

SJR

6

SENATE COMMITTEE REPORT

FURTHER:

5/15/87

DATE TURNED INTO OFFICE _____

Mr. President:

FINANCE Committee considered SJR 6

Proposing amendments to the Constitution of the State of Alaska relating to the office of state auditor.

and recommended:

replace with CS FOR _____) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Committee Backup Attached

Chairman signature and recommendation

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of _____ 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

**FISCAL NOTE(S) ATTACHED _____ **
IN ACCORDANCE WITH AS 24.08.035
(see below)

1/19/87 DATE TURNED INTO OFFICE _____

Mr. President:

JUDICIARY Committee considered SJR 6

Proposing amendments to the Constitution of the State of Alaska relating to the office of state auditor.

and recommended:

- replace with CS SJR 6 (JUD) same title
- attached amendment(s) and new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

Carl Sturgulowski

OTHER RECOMMENDATIONS

Walt Bolger NO REC.
Bill Jorgensen NO REC.
Rick Halford NO REC

J. Kotch NO Rec
Chairman signature and recommendation

Committee Backup Attached

Original sponsors: Kelly, Abood,
Sturgulewski and Faiks

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE JOINT RESOLUTION NO. 6 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska relating to the
7 office of state auditor.

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

9 * Section 1. Article III, sec. 23, Constitution of the State of Alaska,
10 is amended to read:

11 SECTION 23. REORGANIZATION. Except as provided in this section,
12 the [THE] governor may make changes in the organization of the execu-
13 tive branch or in the assignment of functions among its units which he
14 considers necessary for efficient administration. Where these changes
15 require the force of law, they shall be set forth in executive orders.
16 The legislature shall have sixty days of a regular session, or a full
17 session if of shorter duration, to disapprove these executive orders.
18 Unless disapproved by resolution concurred in by a majority of the
19 members in joint session, these orders become effective at a date
20 thereafter to be designated by the governor. The governor may not
21 change the organization or function of any unit of the executive
22 branch that is headed by the state auditor.

23 * Sec. 2. Article III, sec. 24, Constitution of the State of Alaska, is
24 amended to read:

25 SECTION 24. SUPERVISION. Except for any unit of the executive
26 branch that is headed by the state auditor, each [EACH] principal
27 department shall be under the supervision of the governor.

28 * Sec. 3. Article III, sec. 25, Constitution of the State of Alaska, is
29 amended to read:

1 SECTION 25. DEPARTMENT HEADS. The head of each principal de-
2 partment shall be a single executive unless otherwise provided by law.
3 He shall be appointed by the governor, subject to confirmation by a
4 majority of the members of the legislature in joint session, and shall
5 serve at the pleasure of the governor, except as otherwise provided in
6 this article with respect to the lieutenant governor and as provided
7 in Section 17 of Article IX with respect to the state auditor [SEC-
8 RETARY OF STATE]. The heads of all principal departments shall be
9 citizens of the United States.

10 * Sec. 4. Article IX, Constitution of the State of Alaska, is amended
11 by adding new sections to read:

12 SECTION 17. STATE AUDITOR. There shall be a state auditor. The
13 state auditor shall be a qualified voter of the State, a citizen of
14 the United States, and a resident of Alaska for at least five years
15 preceding appointment to the office. The state auditor shall meet re-
16 quirements for experience in management and accounting or auditing as
17 provided by law. The term of office of the state auditor is six
18 years, beginning at noon on the first Monday in January following the
19 convening of the legislature and ending at noon on the first Monday in
20 January following the convening of the legislature six years later.
21 The legislature shall provide by law for procedures for removal of the
22 state auditor for cause by affirmative vote of two-thirds of the
23 members of the legislature in joint session. The state auditor shall
24 be the auditor of the accounts of all departments, offices, and
25 agencies of the State including the legislature, the executive, and
26 the judiciary, all independent state corporations, all political
27 subdivisions of the State including municipalities, and the University
28 of Alaska. The state auditor shall perform other duties prescribed by
29 law. The office of the state auditor constitutes an agency

1 independent of the executive branch agencies named in Section 22 of
2 Article III.

3 SECTION 18. APPOINTMENT OF THE STATE AUDITOR. (a) The state
4 auditor selection committee shall nominate a candidate for appointment
5 as state auditor. The selection committee shall be composed of three
6 members of the senate appointed by the president of the senate and
7 three members of the house of representatives appointed by the speaker
8 of the house. One member of the minority party caucus in each house
9 shall be appointed to the selection committee. The state auditor
10 selection committee shall examine persons to serve as state auditor
11 regarding their qualifications and abilities and shall place the name
12 of the person selected in nomination. The nomination is effective if
13 approved by an affirmative roll call vote of two-thirds of the members
14 of the legislature in joint session. The appointment is effective if
15 the nomination is approved by the governor. However, the governor may
16 veto the appointment and return it, with a statement of objections, to
17 the legislature. Upon receipt of a veto message the legislature shall
18 meet immediately in joint session and reconsider approval of the
19 vetoed appointment. Upon reconsideration, the appointment is effective
20 if approved by an affirmative vote of two-thirds of the members
21 of the legislature in joint session. The vote on the appointment and
22 on reconsideration of a vetoed appointment shall be entered in the
23 journals of both houses. If the legislature is in session and if the
24 governor neither approves nor vetoes the appointment within 15 days,
25 Sundays excepted, after its delivery to the governor, the appointment
26 becomes effective. If the legislature is not in session and the
27 governor neither approves nor vetoes the appointment within 20 days,
28 Sundays excepted, after its delivery to the governor, the appointment
29 becomes effective.

1 SECTION 19. VACANCY. If the term of the state auditor expires
2 without the appointment of a successor, the incumbent state auditor
3 may continue in office until a successor is appointed. In case of a
4 vacancy in the office of state auditor for any reason, the deputy
5 state auditor becomes the acting state auditor until a new state
6 auditor is appointed for a new term under the procedures set out in
7 Section 18 of this article.

8 SECTION 20. COMPENSATION. The compensation of the state auditor
9 shall be equal to the compensation of the lieutenant governor and
10 shall not be diminished during the term of office, unless by general
11 law applying to all salaried officers of the State.

12 SECTION 21. OTHER OFFICES. A person who has served as state
13 auditor may not hold the office of governor or lieutenant governor
14 until four years after the last day on which the person was state
15 auditor.

16 * Sec. 5. Article XV, Constitution of the State of Alaska, is amended
17 by adding a new section to read:

18 SECTION 29. BUDGET FOR THE OFFICE OF STATE AUDITOR. The yearly
19 amount appropriated for the office of the state auditor for the sec-
20 ond, third, and fourth years of operation may not be less than the
21 amount appropriated for the first year of operation except that the
22 budget may be reduced by a percent no greater than the percent that
23 the state operating budget for a subsequent year is reduced from the
24 state operating budget for the first year of operation for the office.

25 * Sec. 6. Section 14, Article IX, Constitution of the State of Alaska,
26 is repealed.

27 * Sec. 7. The amendments proposed by this resolution shall be placed
28 before the voters of the state at the next general election in conformity
29 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-

1 tion laws of the state.

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Introduced: 1/19/87
Referred: Judiciary and
Finance

5-0217A

1 IN THE SENATE

BY KELLY, ABOOD,
STURGULEWSKI AND FAIKS

2 SENATE JOINT RESOLUTION NO. 6

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska relating to the
7 office of state auditor.

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

9 * Section 1. Article III, sec. 23, Constitution of the State of Alaska,
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12 the [THE] governor may make changes in the organization of the execu-
13 tive branch or in the assignment of functions among its units which he
14 considers necessary for efficient administration. Where these changes
15 require the force of law, they shall be set forth in executive orders.
16 The legislature shall have sixty days of a regular session, or a full
17 session if of shorter duration, to disapprove these executive orders.
18 Unless disapproved by resolution concurred in by a majority of the
19 members in joint session, these orders become effective at a date
20 thereafter to be designated by the governor. The governor may not
21 change the organization or function of any unit of the executive
22 branch that is headed by the state auditor.

23 * Sec. 2. Article III, sec. 24, Constitution of the State of Alaska, is
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25 SECTION 24. SUPERVISION. Except for any unit or the executive
26 branch that is headed by the state auditor, each [EACH] principal
27 department shall be under the supervision of the governor.

28 * Sec. 3. Article III, sec. 25, Constitution of the State of Alaska, is
29 amended to read:
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1 SECTION 25. DEPARTMENT HEADS. The head of each principal de-
2 partment shall be a single executive unless otherwise provided by law.
3 He shall be appointed by the governor, subject to confirmation by a
4 majority of the members of the legislature in joint session, and shall
5 serve at the pleasure of the governor, except as otherwise provided in
6 this article with respect to the lieutenant governor and as provided
7 in Section 17 of Article IX with respect to the state auditor [SEC-
8 RETARY OF STATE]. The heads of all principal departments shall be
9 citizens of the United States.

10 * Sec. 4. Article IX, Constitution of the State of Alaska, is amended
11 by adding new sections to read:

12 SECTION 17. STATE AUDITOR. There shall be a state auditor. The
13 state auditor shall be a qualified voter of the State, a citizen of
14 the United States, and a resident of Alaska for at least five years
15 preceding appointment to the office. The state auditor shall meet re-
16 quirements for experience in management and accounting or auditing as
17 provided by law. The governor shall appoint the state auditor. The
18 appointment is effective if it is approved by a roll call vote of
19 two-thirds of the members of each house of the legislature. The term
20 of office of the state auditor is six years, beginning at noon on the
21 first Monday in January following the convening of the legislature and
22 ending at noon on the first Monday in January following the convening
23 of the legislature six years later. The legislature shall provide by
24 law for procedures for removal of the state auditor for cause by
25 affirmative vote of two-thirds of the members of the legislature in
26 joint session. The state auditor shall be the auditor of the accounts
27 of all departments, offices, and agencies of the State including the
28 legislature, the executive, and the judiciary, all independent state
29 corporations, all political subdivisions of the State including

1 municipalities, and the University of Alaska. The state auditor shall
2 perform other duties prescribed by law. The office of the state
3 auditor constitutes an agency independent of the executive branch
4 agencies named in Section 22 of Article III.

5 SECTION 18. VACANCY. If the term of the state auditor expires
6 without the appointment of a successor, the incumbent state auditor
7 may continue in office until a successor is appointed. In case of a
8 vacancy in the office of state auditor for any reason, a successor
9 shall be appointed by the governor for the remainder of the unexpired
10 term.

11 SECTION 19. COMPENSATION. The compensation of the state auditor
12 shall be equal to the compensation of the lieutenant governor and
13 shall not be diminished during the term of office, unless by general
14 law applying to all salaried officers of the State.

15 SECTION 20. OTHER OFFICES. A person who has served as state
16 auditor may not hold the office of governor or lieutenant governor
17 until four years after the last day on which the person was state
18 auditor.

19 * Sec. 5. Article XV, Constitution of the State of Alaska, is amended
20 by adding a new section to read:

21 SECTION 29. BUDGET FOR THE OFFICE OF STATE AUDITOR. The yearly
22 amount appropriated for the office of the state auditor for the sec-
23 ond, third, and fourth years of operation may not be less than the
24 amount appropriated for the first year of operation except that the
25 budget may be reduced by a percent no greater than the percent that
26 the state operating budget for a subsequent year is reduced from the
27 state operating budget for the first year of operation for the office.

28 * Sec. 6. Section 14, Article IX, Constitution of the State of Alaska,
29 is repealed.

1 * Sec. 7. The amendments proposed by this resolution shall be placed
2 before the voters of the state at the next general election in conformity
3 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
4 tion laws of the state.
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**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

SENATE

Bill Version: CS, SJR 6 (Jud)

Publish Date: 5/15/87

REQUEST: _____

Revision Date: _____

Title: Constitutional amndmt. -- create office of state auditor.

Sponsor: Kelly, / Abood / Sturgulewski / Fatks /

Requestor: Kerttula

Agency Affected: Legislative Audit, DCRA, DEC, BRU: DOTPF, DOL, DHSS, DOA, DOE

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Fiscal Note is zero based upon the attached assumptions.

Prepared by: Senator Kerttula

Division: Senate Judiciary Committee

based on fiscal note for SB 65

Approved by Commissioner: _____

Agency: _____

Phone: 465-3717

Date: 1/30/87

Date: _____

Distribution (by preparer):

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

ASSUMPTIONS

1. Audit fees currently being paid by school boards, municipalities, independent State authorities, banks or quasi-corporations for mandated financial or compliance audits would not be significantly changed.
2. Due to the overlapping audit coverage, the budgets of the respective executive branch internal audit groups, and personnel monitoring grants and performing program compliance reviews, estimated at \$2,200,000 and assumed adequate to meet their respective review mandates, would be transferred to the State Auditor organization.
3. The 1987 Legislative Audit Division budget of approximately \$2,400,000 combined with the budgets in item (2) would be adequate to cover the costs of performing financial compliance audits and performance audits of operations in the Legislative, Executive, and Judicial branches of State government, and to fund the administrative and oversight functions of school district and local government audits.

ALASKA STATE LEGISLATURE

15th Legislature 1st Session

SENATE JOINT RESOL. NO. 6

By KELLY, ABOOD, STURGULEWSKI, 'AIKS'

Proposing amendments to the Constitution of the State of Alaska relating to the office of the state auditor.

Introduced in the Senate ... 1/19... 19..87

HISTORY IN THE SENATE

19	87	Read first time and referred to Committee on										
1	19	JUDICIARY & FINANCE										
5	15	Reported back with <i>Judiciary</i> recommendation that <i>replace</i> <i>w/cs, 1 do pass, 4 go rec. 3 go final to Finance.</i>										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reconsideration										
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PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reported correctly engrossed Signed by President Sent to House										
SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19		Read first time and referred to Committee on										
		Reported back with recommendation that										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reported correctly engrossed Signed by Speaker Returned to Senate										
CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19		Received from House
		To enrolling
		Reported correctly enrolled
		Sent to Governor
	 by Governor
		Filed with Lt. Governor
		Chapter No.

2/9/88

Updated 1988 fiscal
note. See p 5 (Jud.)
note attached to
Resolution.

2nd Aug

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SJR 6
PUBLISH DATE: 1/19/87

FISCAL NOTE

REQUEST:

Revision Date: 1/22/88
Title: Constitutional amendments relating to the office of state auditor.
Sponsor: KELLY
Requestor: Senate Finance

Agency Affected: Office of the Governor
BRU: Division of Elections
Components: II - Primary & General Elections

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	0	2.2*	0	0	0	0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	2.2*	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	2.2*	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

* Costs included cover 2 to 3 additional pages in each Official Election Pamphlet, for printing and typesetting, and costs estimated to cover computer programming requirements for vote (cont.)

Prepared by: Linda Edgeworth Phone: 465-4611
Division: Elections Date: 1/22/88

Approved by Commissioner: [Signature] Date: 2/1/88
Agency: Office of the Governor, Division of Elections

Distribution (by preparer): 2/1/88
Legislative Finance
Legislative Sponsor
Requestor

FEB 3 1988

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SJR 6

counting purposes. However, these costs are based on the assumption that all candidates and issues will fit on three ballot cards, which is the norm. It should be noted, however that should the inclusion of this issue require a 4th ballot to be printed, the cost increase would have to be calculated at 16 cents per ballot x approximately 320,000 voters. The total cost of printing the additional ballot card would be \$51.2.

Under these circumstances the fiscal note would be:

53.4

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: _____
Publish Date: _____

Revision Date: SJR #6
Title: Amend. To Constitution: relating to
the office of state auditor.
Sponsor: Kelly, Abood, Sturgulewski, & Faiks
Requestor: Kelly

Agency Affected: Office of the Governor
BRU: Division of Elections
Components: II

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL			2.2			
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING			2.2			

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

FUNDING: (Thousands of Dollars)

GENERAL FUND			2.2			
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

*Costs included cover 2 to 3 additional pages in each Official Election Pamphlet, for printing and typesetting, and costs estimated to cover computer programming requirements for vote (cont.)

Prepared by: Linda Edgeworth
Division: Elections
Approved by: Carol P. Kerbel Commissioner
Agency: Office of the Governor/Division of Elections

Phone: 465-4611
Date: 1/28/87
Date: Mar 29, 1987

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SJR #6

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