

S

B

I

i

R/o JFC 3-29-90

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION: SB 11
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act..compensation for members
of the State Boundary Commission..."
Sponsor: Senator Sturgulewski
Requestor: _____

Agency Affected: Community & Regional Affairs
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	18.75	18.75	18.75	18.75	18.75	18.75
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	18.75	18.75	18.75	18.75	18.75	18.75

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) No fiscal impact in FY 90.

This fiscal note assumes 25 days of meeting per year with compensation at \$150 per day.

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

Phone: 465-4750
Date: March 7, 1990

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

Date: 3-7-90

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

Changes in CSSB // (Fin)
have no fiscal impact.
This fiscal note is
appropriate. 3/29/90 JL

R/p JFC 3-29-90

Original sponsor(s): SEN. STURGULEWSKI

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

IN THE SENATE

BY THE FINANCE COMMITTEE

CS FOR SENATE BILL NO. 11 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - SECOND SESSION

A BILL

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

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

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 AS 44.47.579 is repealed and reenacted to read:

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

* Sec. 2. This Act takes effect July 1, 1990.

ANNUAL REPORT TO THE STATE LEGISLATURE
JANUARY 1990

Senate Bill 11 - "An Act authorizing compensation for members of the state Local Boundary Commission".

This bill is virtually identical to a measure approved by the Senate in 1988 to provide compensation to each member of the Commission at a rate of \$150 for each day the member attends a meeting. The Commission supports this legislation.

The merits of compensation to the Commission were perhaps first recognized by the Public Administration Service (PAS) which assisted the Alaska Statehood Committee and Alaska Constitutional Convention in setting the framework for the operation of the State of Alaska. In a 1959 report, the PAS provided suggestions on the significant issues requiring immediate attention to effect Alaska's transition to statehood. In its proposed program for action by the First Session of the First State Legislature it is recommended that the Local Boundary Commission be established. The report goes on to state that "*Members of the Commission should be adequately compensated . . .*" (Local Government Under the Alaska Constitution, A Survey Report, Public Administration Service, Chicago, Illinois, January 9, 1959, p. 23.)

It would appear that compensation was not a particularly significant issue with the Commission during the years immediately following Statehood. When the Local Boundary Commission was first formed, there were only about 30 municipal governments in Alaska. Records indicate that the Commission met only a few times each year. By contrast, there are 163 municipalities in the state today. The current Commission typically meets 15 - 20 times a year, often in remote parts of the state.

The increase in the number of municipal governments and the number of meetings alone do not fully account for the additional demands placed on the Commission. Procedures which were simple thirty years ago have, regrettably, grown much more complex. For example, the Commission operated without regulations until it was mandated to establish such by a ruling of the Supreme Court in 1971. Today, the Commission's regulations take up more than 50 pages. Another example of added procedural responsibilities is the relatively recent requirement that the U.S. Justice Department review and approve every municipal incorporation, dissolution and boundary change approved by the Commission.

Further, given our litigious society and the typically controversial nature of the issues brought before the Commission, actions taken by the Commission are often challenged in court. Decisions of the Commission have been the subject of four landmark rulings by the State Supreme Court. A host of other Supreme and Superior

ANNUAL REPORT TO THE STATE LEGISLATURE
JANUARY 1990

Court decisions affect each and every action taken by the Commission. The ever present threat of legal challenge of actions by the Commission demand that the Commission often spend several days preparing for a single meeting.

To deal with the current burden placed upon the Commission requires a level of expertise and perseverance beyond that which might be reasonably expected of volunteers. The fiscal impact of such legislation would be minimal. Based upon 25 one-day meetings per year with compensation of \$150 per day, the total compensation to the Commission would amount to \$18,750. Therefore, the Commission urges the Legislature to approve Senate Bill 11.

COMPENSATION TO STATE BOARDS AND COMMISSIONS

The State of Alaska Boards and Commissions Book published by the Governor's Office in March, 1989 lists 116 "statutorily established boards and commissions that are currently functioning in state government". An examination of this publication shows that certain of these boards and commissions receive compensation as follows:

<u>BOARD OR COMMISSION</u>	<u>COMPENSATION</u>
Commercial Fisheries Entry Commission:	Salaried
Commercial Fisheries and Agricultural Bank - Board of Directors	Not to exceed \$250/day
Public Employees" and Teachers' Disability Review Board	Hourly Compensation "consistent with normal hourly earnings" for 2 members who are physicians
Board of Fisheries	\$150 - \$100/day
Board of Game	\$150 - \$100/day
Alaska Housing Finance Corporation	\$100/day
Alaska Industrial Development and Export Authority	\$100/day
Occupational Safety and Health Review Board	\$50/day
State Board of Parole	"Set by Governor"
Alaska Permanent Fund Corporation Board of Directors	\$400/day
Professional Teaching Practices Commission	"administrative leave; state reimburses for more than 15 days"
Public Offices Commission	\$50/day
Board of Directors of the Alaska Railroad Corporation	\$400/day
Alaska Science and Technology Foundation - Board of Directors	\$200/day
Alaska Public Utilities Commission	Salaried
Alaska Workers' Compensation Board	\$50/day

*Supplied by the
Dept. of Comm. & Reg. Affairs*