

**HOUSE
COMMITTEE REPORT**

(11)

Date referred: 4/3/86

FURTHER REFERRALS:

DATE: 4-14-86

The FINANCE Committee has considered HB 601

"An Act abolishing inactive boards, councils, commissions, and centers."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with _____ same title
- _____ new title

and recommends _____

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note 4-12-86 New

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Albert B. Adams
Mike Szumowski
Jim Duncan
Ronald G. Turner
Pat Fournier
Rich Bell (DO PASS)
Steve Rieger
[Signature]
[Signature]
Jim Galt

Albert B. Adams
Chairman

Introduced: 2/14/86
Referred: State Affairs
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 601

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act abolishing inactive boards, councils, com-
7 missions, and centers."

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

9 * Section 1 AS 44.99.001 is amended to read:

10 Sec. 44.99.001. ADMINISTRATION OF HIGHWAY SAFETY PROGRAM. The
11 governor may contract and do all other things necessary on behalf of
12 this state under 23 U.S.C. sec. 401 -- 404 (Highway Safety Act of
13 1966), and may cooperate with interested persons and agencies to
14 effectuate the purposes of that Act. The governor may designate a
15 person to serve as the governor's highway safety representative;
16 however, the governor is the official in this state having the ulti-
17 mate responsibility for dealing with the federal government with
18 respect to programs and activities under the Federal Highway Safety
19 Act of 1966. The governor shall coordinate the activities relating to
20 highway safety of state departments, agencies, and subdivisions [AND
21 OF THE GOVERNOR'S COMMISSION ON TRANSPORTATION SAFETY ESTABLISHED IN
22 AS 44.19.190].

23 * Sec. 2. AS 44.19.064 -- 44.19.072; 44.19.131 -- 44.19.140; 44.19.190
24 -- 44.19.192; AS 44.27.050(5); AS 44.33.020(23); 44.33.190 -- 44.33.230;
25 44.33.401 -- 44.33.430; AS 44.47.160 -- 44.47.190; AS 44.66.010(a)(9); and
26 AS 46.12 are repealed.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 601
 Title : Abolishing Boards and Commissions.

Sponsor : Governor
 Requestor : House Finance Committee
 Date of Request : 4/12/86

FISCAL DETAIL

Agency Affected : Department of Public Safety
BRM: Dept. Comm. Reg. Affairs, DOT&PF and
Dept. Commerce & Economic Development

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-	-0-	-0-	-0-	-0-
TRAVEL		-0-	-0-	-0-	-0-	-0-
CONTRACTUAL		-0-	-0-	-0-	-0-	-0-
SUPPLIES		-0-	-0-	-0-	-0-	-0-
EQUIPMENT		-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS		-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS		-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL		-0-	-0-	-0-	-0-	-0-
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REVENUE		-0-	-0-	-0-	-0-	-0-
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FUNDING : (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS		-0-	-0-	-0-	-0-	-0-
OTHER		-0-	-0-	-0-	-0-	-0-
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

None of these Boards have received any funding recently, so there is no savings from passage of this bill.

Prepared by : Representative Al Adams - Chairman Phone : 465-3706
 Division : House Finance Committee Date : 4/12/86

Approved by Commissioner : _____ Date : _____
 Agency : _____

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 14, 1986

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill abolishing seven non-functional boards, councils, commissions, and centers. The repealers in sec. 2 are the heart of this bill and sec. 1 makes an amendment to correspond with one of the repeals.

Two years ago, the Office of the Governor conducted an inventory of all state boards and commissions. Several of these entities were determined to be nonfunctional, and the following require legislative action to repeal statutes: (1) Alaska International Development Commission (AS 44.19.064 -- 44.19.072); (2) Governor's Commission on the Administration of Justice (AS 44.119.110 -- 44.19.122), which is dealt with separately in HB 183 introduced last year at my request; (3) Commission on the Conference of the Law of the Sea (AS 44.19.131 -- 44.19.140); (4) Governor's Commission on Transportation Safety (AS 44.19.192); (5) Tourism Advisory Board (AS 44.33.230); (6) Advisory Council on Cultural Facilities (AS 44.33.401 -- 44.33.430); (7) Rural Development Council (AS 44.47.160 -- 44.47.190); and (8) the Alaska Energy Center (AS 46.12).

All of these entities are considered nonfunctional for one or more of the following reasons:

1. their function has been absorbed by another entity;
2. they have lacked funding by legislative appropriations more than two years in a row;

3. the specific need for which they were established no longer exists.

Despite their dormant status, these entities all continue to exist on the pages of the Alaska Statutes. The purpose of this bill is to officially abolish these entities and repeal the statutes governing their operation. The cultural facilities development fund, AS 44.33.401 -- 44.33.417, which was to be handled by the Advisory Council on Cultural Facilities, is also repealed, as are references to the council in AS 44.27.050(5), and to the fund in AS 44.33.020(23). No money has ever been appropriated to the fund, and no grants have ever been awarded from it. In addition, a reference to the Rural Development Council in AS 44.66.010(a)(9) is repealed.

I urge your prompt and favorable action on this measure, to clean up the statutes and to clear up public confusion about these entities.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

BILL SHEFFIELD, GOVERNOR

REPLY TO:

1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-1568

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

March 17, 1986

MAR 17 1986

The Honorable Katie Hurley
Chair, House State Affairs
Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Re: HB 601 (Abolishing inactive
state entities)

Dear Representative Hurley:

At the hearing last week on this bill, your committee requested more information about the inactive entities which would be formally abolished by the repeal of their respective authorizing statutes in section 2 of the bill. On March 11, I provided your staff a February 20, 1985 letter to you from Carol Derfner, former special assistant to the governor for Boards and Commissions concerning HB 122, the predecessor of HB 601. A copy of that letter is also enclosed with this letter. It provides some specific information on six of the seven entities dealt with in HB 601 along with information on the Governor's Commission on the Administration of Justice which is dealt with separately in HB 183.

The Alaska Energy Center (AS 46.12) is the one additional entity that would be formally abolished by HB 601 but which was not mentioned in the February, 1985 letter because it was not included in HB 122. The center was established in 1980 and disbanded in 1982 and has not been funded since. The Department of Commerce and Economic Development, which had responsibility for the wind-down of the center, has recommended that AS 46.12 be repealed now that the last residual court case related to it has been decided by the Alaska Supreme Court. Zerbetz v. Alaska Energy Center, 708 P.2d 1270 (Alaska 1985), concerning the employment contract of the former executive director of the short-lived center, was, for the most part, resolved by the Alaska Supreme Court's May 10, 1985 decision. The center has not been funded since 1980 and the remainder of that appropriation was transferred to the Department of Commerce and Economic Development in 1981 "to be used only to complete projects to pay overhead expenses" (sec. 20, ch. 82, SLA 1981).

Honorable Katie Hurley
Chair, House State Affairs Committee
Alaska State Legislature
Re: HB 601

March 17, 1986
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A summary of all seven entities which would be formally abolished by sec. 2 of HB 601, along with the statutes to be repealed and the reasons, follows:

- (1) Alaska International Development Commission.
 - AS 44.19.131 -- AS 44.19.072.
 - Functions absorbed by Department of Commerce and Economic Development, Department of Natural Resources and Governor's Office.
 - No appropriation since at least FY 1975.
- (2) Commission of the Conference of the Law of the Sea.
 - AS 44.19.131 -- AS 44.19.140.
 - Functions absorbed by Department of Fish and Game and Governor's Office.
 - No appropriation since FY 1981.
- (3) Governor's Commission of Transportation Safety.
 - AS 44.19.190 -- AS 44.19.192 (and mentioned in AS 44.99.001).
 - Functions absorbed by Department of Public Safety.
 - Never funded since creation in FY 1982.
- (4) Tourism Advisory Board.
 - AS 44.33.190 -- AS 44.33.230.
 - Functions absorbed by Department of Commerce and Economic Development, Department of Natural Resources and Governor's Office.
 - No appropriation since at least FY 1981.
- (5) Advisory Council of Cultural Facilities.
 - AS 44.33.401 -- AS 44.33.430.
 - Function accomplished.
 - No appropriation since FY 1980.
- (6) Rural Development Council.
 - AS 44.47.160 -- AS 44.47.190.
 - Functions absorbed by Department of Community and Regional Affairs and Governor's Office.
 - No appropriation since FY 1982.
- (7) Alaska Energy Center.
 - AS 46.12
 - Functions absorbed by Department of Commerce and Economic Development, Department of Community and Regional Affairs.
 - No appropriation since FY 1980.

Honorable Katie Hurley
Chair, House State Affairs Committee
Alaska State Legislature
Re: HB 601

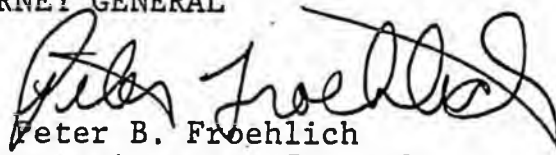
March 17, 1986
Page 3

The reason for the repeal of the statutes creating the defunct entities is to eliminate confusion and to conform the codified Alaska statutes with the reality established by the lack of appropriation by the legislature. According to the inventory conducted by the Governor's Office in 1983 there were 124 Boards and Commissions "on the books." Passage of this bill is a necessary step in the effort to weed out those unnecessary and unfunded entities whose functions have either been absorbed by other agencies or accomplished.

Please let me know if I can provide further information or assistance concerning this bill.

Sincerely yours,

HAROLD M. BROWN
ATTORNEY GENERAL

By: 
Peter B. Froehlich
Assistant Attorney General

HMB:PBF:cck

Enclosure

cc w/o enc.:

Hon. Loren Lounsbury, Commissioner
Dept. of Commerce & Economic Development

Hon. Emil Notti, Commissioner
Dept. of Community & Regional Affairs

Hon. Richard Knapp, Commissioner
Dept. of Transportation and Public Facilities

Hon. Robert Sundberg, Commissioner
Dept. of Public Safety

Barbara Dale, Special Assistant for
Boards & Commissions
Office of the Governor

BILL SHEFFIELD
GOVERNOR



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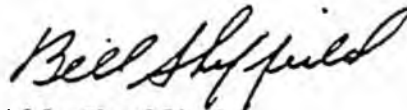
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