

SB

292



# STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

## LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

Joint H+S C+RA	1-26-88	3:40 p.m.
Senate C+RA	1-26-88	4:25 p.m.
House C+RA	5-4-88	3:00 p.m.



# HOUSE COMMITTEE REPORT

(5)

Date referred: 5/3/88

FURTHER REFERRALS: Finance

DATE: 5-4-88

The Community and Regional Affairs Committee has considered CSSB 292(C&RA)am

"An Act authorizing compensation for members of the state Local Boundary Commission; and providing for an effective date."

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

*Heinrich Springer* Springer \_\_\_\_\_

*James Zawacki* Zawacki \_\_\_\_\_

*John Lato* Lato \_\_\_\_\_

*John Collins* Collins \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Heinrich Springer*  
Springer  
Chairman's signature

## File Contents

### CSSB 292(CRA)am - Boundary Commission Compensation

<u>No.</u>	<u>Description</u>
1.	Bill - CSSB 292(CRA)am
1.1	Fiscal Note (impact) - DCRA, LBC
2.	Bill Review - Fischbach
3.	Original SB 292 + changes
4.	Memo - to Eliason from Sturgulewski, 4/18/88
5.	Chart - Compensation to Boards and Commissions
6.	Old Fiscal Note (before deletion of travel time) DCRA
7.	Bill History
8.	Minutes, 1/26/88, Jt H & S CRA meeting on LBC
9.	Draft Senate CRA Minutes, 1/26/88, SB 292 hearing
10.	EXCERPT, Senate Finance Minutes, 3/28/88

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

**(1.1)** CSSB 292 (CRA) am  
BILL VERSION: CSSB 292 (CRA) am  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: 5/4/88  
Title: "An act authorizing compensation for members of state LBC"  
Sponsor: C&RA Committee  
Requestor: \_\_\_\_\_

Agency Affected: Community & Regional Affairs  
BRU: Local Government Assistance  
Components: Local Boundary Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		12.75	12.75	12.75	12.75	12.75
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		12.75	12.75	12.75	12.75	12.75

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		12.75	12.75	12.75	12.75	12.75
FEDERAL FUNDS						
OTHER						
TOTAL		12.75	12.75	12.75	12.75	12.75

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

This fiscal note assumes 17 days per year qualifying for payment for five LBC members at \$150 per day.

Prepared by: Jim Plasman, Deputy Director  
Division: Municipal & Regional Assistance

Phone: 465-4750  
Date: 5/4/88

Approved by Commissioner: [Signature]  
Agency: Community & Regional Affairs

Date: 5/4/88

Distribution (by preparer):

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



# Alaska State Legislature

## House of Representatives

### Committee on Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4833

#### M E M O R A N D U M

To: House CRA Committee Members  
From: HCRA Staff *3*  
Date: May 4, 1988  
Subject: Bill Review - CSSB 292 (CRA) am

This bill authorizes members of the Local Boundary Commission (LBC) to receive compensation for service on the Commission.

The Dept. of Community and Regional Affairs (DCRA) supports the LBC and the concept of the legislation, but does not support CSSB 292 (CRA) am because the funding is not included in the Governor's budget.

After introduction of the original SB 292, the Senate CRA Committee added an effective date of July 1, 1988, and on the Senate floor, it was amended to limit compensation to meeting time only (travel time was deleted). The deletion of travel time lowered the Fiscal Note from 18.75 to 12.75.

HCRA Committee members heard some testimony previously, at the Joint House and Senate CRA meeting on Jan. 26, 1988, on the LBC. The Senate heard SB 292 following the Joint meeting that day (minutes attached).

*original bill - SB 292  
+ changes*

1 IN THE SENATE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

2

SENATE BILL NO. 292

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act authorizing compensation for members of the  
7 state Local Boundary Commission."

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

9 \* Section 1. AS 44.47.579 is repealed and reenacted to read:

10 Sec. 44.47.579. COMPENSATION AND EXPENSES. A member of the  
11 Local Boundary Commission is entitled to compensation at a rate of  
12 \$150 for each day the member is attending a meeting of the commission  
13 ~~or in travel to or from the meeting.~~ A member is also entitled to  
14 receive per diem and travel expenses authorized for members of boards  
15 and commissions under AS 39.20.180.

~~Sec. 2 This Act takes effect July 1 1988~~

*deleted by Senate floor amendment 5/2/88*

*added by (S) CRA 1/28/88*

SENATOR  
ARLISS STURGULEWSKI

Chairman, Senate Community and Regional Affairs Committee  
Vice-Chairman, Senate Judiciary Committee  
Member, Senate Resources Committee



2937 SHELDON JACKSON STREET  
ANCHORAGE, ALASKA 99508

While in Juneau  
P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3818

## Senate

April 18, 1988

TO: Senator Eliason

FROM: Senator Sturgulewski (D)

RE: SB 292 "An Act authorizing compensation for members of the State Local Boundary Commission."

SB 292 authorizes Local Boundary Commission Members to receive compensation for their service on the commission. The constitutional framers recognized the importance of the LBC by providing for it in the constitution.

LBC decisions affect the distribution of millions of dollars of state assistance, require travel to remote areas, extensive homework, and if they are not made properly, they leave the state vulnerable to lawsuit. Members of many other boards and commissions receive compensation for their service.

I have attached a copy of the bill, the fiscal note, and the bill history. I urge your consideration for calendaring for Senate action. Thank you.

BOARDS & COMMISSIONS WITH COMPENSATION OTHER THAN STANDARD TRAVEL & PER DIEM

<u>Board/Commission Name</u>	<u># Members</u>	<u># Meetings</u>	<u>Compensation</u>
Commercial Fisheries Entry Commission	3	120	Salaried
Commercial Fishing & Agricultural Bank	7	11, (22Day)	\$250/Day Max.
Disability Review Board, Pub. Emp & Teachers	5	Call-Chair	Hourly Comp.
Fisheries, Board of (met 43 days in 1987)	7	6	\$150/Day-Reg. \$100/Day-Other
Game, Board of (met 35 days in 1987)	7	2	\$150/Day-Reg. \$100/Day-Other
Historical Records Advisory Board, State	7	3	Fed. Funding
Housing Finance Corporation, AK	5	16	\$100/Day
Industrial Development & Export Authority, AK	5	26	\$100/Day
Medical Indemnity Corporation of Alaska	9	4 30Day	Necessary Expenses
Municipal Bond Bank Authority, Alaska	5	5	Actual Expenses
Occupational Safety & Health Review Board	3	2 6Day	\$50/Day
Oil & Gas Conservation Commission, Alaska	3	N/A	Salaried
Parole, State Board of	5	4 Min.	Set by Governor
Permanent Fund Corporation Board of Trustees	6	7 40Day	\$400/Day
Pharmacy, Board of	7	3 9Day	Actual Expenses
Public Offices Commission, Alaska	5	6 15Day	\$50/Day
Railroad Corporation, Board of Directors	7	4 Min.	\$400/Day
Teachers' Retirement Board	5	2 6Day	Actual Expenses
Utilities Commission, Alaska Public	5	Cont.	Salaried
Western Interstate Commission for Higher Ed.	3	2 10Day	Actual Expenses
Workers' Compensation Board, Alaska	9	2	\$50/Day

5 CS SB 292 (CRA) am

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 292 (C&RA)  
PUBLISH DATE: (SENATE) 3/28/88

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: "An act authorizing compensation  
for members of state LBC"  
Sponsor: \_\_\_\_\_  
Requestor: \_\_\_\_\_

Agency Affected: Community & Regional Affairs  
BRU: Local Government Assistance

Components: Local Boundary Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		18.75	18.75	18.75	18.75	18.75
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		18.75	18.75	13.75	18.75	18.75

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		18.75	18.75	18.75	18.75	18.75
FEDERAL FUNDS						
OTHER						
TOTAL		18.75	18.75	18.75	18.75	18.75

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

This fiscal note assumes 25 days per year qualifying for payment for five LBC members at \$150 per day.

Prepared by: Jim Plasman, Deputy Director  
Division: Municipal & Regional Assistance

Phone: 465-4750

Date: 2/22/88

Approved by Commissioner: Mark A. Hoffmann  
Agency: Community & Regional Affairs

Date: 2-22-88

Distribution (by preparer):

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

New fiscal note for  
Senate amended version  
will be delivered  
today by DC + RA  
will be lower. M&B

Excerpt  
SENATE FINANCE COMMITTEE  
Minutes of March 28, 1988

SFC-88, #37, Side 2

SENATE BILL NO. 292

"An Act authorizing compensation for members of the state Local Boundary Commission."

Co-chairman Halford moved that SB 292 be brought on for discussion. Senator Arliss Sturgulewski came before committee, advising that the bill seeks compensation for members of the constitutionally established Local Boundary Commission. Framers of the constitution recognized the importance of the commission and the fact that it resolves many, difficult issues that would otherwise be brought before the legislature. Decisions made by the commission affect the distribution of millions of dollars in state and local funds.

The commission currently meets 25 to 27 days a year. Senator Sturgulewski explained that recent concern regarding mandatory boroughs and formation of local governments has created an additional time demand upon the commission. Commission meetings are generally held in small, outlying communities rather than urban areas and the time and costs involved have become burdensome. SB 292 would provide \$150 per day. The Senator acknowledged that the state has no established policy for boards and commissions. Many board members receive per diem:

1. Alaska Railroad and Permanent Fund board members receive \$400 a day.
2. CFAB directors receive \$250.
3. Fish and Game Board members receive \$150.
4. AHFC directors receive \$100.

The \$150 requested for Local Boundary Commission members appears reasonable. The function of the commission is important. If the job is not done well, lawsuits follow. The Senator noted, again, that the commission is constitutionally mandated, and she expressed strong support for the legislation, noting again hardships incurred by members who exercise their statutory responsibility and only receive compensation for travel expenses.

Directing attention to the fiscal note of approximately \$19.0, Senator Sturgulewski urged support for both the legislation and its funding.

Co-chairman Halford noted current inequities surrounding membership on boards and commissions and voiced need for uniform policy.

The Co-chairman then asked if Senator Sturgulewski would object to an amendment providing per diem for the commission for a

maximum of 30 days per year. Senator Sturgulewski advised that she would have no objection given the understanding that the cap could be reviewed and changed, if necessary. Co-chairman Halford explained that should additional meetings beyond 30 be required, members would continue to be reimbursed for their costs. Senator Duncan suggested that establishment of a 30-day cap would increase the inequity between the Local Boundary Commission and other boards and commissions, citing the Alaska Railroad board as an example. Discussion of current inequities followed.

Senator Uehling noted considerable differences in terms of the kinds of work done by individual boards and commissions, but also voiced need for policy and consistency. Senator Sturgulewski explained that the per diem for the LBC was set at the rate used for the Board of Fish and Game. She stated that the LBC is a quasi-judicial commission. Recommendations from the commission become effective unless overridden by the legislature. It is a deliberative board with established guidelines for hearings, etc.

CHARLES BETTISWORTH, Chairman, Local Boundary Commission, next came before committee, voicing support for SB 292. He explained that similar legislation had been brought before the legislature over the past five years but had never before received a hearing. He advised that he had been a member of a commission for eight years. When his membership commenced, the commission met two to three times a year and dealt with "relatively minor issues of annexation, etc." Since that time the commission's role has increased substantially. It now deals with major, regional issues. As an example, he noted meetings last fall in Dillingham relating to the raw fish tax. Mr. Bettisworth advised that the commission seeks per diem only for actual meeting days not for days involved in travel.

Speaking to the 30-day cap proposed by Co-chairman Halford, Mr. Bettisworth explained that commission meetings are not "at our determination." The commission is on call to communities that petition for action. The cap would limit ability to respond to local requests. Mr. Bettisworth advised that commission members are otherwise employed and therefore must meet on weekends. This, in some cases is a disservice to communities where weekday meetings would be preferable. In his closing remarks, Mr. Bettisworth voiced objection to the proposed cap and urged passage of the bill.

Co-chairman Halford advised of his belief that since the commission is constitutionally mandated, it has a higher calling than other boards. He again stressed need for consistent policy covering all boards and commissions. He added, however, that an attempt to deal with the issue at this time might mean that the Local Boundary Commission would, in the end, suffer a greater inequity than it has in the past, and suggested that the committee pass the bill as it came to committee. Senator Hensley concurred, advising that the commission deals with difficult,

"screaming" issues, and that members have provided valuable service to many communities.

Senator Hensley MOVED for passage of CSSB 292 (C&RA) from committee with individual recommendations. No objection having been raised, CSSB 292 (C&RA) was REPORTED out of committee accompanied by the \$18.75 fiscal note from the Dept. of Community and Regional Affairs. Co-chairman Halford and Senators Duncan and Hensley signed the committee report with a "do pass" recommendation. Co-chairman Binkley and Senator Uehling signed "no recommendation."

Original sponsor: Community and Regional  
Affairs Committee

1 IN THE SENATE BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE  
2 CS FOR SENATE BILL NO. 292 (C&RA)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION  
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6 For an Act entitled: "An Act authorizing compensation for members of the  
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15 receive per diem and travel expenses authorized for members of boards  
16 and commissions under AS 39.20.180.  
17 \* Sec. 2. This Act takes effect July 1, 1988.

*deleted by Senate floor amendment*