

HSCR

2

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred: February 15, 1993

FURTHER REFERRALS:

Date of Committee Action: 2/22/93

The FINANCE Committee considered:

HSCR 2

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 2 DISAPPROVE EXECUTIVE ORDER NO. 87

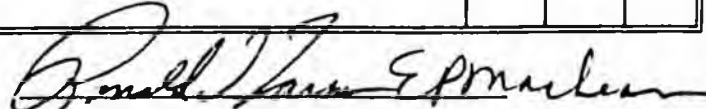
Disapproving Executive Order No. 87.

RECOMMENDATIONS: the same title
 be replaced with _____ a new title
 have attached amendments(s)
 do pass
 do not pass
 no recommendations
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal impact _____ fiscal note(s) _____
 zero fiscal note House Finance Com. zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eileen P. Muehlen</i>	✓	<i>Ronald J. Turner</i>		☹	
<i>Tom Huff</i>	✓	<i>Mark Bonkus</i>		X	
<i>Tony Brown</i>	✓	<i>Sean Parvill</i>		X	
		<i>Ben ...</i>		X	
		<i>Sean Parvill</i>		✓	
		<i>Mike Savane</i>		✓	
		<i>Richard ...</i>	m	☺	m


 CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HSCR 2²

Revision Date: _____ Dept. Affected: ADMINISTRATION
 Title: DISAPPROVE EO 87 BRU: GENERAL SERVICES
 Component: PURCHASES
 Sponsor: BARNES
 Requestor: HOUSE FINANCE COMMITTEE COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
-----------------------------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Representative Ron Larson, Co-Chair *RJ* Phone: 465-3878
 Division: Representative Eileen MacLean, Co-Chair *EM* Date: 2/19/93
 Approved by Commissioner: _____ Date: 2/19/93
 Agency: _____

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HSCR 2

Revision Date: _____ Dept. Affected: ADMINISTRATION
 Title: DISAPPROVE EO 87 BRU: LEASING & FACILITIES
 Component: LEASES
 Sponsor: BARNES
 Requestor: HOUSE FINANCE COMMITTEE COMPONENT SERIAL NO. _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
-----------------------------	-----	-----	-----	-----	-----	-----

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Representative Ron Larson, Co-Chair *R.L.* Phone: 465-3878
 Division: Representative Eileen MacLean, Co-Chair *E.M.* Date: 2/19/93
 Approved by Commissioner: _____ Date: 2/19/93
 Agency: _____

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HSCR 2

Revision Date: _____
Title: DISAPPROVE EC 37

Dept. Affected: DOT&PF
BRU: _____
Component: _____

Sponsor: BARNES
Requestor: HOUSE FINANCE COMMITTEE

COMPONENT SERIAL NO. _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Representative Ron Larson, Co-Chair *RJ* Phone: 465-3878
 Division: Representative Eileen MacLean, Co-Chair *EPM* Date: 2/19/93

Approved by Commissioner: _____ Date: 2/19/93
 Agency: _____

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Alaska State Legislature



Speaker of the House of Representatives

RAMONA L. BARNES

P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3720

Official Business

POSITION PAPER

HSCR 2 was introduced to disapprove the Governor's order (Executive Order 87) to transfer leasing responsibilities of the Department of Administration to the Department of Transportation and Public Facilities.

The Department of Transportation and Public Facilities has repeatedly ignored the desires and mandates of the Legislature regarding budget reductions to specific programs within the Department. I would bring your attention to the attached memorandum from Legislative Finance Division dated February 10, 1993 to Rep. Eldon Mulder regarding the FY 93 budget for the Design and Construction components of DOT/PF. It is for this reason that I believe it would not be in the best interest of the State to have yet another function transferred to this Department.

Further I have learned that the Department of Transportation and Public Facilities intends to establish a sinking fund to be managed by a Board of Directors with monies appropriated for leasing. The legislature would virtually have no control over this fund or how it is spent once money is transferred into it. Under the Constitution of this state, the Legislature has the sole power of appropriation. I personally do not desire to relinquish this authority to the Department of Transportation and Public Facilities.

I urge your support of HSCR 2.

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Finance



P.O. Box 113200
Juneau, AK 99811-3200
(907) 465-3795
FAX (907) 463-4885

MEMORANDUM

D/TE: February 10, 1993

TO: Representative Eldon Mulder
House Finance DOTPF Subcommittee

FROM: Jeff Hoover, Fiscal Analyst
Legislative Finance Division *JH*

RE: Department of Transportation and Public Facilities - FY93 CIP receipts

The department took several unallocated reductions in the FY93 Operating budget. You specifically asked about the reductions to the regional Design and Construction components. In the FY93 Operating budget, \$2.5 million in CIP receipts and \$300 thousand in General Funds were deleted from the D and C components. However, \$1.5 million was added back to the D & C components in the FY93 Capital budget (section 134). In addition, the department carried over a substantial amount of FY92 CIP receipt authority (section 135). The net effect of these changes is the department has a total additional CIP receipt authority of \$1,153.0 in FY93. The following is a regional distribution of the CIP receipts (in thousands):

Central Region D & C:	<\$1,112.1 > CIP Operating reduction
	\$667.5 CIP Capital addition
	<u>\$735.0 CIP Capital FY92 carryover</u>
Subtotal:	\$290.4 CIP addition
Northern Region D & C:	<\$1,026.7> CIP Operating reduction
	\$616.5 CIP Capital addition
	<u>\$736.0 CIP Capital FY92 carryover</u>
Subtotal:	\$325.8 CIP addition

Southeast Region D & C: <\$361.2> CIP Operating reduction
\$216.0 CIP Capital addition
\$682.0 CIP Capital FY92 Carrvoer
Subtotal: **\$536.8 CIP addition**

Total Additional CIP Receipt Authority: \$1, 153.0

Please contact me at extension 5436 if you have any questions about this matter.

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 2

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE BARNES

Introduced: 2/15/93

Referred: Finance

A RESOLUTION

1 **Disapproving Executive Order No. 87.**

2 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **WHEREAS** the Governor, under the authority of art. III, sec. 23, Constitution of the
4 State of Alaska, has proposed to transfer state facility leasing and management functions from
5 the Department of Administration and other agencies to the Department of Transportation and
6 Public Facilities; and

7 **WHEREAS**, although the Department of Transportation and Public Facilities currently
8 has some planning authority relating to state facilities in general, the primary functions of the
9 Department of Transportation and Public Facilities are the planning, design, construction, and
10 maintenance of transportation modes and transportation facilities; and

11 **WHEREAS** the functions proposed for transfer, leasing and management, are primarily
12 administrative functions that apply to state facilities in general; and

13 **WHEREAS** the legislature believes that it is in the best interest of the state to retain
14 in their existing agencies the state facility leasing and management functions that are proposed
15 for transfer under Executive Order No. 87;

16 **BE IT RESOLVED** by the Alaska State Legislature that Executive Order No. 87 is
17 disapproved.



EO 87

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 11, 1993

The Honorable Ramona L. Barnes
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Barnes:

Under the authority of art. III, sec. 23, of the Alaska Constitution, I am transmitting an Executive Order relating primarily to the leasing of space for state agencies and the allocation and maintenance of space in state facilities.

The Order transfers, from the Department of Administration (DOA) to the Department of Transportation and Public Facilities (DOT/PF), the authority to execute leases for state facilities and to allocate space among state agencies. The Order also consolidates facilities management activities of the Department of Corrections (DOC) (related to prison industries) and the Department of Health and Social Services (DHSS) (related to juvenile corrections facilities) in DOT/PF.

These transfers of authority are necessary to allow the state to manage its leasing activities consistent with the long-term management of all of its public facilities. Under existing law, DOT/PF has broad authority to plan, construct, and manage state-owned facilities. However, many state agencies are housed in buildings leased from the private sector. Under the Executive Order, the private sector will still play a critical role in providing space for state agencies. What will change is the way the state analyzes leases of space and reaches its leasing conclusions. The result will be "smarter" decisions that better consider the state's long-term needs and ensure that the state gets the best bargain for its money.

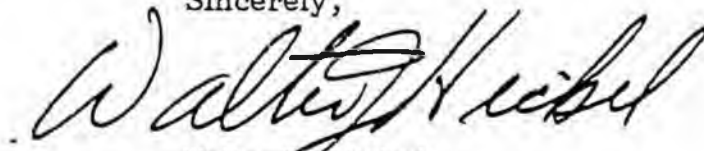
The Order also transfers to DOT/PF from DNR the disposal authority for lands acquired by DOT/PF under AS 35.20.010 - 35.20.070. This transfer is appropriate for consolidated facilities management because it enhances the state's ability, without increased administrative expense, to participate in modern leasing mechanisms. Under the Order, one agency, DOT/PF, will be responsible for land acquisition for public facilities and for procurement of the facilities, either through construction or leasing. Under one common technique for leasing

The Honorable Ramona L. Barnes
January 11, 1993
Page 2

buildings, the lessee conveys land to a developer, who constructs a building that the lessee then occupies under a lease/purchase agreement. Under existing authority, the state could use this technique only if DOT/PF acquired the land, DOA selected the lessor, and DNR conveyed interests in the land to the developer. This process is greatly simplified under the Order and will enable this type of conveyance to occur in a timely fashion at reduced cost, while still protecting the public interest.

The transfers made by this Executive Order will consolidate and streamline the state's facilities management activities. These transfers further the public interest and lead to a more intelligent use of the state's financial resources.

Sincerely,

A handwritten signature in cursive script, reading "Walter J. Hickel".

Walter J. Hickel
Governor

FACILITIES MANAGEMENT MERGER

Executive Order 87

- Approximately 250 employees are expected to be involved in the merger. These are existing maintenance personnel, design and construction project managers, leasing procurement officers, and administrative support personnel.
- Approximately 90 of these personnel exist in DOT&PF now, the remainder will merge from other departments.
- No personnel are expected to relocate to another community, but about 30-40 personnel may change building location.
- A rent structure to convert existing buildings maintenance funding to rent can be developed during FY94 and implemented in FY95 budget.

According to an inventory compiled in 1989, the state owns 7.5 million square feet of space, managed and maintained by personnel in ten departments. This does not include 4.7 million square feet of space occupied by the University system, or buildings owned by the international airports or State Authorities.

The FY93 budget appropriates approximately \$65 million to perform maintenance and related operations functions for the 7.5 million square feet. An additional \$39 million is appropriated to all branches of government for lease space payments.

One time costs: An estimate for costs associated with establishing consolidated facilities management is being developed. It is expected to be less than \$200,000.

Short-term costs and long-term projected savings: If we use appropriated capital funds to reduce energy consumption, savings accrued to the operating budget can be applied to elimination of the deferred maintenance backlog and compliance with physical requirements of the ADA. In FY93 DOT/PF will hire an energy management person to work with maintenance personnel to develop a plan for reducing energy consumption in our buildings. In FY93 \$2 million was appropriated to DOT/PF for energy and code upgrade. Additional amounts are requested in the FY94 capital budget for energy management as well as for ADA compliance.

The merger will prevent additional expense to the budget. It will be less costly to comply with ADA and code upgrade requirements with consolidated management than if many agencies are each separately responsible.

Information listed below is available:

- | | |
|--|---------------------------------|
| • Business Plan | • Interim Management Plan |
| • Merger Impacts Analysis | • Transition Workplan |
| • <u>Facility Management UPDATE</u> (newsletter) | • Protection of Building Assets |
| • Efficiency Team summary recommendations | • FY93 budget analysis |
| • Research Summary: Facility Management Models | |

Please contact Kit Duke (562-2728) or Katy McHugh (465-3904) for a copy of any desired document.

FISCAL NOTE

Revision Date: _____ Department Affected: DOT&PF
 Title: Executive Order: Consolidation of state leasing, procurement and maintenance activities for state buildings. BRU:
 Sponsor: Governor Component:
 Requestor: Governor Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY94	FY95	FY96	FY97	FY98	FY99
OPERATING						
PERSONAL SERVICES	*	*	*	*	*	*
TRAVEL	*	*	*	*	*	*
CONTRACTUAL	*	*	*	*	*	*
SUPPLIES	*	*	*	*	*	*
EQUIPMENT	*	*	*	*	*	*
LAND & STRUCTURES	*	*	*	*	*	*
GRANTS, CLAIMS	*	*	*	*	*	*
MISCELLANEOUS	*	*	*	*	*	*
TOTAL OPERATING:	*	*	*	*	*	*
CAPITAL	*	*	*	*	*	*
REVENUE FUND SOURCE	*	*	*	*	*	*

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	*	*	*	*	*	*
1003 GF MATCH	*	*	*	*	*	*
1004 GF	*	*	*	*	*	*
1005 GF/PROGRAM RECEIPTS	*	*	*	*	*	*
1006 GF/MHTIA	*	*	*	*	*	*
OTHER	*	*	*	*	*	*
TOTAL FUNDING:	*	*	*	*	*	*

POSITIONS

FULL-TIME	*	*	*	*	*	*
PART-TIME	*	*	*	*	*	*
TEMPORARY	*	*	*	*	*	*

Estimate of current year (FY93) impact: \$*

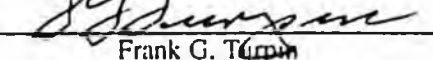
ANALYSIS: (Attach a separate page if necessary)

The reorganization of leasing, procurement and maintenance functions for state facilities will consolidate existing state responsibilities within the Department of Transportation and Public Facilities. The fiscal adjustments needed to implement this EO will be reflected in budget amendments for the Department of Administration and the Department of Transportation and Public Facilities. Detailed information reflecting all changes is being prepared by the departments.

Approximately \$31.2 million plus associated personnel and related costs will transfer from DOA to DOT/PF.

Prepared by: Kit Duke
 Division: Assistant Commissioner

Phone: 562-2728
 Date: 1/6/93

Approved by Commissioner: 
 Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: 1/6/93

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FISCAL NOTE

**STATE OF ALASKA
1993 LEGISLATIVE SESSION**

BILL NO. EO 87

Revision Date: _____
 Title: Executive Order: Consolidation of State leasing,
 procurement and maintenance activities for State buildings.
 Sponsor: Governor
 Requestor: Governor

Department Affected: Administration
 BRU: General Services
 Component: Purchasing

COMPONENT SERIAL NO. 60

Expenditures/Revenues:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	*	*	*	*	*	*
TRAVEL	*	*	*	*	*	*
CONTRACTUAL	*	*	*	*	*	*
SUPPLIES	*	*	*	*	*	*
EQUIPMENT	*	*	*	*	*	*
LAND & STRUCTURES	*	*	*	*	*	*
GRANTS, CLAIMS	*	*	*	*	*	*
MISCELLANEOUS	*	*	*	*	*	*
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL	*	*	*	*	*	*
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REVENUE FUND SOURCE:	*	*	*	*	*	*
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FUNDING:

1002 Federal Receipts	*	*	*	*	*	*
1003 GF Match	*	*	*	*	*	*
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts	*	*	*	*	*	*
1006 GF/MHTIA	*	*	*	*	*	*
OTHER	*	*	*	*	*	*
TOTAL	*	*	*	*	*	*

POSITIONS:

FULL-TIME	*	*	*	*	*	*
PART-TIME	*	*	*	*	*	*
TEMPORARY	*	*	*	*	*	*

Estimate of current year (FY93) impact: \$ 0

ANALYSIS: (Attach a separate page if necessary.) The reorganization of leasing, procurement and maintenance functions for State facilities will consolidate existing State responsibilities within the Department of Transportation and Public Facilities. The fiscal adjustments needed to implement this Executive Order will be reflected in budget amendments for the Department of Administration and the Department of Transportation and Public Facilities. Detailed information reflecting all changes is being prepared by the departments. Approximately \$250.0 in associated personnel costs will transfer from the Division of General Services to the Department of Transportation and Public Facilities.

Prepared by: Dugan Petty, Director
 Division: General Services

Phone: 465-2250
 Date: 1/7/93

Approved by Commissioner: Nancy Bear Usura
 Agency: Administration

Date: 1/7/93

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FISCAL NOTE

BILL NO. EA 87

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Revision Date: _____
 Title: Executive Order: Consolidation of State leasing, procurement and maintenance activities for State buildings.
 Sponsor: Governor
 Requestor: Governor

Department Affected: Administration
 BRU: Leasing and Facilities
 Component: Leases
 COMPONENT SERIAL NO. 81

Expenditures/Revenues:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	*	*	*	*	*	*
TRAVEL	*	*	*	*	*	*
CONTRACTUAL	*	*	*	*	*	*
SUPPLIES	*	*	*	*	*	*
EQUIPMENT	*	*	*	*	*	*
LAND & STRUCTURES	*	*	*	*	*	*
GRANTS, CLAIMS	*	*	*	*	*	*
MISCELLANEOUS	*	*	*	*	*	*
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL	*	*	*	*	*	*
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	*	*	*	*	*	*
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FUNDING:

1002 Federal Receipts	*	*	*	*	*	*
1003 GF Match	*	*	*	*	*	*
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts	*	*	*	*	*	*
1006 GF/MHTIA	*	*	*	*	*	*
OTHER 1007 I/A Rec	*	*	*	*	*	*
TOTAL	*	*	*	*	*	*

POSITIONS:

FULL-TIME	*	*	*	*	*	*
PART-TIME	*	*	*	*	*	*
TEMPORARY	*	*	*	*	*	*

Estimate of current year (FY93) impact: \$ 0

ANALYSIS: (Attach a separate page if necessary.) The reorganization of leasing, procurement and maintenance functions for State facilities will consolidate existing State responsibilities within the Department of Transportation and Public Facilities. The fiscal adjustments needed to implement this Executive Order will be reflected in budget amendments for the Department of Administration and the Department of Transportation and Public Facilities. Approximately \$31.2 million will be transferred from the requested FY 94 Leases Component to the Department of Transportation and Public Facilities. Detailed information reflecting all changes is being prepared by the departments.

Prepared by: Duqan Petty, Director
 Division: General Services


Phone: 465-2250
 Date: 1/7/93

Approved by Commissioner: Nancy Bear Usera
 Agency: Administration

Date: 1/7/93

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Facilities Management UPDATE



Volume 1, No. 1 January 1993

Welcome to the first edition of *FACILITIES MANAGEMENT UPDATE*. We will be using this newsletter routinely to bring you up to date on the merger of facilities management within state government.

Why is this merger being done? ASFA and the Governor's Efficiency Task Force have urged that a better job of asset protection and building management be done. The task force recommended consolidation of the various state buildings management functions into a single organization.

What is being done? Merging all state building management functions under single leadership; including operations and maintenance, leasing, space management and design and construction.

Who is in charge? The Commissioners of Administration and Transportation and Public Facilities were tasked with addressing this recommendation. Kit Duke, DOT&PF Assistant Commissioner was appointed to head up this effort. She has recruited a transition team to assist in researching and implementing the task force's recommendations. The team consists of nine individuals from six State agencies (see Page 4). We encourage you to speak with these representatives, and express your questions and concerns.

What are the goals? To maintain, manage and secure state facilities in a more cost effective and businesslike manner. Also to create a statewide perspective on state-owned facilities, their condition and what it costs to main-

tain and operate them.

When will this happen? The target date for the merger is July 1, 1993.

ENERGY MANAGEMENT

We must find the money to fund preventative maintenance. Chances are this money already exists in department budgets but is lost to inefficient mechanical systems and insufficiently insulated buildings. One of the areas we will focus on concerns the reduction of energy consumption within state-owned buildings.

The cost of basic heating, ventilation, and electrical needs are a fixed expense that if not efficiently controlled can consume a significant portion of an already strained maintenance operating budget. With existing technology and a common sense approach to conservation, relatively inexpensive modifications can be made to almost any facility that will result in eventual payback and funds to perform needed scheduled maintenance activities.

We intend to examine energy management systems including basic insulation and weather-stripping, window glazing, efficient HVAC (heating, ventilation and air conditioning) equipment, and lighting. DDC (Direct Digital Control) systems have already proven to offer substantial savings with minimal investment and such a system is capable of achieving optimum energy efficiency. Some manufacturers of DDC equipment go so far as

to offer creative financing packages whereby the purchase and installation of equipment is paid for out of energy cost savings.

WORKPLAN

To organize this effort and ensure an orderly transition, a draft workplan has been prepared. It includes 28 tasks in five emphasis areas and has been distributed to the transition team and members of the Alaska State Facilities Administrators, (ASFA). The five areas are: General Transition Issues, Employee Transfer Issues, Corporate Development Issues, Physical Plant Management Issues and Financial Issues.

WORKSHOP: 24 HOUR FACILITIES

Workshops were held November 23 and 24 with employees from the Dept. of Corrections, Health & Social Services, the Pioneer Homes and ASFA members. Guest speakers from British Columbia included Ray Parks, Facilities Manager, Ministry of Attorney General (similar to our Law & Corrections Departments) and Don Lebeter, Operations Superintendent from the British Columbia Buildings Corporation (BCBC).

Our guests were invited to explain the operations of their facilities management program. On November 24, we covered specifically how it applied to 24 hour facilities. British Columbia established their consolidated facilities management program, (British Columbia Buildings Corporation) fifteen years ago. Prior to that, facilities management was handled separately by each ministry (similar to the current state program). At the time of the merger, both guests were employed by the ministry. Since then Mr. Lebeter transferred to BCBC. Collectively, they have over 35 years of experience in corrections and fa-

ilities management.

Even though other states have merged their facilities management under similar programs, we chose the BCBC program to review in depth because of the similarities between Alaska and Canada; geographic and both have a large number of remote buildings. Those attending the workshop were able to voice concerns on how the merger would affect them, and draw on the experiences of our guest speakers. A detailed summary of issues was mailed to all participants and is available by request.

BETHEL MAINTENANCE COORDINATION PROJECT

One of the many challenges facing the new organization is the merger of existing multi-agency maintenance personnel and equipment. This project was conceived as a way to gather information on both the benefits and the problems of merging facility related resources. The project involves the departments of Corrections, Health & Social Services, Military & Veterans Affairs and Transportation & Public Facilities. Bethel was selected because of its size, the number of maintenance personnel from different agencies and the off road location.

An initial planning meeting was held in November to develop project parameters and goals. Detailed planning for the project began this month. Meetings will be held in February and the project will be underway by March 1. It will be monitored by facility managers from the agencies involved. Don Valesko, Business Manager, Local 71 is involved in the planning stages of the project as well as the progress review. Status reports will be provided in future editions of UPDATE.

DEPARTMENT TRANSITION PLANS

Each department will be asked to appoint an internal transition team, who will complete a transition plan. A transition plan outline is being developed and will be sent out in mid-January. These transition plans will provide us with department policies, budget status, financing/funding and data management of current facilities management programs. From this information, an action plan can be developed.

Development of transition plans is the first of many opportunities department program managers will have to give input to the merger.

QUESTIONS FROM YOU

1. If we transfer to the new agency, will we lose some of the benefits we now enjoy?

Employees will continue to be in the state employment system, with bargaining unit representation and will transfer to the new authority without a change in benefits.

2. Does the proposed merger involve some privatization of maintenance functions currently performed by state employees. Does this mean that some employees will lose their jobs?

We do not expect the level of maintenance workers to decrease due to the merger. There is a backlog of work, some of which may be contracted out; but it is agreed we cannot accomplish the required maintenance with fewer personnel.

3. Will the new organization require employees to relocate?

Employees will not be required to move from a community. Maintenance workers currently assigned to a facility are expected to remain reporting to and responsible for that facility. Over time, as deferred maintenance is taken care of, it is expected there will be less need for daily "crisis" response and that facilities with multiple maintenance personnel may be able to share these employees to accomplish preventative maintenance work at other facilities in a given community or region.

4. Has this new facilities organization been successful in other places?

Yes. Ex: The British Columbia Buildings Corporation, British Columbia, Canada (1977), (see related article, Page 1) and the States of Tennessee (1984) and Maryland.

5. Maintenance budgets are continually being cut to subsidize agency program needs. How will the new organization help solve this funding problem so that adequate preventative as well as emergency maintenance can be done?

Certain financial tools are necessary to ensure adequate funding. These include charging occupants rent for the use of space, a mechanism which allows us to collect and retain funding past fiscal year boundaries and a means to obtain capital for repair, replacement and code upgrade projects.

NEWS BRIEFS

- The Executive Order establishing the new organization will be submitted to the Alaska State Legislature January 11, 1993.

The Legislature has 60 days for review and action.

• Kent Crandall, P.M., DOT&PF has awarded a contract to Charles Bettisworth & Co., Inc., to complete Inventory and Condition Surveys for state buildings. The surveys will provide an across the board representative sample of state owned facilities. Results will help determine the existing condition of the state's facilities, the extent of the deferred maintenance backlog, and the funding needed to correct identified code deficiencies.

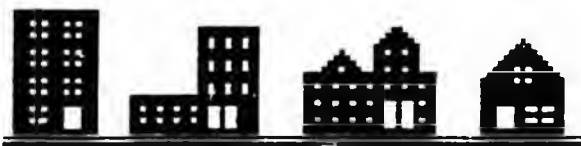
• Leann McGinnis has joined the transition team staff. She is responsible for several project communication tasks.

KIT DUKE'S MESSAGE

This merger is a major undertaking. Everyone's concern's and thoughts about making it a successful transition are important.

I have had occasion to meet with several groups of employees in Juneau and Anchorage, but we know those in other locations have many useful suggestions to offer about how we can be more effective.

We have received several notes and letters from maintenance personnel in several communities around the state. Please continue to contact me, Leann McGinnis or any of the Transition Team members with your suggestions.



TRANSITION TEAM MEMBERS

Cheryl Frasca, Deputy Director,
Office of Management & Budget
465-3568

Kathy Christy, Facilities Planner,
Dept. of Corrections
276-8122

Roger Patch, Director of Installations,
Dept. of Military & Veterans Affairs
428-6770

Newton Chase, Facilities Chief,
Dept. of Health & Social Services
465-3037

Janet Ignell, Human Resources Mgr.,
Dept. of Transportation/Public Fac.
465-4045

Jim Little, Buildings Maintenance Mgr.,
Dept. of Transportation/Public Fac.
451-2203

Boyd Brownfield, Director, D&C,
Dept. of Transportation/Public Fac.
266-1500

Dugan Petty, Director, GS&S,
Dept. of Administration, Leasing
465-2250

Representative: Vacant until Feb. 1993,
Administrative Directors Group

SENATE

Introduced: 1/11/93
 Referred: TRA, STA, FIN

HOUSE

Introduced: 1/11/93
 Referred: STA, TRA, FIN

EXECUTIVE ORDER NO. 87

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance
 2 with AS 24.08.210, I order the following:

3 * **Section 1. FINDINGS.** As governor, I find that it would be in the best interests of
 4 efficient administration to move state facility leasing and management functions from the
 5 Department of Administration and other agencies to the Department of Transportation and
 6 Public Facilities. The functions of state government have grown without a coordinated
 7 program adopted to carry out the procurement and maintenance functions for state facilities.
 8 Because of the fragmentation of facility procurement and management, many state agencies
 9 are housed in poorly maintained and inefficient buildings inadequate to meet the needs of the
 10 agencies and the people of the state. Integrating the state's facility leasing and management
 11 activities into its facilities' planning, design, and construction activities, with one agency
 12 having responsibility for the procurement and management of state facilities, whether through
 13 leasing or state construction, will result in protection of the state's assets, increased cost
 14 effectiveness, and efficient management of those assets.

15 * **Sec. 2.** AS 33.32.015(b) is amended to read:

16 (b) The commissioner of corrections may

17 (1) subject to AS 36.30 (State Procurement Code), use, purchase, lease,
 18 equip, and maintain [BUILDINGS,] machinery[,] and other equipment, **and through**
 19 **the Department of Transportation and Public Facilities, use, purchase, lease, and**
 20 **maintain buildings,** and may purchase materials and enter into contracts, which may
 21 be necessary for the correctional industries program;

22 (2) provide for prisoners to be employed in rendering services and
 23 producing articles, materials, and supplies needed by a state agency, a political

1 subdivision of the state, an agency of the federal government, other states or their
2 political subdivisions, or for use by nonprofit organizations;

3 (3) if the Correctional Industries Commission established in
4 AS 33.32.070 approves, employ prisoners to provide services or products as needed
5 by private industry if the services or products have potential for contributing to the
6 economy of the state and will have minimal negative impact on an existing private
7 industry or labor force in the state;

8 (4) authorize a prisoner to engage in productive employment within
9 or outside a correctional facility or enter into a contract under AS 33.30.191 for the
10 employment of a prisoner if the Correctional Industries Commission determines that
11 the employment will have minimal negative impact on an existing private industry or
12 labor force in the state; and

13 (5) subject to the provisions of AS 36.30 (State Procurement Code),
14 enter into joint cooperative ventures with private industry for the establishment and
15 operation of "Free Venture" industries under AS 33.32.017, if the Correctional
16 Industries Commission determines at the time of inception that the "Free Venture"
17 industry will not compete with an existing private industry or labor force in the state.

18 * Sec. 3. AS 35.05.010 is amended to read:

19 Sec. 35.05.010. PLANNING AND PROCUREMENT [CONSTRUCTION].

20 The department is responsible for the planning and procurement, through
21 construction or leasing, of public works except as provided for court facilities in
22 AS 22.05.025. Contracts for planning and procurement [CONSTRUCTION] of
23 public works are governed by AS 36.30 (State Procurement Code).

24 * Sec. 4. AS 35.05.040 is amended to read:

25 Sec. 35.05.040. POWERS OF DEPARTMENT. The department may

- 26 (1) acquire property;
- 27 (2) exercise the power of eminent domain;
- 28 (3) take immediate possession of real property, or any interest in it
29 under a declaration of taking or by other lawful means;
- 30 (4) acquire rights-of-way for present or future use;
- 31 (5) dispose of excess property or property rights;

1 (6) accept and dispose of federal funds or property available for public
2 works construction, maintenance, or equipment;

3 (7) enter into contracts or agreements relating to public works with the
4 federal government and political subdivisions, and also enter into contracts with a
5 foreign government if approved by the federal government;

6 (8) exercise any other power necessary to carry out the purpose of this
7 title;

8 (9) lease or grant land or any interest in land to the Alaska Housing
9 Finance Corporation for a purpose set out in AS 18.55.100 - 18.55.960 on terms and
10 conditions prescribed by the department;

11 (10) procure directly materials, labor and contractual services for
12 planning, designing and constructing public facilities of the state;

13 **(11) by lease under AS 36.30. procure public facilities for state use.**

14 * Sec. 5. AS 35.10.015(a) is amended to read:

15 (a) The department shall prepare, adopt, and enforce regulations governing the
16 **leasing or** construction of public buildings and facilities by or for the state, including
17 the University of Alaska, and its political subdivisions, whether financed in whole or
18 in part by federal funds, to ensure that public buildings and facilities are accessible
19 to, and usable by, the physically handicapped, aged, or infirm. The regulations of the
20 department must conform to a standard comparable to applicable provisions of federal
21 law, regulations, and standards.

22 * Sec. 6. AS 35.10.160 is amended to read:

23 Sec. 35.10.160. FINDINGS AND PURPOSE. The legislature finds that since
24 the needs of the state for physical facilities of all kinds are diverse, the planning,
25 design, and **procurement** [CONSTRUCTION] of public facilities **through leasing or**
26 **construction** should be executed in accordance with facility procurement policies
27 developed by the department and reviewed annually by the legislature.

28 * Sec. 7. AS 35.10.170 is amended to read:

29 Sec. 35.10.170. DUTIES OF DEPARTMENT. In addition to other duties
30 prescribed by statute, the department shall

31 (1) develop facility procurement policies for the planning, design,

1 construction, leasing, maintenance, and operation of public facilities of the state;

2 (2) develop and maintain an inventory of physical facilities currently
3 owned or occupied by the state;

4 (3) make projections of future public facility needs of the state,
5 analyze facilities needed, and establish methodology for program planning and
6 facilities project planning, design, and construction, based upon

7 (A) a justification of the level of service anticipated by the
8 program agency, utilizing population projections and estimates approved by the
9 governor,

10 (B) consideration of the geographical area to be served by the
11 facility and relevant data concerning the agency's existing public facilities in
12 that area,

13 (C) the date by which the services are to be provided,

14 (D) alternative program methods for providing the services, and

15 (E) pertinent data requested by the department in accordance
16 with procedures developed under AS 5.10.180;

17 (4) engage in experimental projects as necessary relating to any
18 available or future method of facility procurement, design, or construction and any
19 method of improving existing design, planning, and construction techniques;

20 (5) develop life cycle costs of public facilities of the state;

21 (6) develop life cycle costing methodologies for the following special
22 purposes:

23 (A) budget forecasting to support facility program planning and
24 analysis,

25 (B) systematic cost estimating to forecast planning, design, and
26 procurement through leasing or construction,

27 (C) budget forecasting to support development of annual
28 maintenance and operating strategies and life cycle cost plans,

29 (D) alternative methods of space acquisition and space
30 equalization that [WHICH] will maximize the effectiveness of public funds;

31 (7) apply for and accept, on behalf of the state, grants from the federal

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government or an agency of it or from another state foundation, corporation, association, or individual for any of the functions or purposes of the department and may expend any of the money received under this section for any of the functions or purposes.

* Sec. 8. AS 35.10.190(a) is amended to read:

(a) The department shall coordinate the procurement of physical facilities through leasing or construction for the state to insure the greatest cost savings of planning, design, and contractual techniques.

* Sec. 9. AS 35.10.195 is amended to read:

Sec. 35.10.195. CONFORMANCE WITH AS 36.30. The contractual techniques for the procurement of labor, materials, and contractual services, including facility procurement through either leasing or construction, under the policies developed under this chapter must conform to the requirements of AS 36.30 (State Procurement Code).

* Sec. 10. AS 35.10.200(1) is amended to read:

(1) "life cycle costs" means analytic techniques that [WHICH] provide data to describe the first cost of procurement of public facilities through leasing or construction and the maintenance cost, operation cost, and occupancy cost of the facilities;

* Sec. 11. AS 36.30.005(b) is amended to read:

(b) Except as otherwise provided, all rights, powers, duties, and authority relating to the procurement of construction and procurements of equipment or services for the state equipment fleet and the control over construction of state facilities and the state equipment fleet vested in or exercised by an agency on January 1, 1988, are transferred to the commissioner of transportation and public facilities, subject to regulations adopted by the commissioner of administration. Notwithstanding AS 44.68.110, authority relating to disposals from the state equipment fleet is vested in the commissioner of transportation and public facilities, subject to regulations adopted by the commissioner of administration. Effective July 1, 1993, all rights, powers, duties, and authority relating to the lease of space for the executive branch of state government are transferred to the commissioner of transportation

1 and public facilities. subject to regulations adopted by the commissioner of
2 administration. Authority granted under this subsection shall be exercised in
3 accordance with this chapter.

4 * **Sec. 12.** AS 36.30.015(a) is amended to read:

5 (a) The commissioner of transportation and public facilities may delegate to
6 another agency the authority to lease space or contract for construction. Before
7 delegating authority to an agency under this subsection, the commissioner of
8 transportation and public facilities shall make a written determination that the agency
9 is capable of implementing the delegated authority. Notwithstanding delegation of
10 authority under this subsection, contracts for construction are governed by this chapter
11 and regulations adopted by the commissioner of administration under this chapter.

12 * **Sec. 13.** AS 36.30.080(a) is amended to read:

13 (a) The Department of Transportation and Public Facilities
14 [DEPARTMENT] shall lease space for the use of the state or an agency wherever it
15 is necessary and feasible, subject to compliance with the requirements of this section
16 [CHAPTER]. A lease may not provide for a period of occupancy greater than 40
17 years. An agency requiring office, warehouse, or other space shall lease the space
18 through the Department of Transportation and Public Facilities [DEPARTMENT].

19 * **Sec. 14.** AS 36.30.080(d) is amended to read:

20 (d) When the Department of Transportation and Public Facilities
21 [DEPARTMENT] is evaluating proposals for a lease of space, the department shall
22 consider, in addition to lease costs, the life cycle costs, function, indoor environment,
23 public convenience, planning, design, appearance, and location of the proposed
24 building.

25 * **Sec. 15.** AS 36.30.080(e) is amended to read:

26 (e) When the Department of Transportation and Public Facilities
27 [DEPARTMENT] is considering leasing space, that [THE] department should
28 consider whether leasing is likely to be the least costly means to provide the space.

29 * **Sec. 16.** AS 36.30.080 is amended by adding a new subsection to read:

30 (f) In this section, "department" means the Department of Administration,
31 except that "department" means the Department of Transportation and Public Facilities

1 for leases of space for the executive branch of state government.

2 * Sec. 17. AS 36.30.150(b) is amended to read:

3 (b) A contract based on total or life cycle costs may be awarded only when
4 the chief procurement officer or, for construction contracts, leases of space, or
5 procurements for the state equipment fleet, the commissioner of transportation and
6 public facilities, determines in writing at the time of contract solicitation that the
7 contract promotes overall economy for the purposes intended, encourages competition,
8 is not unduly restrictive, and is in the best interests of the state.

9 * Sec. 18. AS 36.30.200(b) is amended to read:

10 (b) The commissioner may provide by regulation that it is either not
11 practicable or not advantageous to the state to procure specified types of supplies,
12 services, or construction by competitive sealed bidding that would otherwise be
13 procured by that method. When the chief procurement officer, or for construction
14 contracts, leases of space, or procurements for the state equipment fleet, the
15 commissioner of transportation and public facilities, determines in writing that the use
16 of competitive sealed bidding is either not practicable or not advantageous to the state,
17 a contract may be entered into by competitive sealed proposals in accordance with the
18 regulations. When it is determined that it is practicable but not advantageous to use
19 competitive sealed bidding, the chief procurement officer or commissioner of
20 transportation and public facilities shall specify with particularity the basis for the
21 determination.

22 * Sec. 19. AS 36.30.300(a) is amended to read:

23 (a) A contract may be awarded for supplies, services, professional services,
24 or construction without competitive sealed bidding, competitive sealed proposals, or
25 other competition in accordance with regulations adopted by the commissioner. A
26 contract may be awarded under this section only when the chief procurement officer
27 or, for construction contracts, leases of space, or procurements for the state equipment
28 fleet, the commissioner of transportation and public facilities determines in writing
29 that there is only one source for the required procurement or construction. A sole
30 source procurement may not be awarded if a reasonable alternative source exists. The
31 written determination must include findings of fact that support by clear and

1 convincing evidence the determination that only one source exists. Except for
2 procurements of supplies, services, or construction that do not exceed the amount for
3 small procurements under AS 36.30.320(a), the authority to make the determination
4 required by this subsection may not be delegated.

5 * Sec. 20. AS 36.30.305(a) is amended to read:

6 (a) A contract for supplies, services, professional services, or a construction
7 contract under \$100,000, may be awarded without competitive sealed bidding or
8 competitive sealed proposals, in accordance with regulations adopted by the
9 commissioner. A contract may be awarded under this section only when the
10 commissioner, or, for construction contracts under \$100,000, leases of space, or
11 procurements for the state equipment fleet, the commissioner of transportation and
12 public facilities, determines in writing that a situation exists that makes competitive
13 sealed bidding or competitive sealed proposals impractical or contrary to the public
14 interest. Procurements under this section shall be made with competition that is
15 practicable under the circumstance. Except for procurements of supplies, services, or
16 construction that do not exceed the amount for small procurements under
17 AS 36.30.320(a), the authority to make a determination required by this section may
18 not be delegated.

19 * Sec. 21. AS 36.30.580(b) is amended to read:

20 (b) The time for a decision may be extended up to 26 days for good cause by
21 the commissioner of administration, or for protests involving construction, leases of
22 space, or procurements for the state equipment fleet, the commissioner of
23 transportation and public facilities. If an extension is granted, the procurement officer
24 shall notify the protester in writing of the date of the decision is due.

25 * Sec. 22. AS 36.30.590(a) is amended to read:

26 (a) An appeal from a decision of a procurement officer on a protest may be
27 filed by the protester with the commissioner of administration, or for protests
28 involving construction, leases of space, or procurements for the state equipment fleet,
29 the commissioner of transportation and public facilities. An appeal shall be filed
30 within 10 days after the decision is received by the protester. The protester shall file
31 a copy of the appeal with the procurement officer.

1 * Sec. 23. AS 36.30.620(c) is amended to read:

2 (c) The time for issuing a decision under (b) of this section may be extended
3 for good cause by the commissioner of administration, or for a controversy involving
4 a construction contract, a lease of space, or procurement for the state equipment fleet,
5 the commissioner of transportation and public facilities, if the controversy concerns
6 an amount in excess of \$50,000. The procurement officer shall notify the contractor
7 in writing that the time for the issuance of a decision has been extended and of the
8 date by which a decision shall be issued.

9 * Sec. 24. AS 36.30.625(a) is amended to read:

10 (a) An appeal from a decision of the procurement officer on a contract
11 controversy may be filed by the contractor with the commissioner of administration,
12 or for a controversy involving a construction contract, a lease of space, or
13 procurement for the state equipment fleet, the commissioner of transportation and
14 public facilities. The appeal shall be filed within 14 days after the decision is
15 received by the contractor. The contractor shall file a copy of the appeal with the
16 procurement officer.

17 * Sec. 25. AS 36.30.870(b) is amended to read:

18 (b) Regulations under this chapter applicable to procurements of construction,
19 leases of space, or procurements for or disposal of property of the state equipment
20 fleet shall be adopted by the commissioner of administration only after consultation
21 with the commissioner of transportation and public facilities.

22 * Sec. 26. AS 38.05.030(d) is amended to read:

23 (d) Real property acquired by and under the management of the agencies
24 referred to in (b) of this section that is no longer needed for its intended use shall be
25 transferred to the commissioner, except that the Department of Transportation and
26 Public Facilities may dispose of real property acquired by it under AS 19.05.040(2),
27 [AND] 19.05.080 - 19.05.120, and AS 35.20.010 - 35.20.070.

28 * Sec. 27. AS 44.42.020(a)(1) is amended to read:

29 (1) plan, design, construct, and maintain all state modes of
30 transportation and transportation facilities and all docks, floats, breakwaters, buildings,
31 and similar facilities, allocate space in state buildings to the various departments

1 according to need and available space, and execute all leases of space;

2 * Sec. 28. AS 44.42.020(b) is amended to read:

3 (b) The department may

4 (1) engage in experimental projects relating to available or future
5 modes of transportation and any means of improving existing transportation facilities
6 and service;

7 (2) acquire and dispose of land or interests in land by deed,
8 agreement, or lease of space and exercise the power of eminent domain, including
9 the declaration of taking as provided in AS 09.55;

10 (3) publish plans, schedules, directories, guides, and manuals for
11 distribution, with or without charge, to private or public entities or persons;

12 (4) operate state housing in support of the department's statutory
13 responsibilities and charge rent that is consistent with applicable collective bargaining
14 agreements, or, if no collective bargaining agreement is applicable, competitive with
15 market conditions;

16 (5) charge reasonable fees to cover the costs of issuing easements,
17 licenses, and permits and to cover the costs of reproduction, printing, mailing, and
18 distribution of contract and bid documents and design and construction standards
19 manuals;

20 (6) charge and collect fees for training services and technical
21 assistance provided by department personnel;

22 (7) delegate to another agency the authority to maintain buildings
23 and similar facilities.

24 * Sec. 29. AS 47.10.150 is amended to read:

25 Sec. 47.10.150. GENERAL POWERS OF DEPARTMENT OVER JUVENILE
26 INSTITUTIONS. The department may

27 (1) subject to AS 36.30 (State Procurement Code), through the
28 Department of Transportation and Public Facilities, purchase, lease, or construct
29 buildings or other facilities for the care, detention, rehabilitation, and education of
30 children in need of aid or delinquent minors;

31 (2) subject to AS 35.05.010, adopt plans, through the Department

1 of Transportation and Public Facilities, for physical construction of juvenile homes,
2 juvenile detention facilities, and other juvenile institutions;

3 (3) adopt standards and regulations under this chapter for [THE
4 DESIGN, CONSTRUCTION, REPAIR, MAINTENANCE, AND] operation of all
5 juvenile detention homes, facilities, and institutions;

6 (4) inspect periodically each juvenile detention home, facility, or other
7 institution to ensure that the standards and regulations adopted are being maintained;

8 (5) reimburse cities maintaining and operating juvenile detention
9 homes and facilities;

10 (6) enter into contracts and arrangements with cities and state and
11 federal agencies to carry out the purposes of this chapter;

12 (7) do all acts necessary to carry out the purposes of this chapter;

13 (8) adopt the regulations necessary to carry out this chapter;

14 (9) accept donations, gifts, or bequests of money or other property for
15 use in construction of juvenile homes, institutions, or detention facilities;

16 (10) operate juvenile homes when municipalities are unable to do so;

17 (11) receive, care for, and place in a juvenile detention home, the
18 minor's own home, a foster home, or correctional school or treatment institution all
19 minors committed to its custody under this chapter.

20 * Sec. 30. AS 44.21.020(5) is repealed.

21 * Sec. 31. TRANSITION. (a) Litigation, hearings, investigations, and other proceedings
22 pending under a law amended or repealed by this Order, or in connection with functions
23 transferred by this Order, continue in effect and may be continued and completed
24 notwithstanding a transfer or amendment or repeal provided for in this Order.

25 (b) Contracts, rights, liabilities, and obligations created by or under a law amended
26 or repealed by this Executive Order, and in effect on June 30, 1993, remain in effect
27 notwithstanding this Order's taking effect. Records, equipment, appropriations, and other
28 property of agencies of the state whose functions are transferred under this Order shall be
29 transferred to implement the provisions of this Order.

30 * Sec. 32. This Order takes effect July 1, 1993.

DATED: _____

Walter J. Hickel
Governor

EO 87

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New Text Underlined [DELETED TEXT BRACKETED]

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