD	
	Wunnicke	Esther	Comm.			FD	
	Smith	Robert	Comm.				
	Sundberg	Robert	Comm.				
	Rudd	Lisa	Comm.				
	Smith	Robert	Comm.				
	Lind	Marshall	Comm.			FD	
	Smith	Robert	Comm.			FD	
	Sundberg	Robert	Comm.			FD	
	Lind	Marshall	Comm.				
	Collinsworth	Don	Comm.	83/02		FD	LC
	Robison	Jim	Comm.			FD	
	Collinsworth	Don	Comm.	83/02		FD	LC
	Casey	Dan	Comm.				
	Lewis	Mark	Comm.				
	Lind	Marshall	Comm.				
	Wunnicke	Esther	Comm.				
	Lyon	Richard	Comm.			FD	
	Heath	Robert	Comm.	83/01/24		FD	
	Lyon	Richard	Comm.	83/01/13		FD	
	Rudd	Lisa	Comm.	83/01/13	84/07/01	FD	
	Heath	Robert	Comm.				
	Lewis	Mark	Comm.	82/12/17	84/07/01		
	Lyon	Richard	Comm.				
	Lyon	Richard	Comm.				
	Lyon	Richard	Comm.				LC
	Heath	Robert	Comm.			FD	
	Lewis	Mark	Comm.			FD	
	Smith	Robert	Comm.			FD	
	Heath	Robert	Comm.			FD	
	Lewis	Mark	Comm.			FD	
	Lewis	Mark	Comm.				
	Rudd	Lisa	Comm.				
	Smith	Robert	Comm.				

Pacific Marine Fisheries	Collinsworth	Don	Comm.		04/10/03	
Permanent Fund Corporation	Heath	Robert	Comm.	03/01/18		FD
Alaska Standards Council	Sundberg	Robert	Comm.			
Water Authority	Casey	Dan	Comm.	03/01/18		FD
Water Authority	Lyon	Richard	Comm.	03/01/18		FD
Water Authority	McDowell	Peter	Director	03/01/18		FD
Water Authority	Wunnicke	Esther	Comm.	03/01/18		FD
Arctic Oil & Gas	Heath	Robert	Comm.			FD
Arctic Oil & Gas	Lyon	Richard	Comm.			FD
Arctic Oil & Gas	Wunnicke	Esther	Comm.			FD
Arctic Development Council	Casey	Dan	Comm.			
Arctic Development Council	Lewis	Mark	Comm.			
Arctic Development Council	Lyon	Richard	Comm.			
Science & Technology	Lyon	Richard	Comm.		03/10/03	
Transportation Safety	Casey	Dan	Comm.			
Transportation Safety	Smith	Robert	Comm.			
Transportation Safety	Sundberg	Robert	Comm.			
Water & Wastewater Works	Neve	Richard	Comm.			
Water Resources Board	Neve	Richard	Comm.			
Water Resources Board	Wunnicke	Esther	Comm.			
Wood-Tikchik State Park	Collinsworth	Don	Comm.			
Wood-Tikchik State Park	Wunnicke	Esther	Comm.			
Worker's Compensation	Robison	Jim	Comm.			FD IC

STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET

BILL SHEFFIELD, GOVERNOR

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

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.

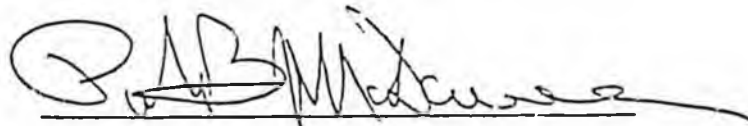
This bill would serve to clarify the management responsibilities of the heads of principal departments of the State. Present statutes provide that the heads of several principal departments must sit on many boards of the plethora of public agencies throughout the executive branch of government, in addition 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 "Peter B. McDowell", written over a horizontal line.

Peter B. McDowell, Director
Office of Management and Budget

March 30, 1983

Date

I. REQUEST

Bill/Resolution No.:
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* Phone: 465-3568
 Division: OMB - Division of Budget Review Date: March 8, 1983
 Approved by Commissioner: *[Signature]* Date: 3/9/83
 Department: *[Signature]*

Distribution:

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

MEMORANDUM

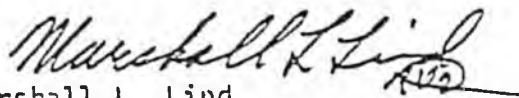
State of Alaska

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

DATE: March 18, 1983

FILE NO: 020.1

TELEPHONE NO: 455-2800

FROM: 
Marshall L. Lind
Commissioner
Department of Education

SUBJECT: Position Paper, SB 179

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

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

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

DATE: March 25, 1983

FILE NO:

TELEPHONE NO:

FROM: Esther C. Wunnicke *EWC*
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

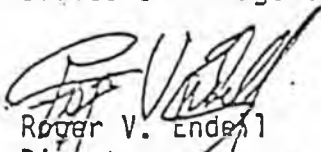
State of Alaska
MANAGEMENT & BUDGET

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. Enders
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

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

SUBJECT: Draft SB 179 and
Position Paper

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
STATE GOV
& NOT ENOUGH
DELEGATION!!
DAN*

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.

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

FROM: 
Robert J. Sundberg
Commissioner
Department of Public Safety

DATE: March 23, 1983

FILE NO:

TELEPHONE NO: 465-4322

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

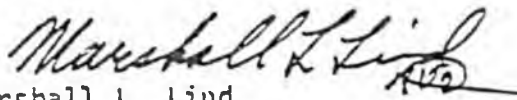
State of Alaska

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

DATE: March 18, 1983

FILE NO: 020.1

TELEPHONE NO: 455-2800

FROM: 
Marshall L. Lind
Commissioner
Department of Education

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 B. McDowell
Director
Office of Management
and Budget

DATE: March 30, 1983

FILE NO:

TELEPHONE NO: 465-3030

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

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.

