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HFIN

FILE

(11)

Date Referred: May 9, 1994

HOUSE COMMITTEE REPORT
FURTHER REFERRALS:

Date of Committee Action: 5/10/94

The FINANCE Committee considered:

SB 365 am

SENATE BILL NO. 365 am

GOVERNOR'S OMNIBUS BILL

"An Act amending, and repealing laws providing for state agency functions and services related to transportation and capital improvement planning, workers' compensation, motor vehicles and motor vehicle insurance, medical care for prisoners, state building leases, and review and approval of water and sewer systems, for the purpose of reducing state government expenditures; and providing for an effective date."

RECOMMENDATIONS:

be replaced with HRS SB 365 (FIN) the same title
 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) 1 DPS 3/24/94

zero fiscal note _____

Gov 4/21/94, DOT 4/21/94, DEC 4/21/94 Labor 4/21/94
8 zero fiscal note(s) FS 4/21/94, DPA-4/21/94
CORRECTIONS 4/21/94 LAWS 4/21/94

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Eileen P. Mackay	<input checked="" type="checkbox"/>	Paul J. Larson		<input checked="" type="checkbox"/>	
		Robb Yevandavarr		<input checked="" type="checkbox"/>	
		Mark Hanky		<input checked="" type="checkbox"/>	
		Terry Martin		<input checked="" type="checkbox"/>	
		Scott Parnik		<input checked="" type="checkbox"/>	
		Ben Grossenart		<input checked="" type="checkbox"/>	
		John Hoffmann		<input checked="" type="checkbox"/>	
		Therriault		<input checked="" type="checkbox"/>	
		Larry Brown		<input checked="" type="checkbox"/>	

Paul J. Larson & Eileen P. Mackay

CO - CHAIRMAN'S SIGNATURE

LARSON

Mackay

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL C

Bill Version: SB 365

(S) Publish Date: 3-24-94

Revision Date: _____ Dept. Affected: Public Safety
 Title: Improvement of State Finances BRU: Fire Prevention
 Component: Fire Prevention Operations
 Sponsor: RLS by Request
 Requestor: Governor COMPONENT SERIAL NO. 494

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()	*	35.6	74.2	74.2	74.2	74.2
<small>Revenue Code</small>						

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

Estimate of current year (FY 94) impact: \$

POSITIONS:

FULL-TIME	Changes in <u>CSRB 365 (FIN)</u> reflect NO FISCAL CHANGE from the original fiscal note. This fiscal note is appropriate.	Changes in <u>CSRB 365 (STF)</u> have no fiscal impact. This fiscal note is appropriate.	
PART-TIME	<u>4/21/94</u> date	<u>4-8-94</u> date	
TEMPORARY	<u>[Signature]</u> Comte Aide (initial)	<u>[Signature]</u> Comte Aide (initial)	

ANALYSIS:

* This change would allow the Division of Fire Prevention to charge a fee for the permits the Division issues. The fees proposed are based on the average charged by other states with similar permit programs. The increased revenue would go into the general fund in the form of program receipts that could be used to support the Division's programs.

There will be little or no change in FY 95 because regulations will have to be changed to implement the fees.

Prepared By: Jack McGary Phone: 269-5491
 Division: Fire Prevention Date: 03/08/94
 Approved by Commissioner: [Signature] Date: 03/08/94
 Agency: Richard L. Burton, Dept. of Public Safety

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McG
3/8/94

FY 1996

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
			<u>\$ 6,500</u>

TOTAL **\$35,675**

FY 97, FY 98, FY 99, FY 00

Fire Extinguishers

Class I	150 @	\$ 75	\$11,250
Class II	70 @	150	10,500
Class III	33 @	225	7,425
			<u>\$29,175</u>

Fire Works

Pyrotechnic Operator Permit	10 @	350	3,500
Fire Works Display Permit	30 @	100	3,000
			<u>\$ 6,500</u>

Fire Systems

Class IA	20 @	\$100	\$ 2,000
Class IB	50 @	150	7,500
Class IC	25 @	200	5,000
Class IIA	40 @	200	8,000
Class IIB	15 @	400	6,000
Class IIIA	20 @	200	4,000
Class IIIB	15 @	400	6,000
			<u>\$38,500</u>

TOTAL **\$74,175**

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL

10
Bill Version: CSSB 365 (FIN)
(S) Publish Date: 4-21-94

Revision Date: _____ Dept. Affected: Public Safety
Title: Governor's Omnibus Bill BRU: _____
Component: Driver Services
Sponsor: RLS by Request
Requestor: (S) Finance COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

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-

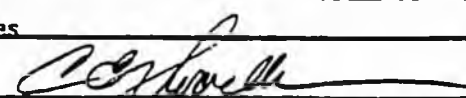
Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

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

ANALYSIS:

Changes to the Motor Vehicle statutes contained in this bill will streamline procedures for functions currently being performed to produce greater efficiencies within the Division.

Prepared By: Juanita Hensley Phone: 465-4361
Division: Motor Vehicles Date: 04/13/94
Approved by Commissioner:  Date: 04/13/94
Agency: Richard J. Burton, Dept. of Public Safety

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FISCAL NOT

No. 11

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Bill Version: CSSB 365 (Final)

(S) Publish Date: 4-21-94

Revision Date: _____ Dept. Affected: Administration
 Title: Omnibus Bill BRU: Leasing and Facilities
 Component: Leasing
 Sponsor: Rules
 Requestor: Senate Finance COMPONENT SERIAL NO. 81

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
Total	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY94) cost: none

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

See attached.

Prepared by: Dugan Petty, Director Phone: 465-2250
 Division: General Services Date: _____
 Approved by Commissioner: Nancy Bear Usura Date: 4/13/94
 Agency: Administration

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FISCAL NOTE

No. 12

Bill Version: 0SSB 305(FIN)

(S) Publish Date: 4/22/94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Office of the Governor
 Title: "An Act relating to the improvement of state finances BRU: Management and Budget
making changes to state agency functions or procedures" Component: Budget Review
 Sponsor: Senate Rules Committee
 Requestor: Governor COMPONENT SERIAL NO. 16

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (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	0.0	0.0	0.0

Estimate of any current year (FY94) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the Office of Management and Budget.

Prepared by: Nancy Slagle, Director *Nancy Slagle* Phone: 465-4681
 Division: Office of Management and Budget, Division of Budget Review Date: 3/22/94
 Approved by Commissioner: *Patrick J. Brown* Date: 3/22/94
 Agency: Office of the Governor

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

No. 13

Bill Version: CSSB 365(FIN)

(S) Publish Date: 4-21-94

Revision Date:
Title: Governor's Omnibus Bill

Department Affected: DOT&PF
BRU:

Sponsor: Governor
Requestor:

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	0	0	0	0	0	0

POSITIONS

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

Estimate of current year (FY94) impact: \$0

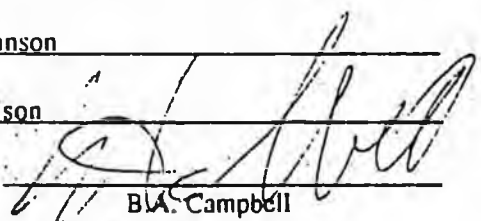
ANALYSIS: (Attach a separate page if necessary)

Prepared by: J.K. Ginger Johnson

Phone: 465-3904

Division: Legislative Liaison

Date: April 13, 1994

Approved by Commissioner: 

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: April 13, 1994

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 14
Bill Version: CSSB 365(FIN)
(S) Publish Date: 4-21-94

Revision Date: _____
Title: Governor's Omnibus
Sponsor: Senate Rules Committee
Requestor: Senate Finance Committee

Department Affected: Environmental Conservation
BRU: Environmental Quality
Component: Water and Waste Water

COMPONENT SERIAL NO. 1426

Expenditures/Revenues:	(Thousands of Dollars)					
	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
OPERATING EXPENDITURES						
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE						
	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY94) cost: \$ _____

POSITIONS:						
	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS (Attach a separate page if necessary.)

Prepared by: Bob Poe, Director
Division: Information & Administrative Services Division

Phone: 465-5010
Date: 4/13/94

Approved by Commissioner: _____
Agency: Department of Environmental Conservation

Date: 4/13/94

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FISCAL NOTE

No. 15

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BIL Bill Version: QSSB 365 (FIN)

(S) Publish Date: 4-21-94

Revision Date: _____

Department Affected: Labor

Title: Governors' Omnibus Bill

BRU: Workers' Compensation

Sponsor: Senate Rules by request of the Governor

Component: _____

Requestor: Senate Finance

Workers' Compensation

COMPONENT SERIAL NO. 344

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Paul B. Arnoldt, Director *Paul B. Arnoldt* Phone: 465-6059

Division: Workers' Compensation Date: 4/14/94

Approved by Commissioner: Charles W. Mahlen *Charles W. Mahlen*

Agency: Department of Labor Date: 4/14/94

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

No. 16

Bill Version: CSRB 365 (FIN)

(S) Publish Date: 4-21-94
Corrections

Revision Date: April 14, 1994
Title: Re. state agency functions (medical care for prisoners)
Sponsor: S. Rules
Requestor: S. FIN

Dept. Affected: _____
BRU: Statewide Operations
Component: Inmate Health Care
Component Serial #: 705

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXP.	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXP	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGES IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY94) cost \$ 0.0

POSITIONS

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

ANALYSIS:

Prepared by: Diane Schenker, Special Assistant
Division: Office of the Commissioner
Approved by: J. Frank Prewitt, Jr., Commissioner
Agency: Department of Corrections

Phone: 465-4643/786-2147
Date: 4/14/94
Date: 4/14/94
Page 1 of 1

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 17

Bill Version: CS SB 365 (FIA)

(S) Publish Date: 4-21-94

Revision Date: March 22, 1994
 Title: "...relating to the improvement of state finances..."
 Sponsor: Rules/Request of Governor
 Requestor: Governor's Office

Department Affected: Department of Law
 BRU: All
 Component: All

COMPONENT SERIAL NO. 0086-0090,1823,0093,0097,1421,1410

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND &						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX

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

FUNDING:

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

POSITIONS:

FULL-TIME	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: XXXX

ANALYSIS: (Attach a separate page if necessary.)
Please see the attached analysis.

Richard I. Peques

Prepared by: Richard I. Peques, Director

Division: Administrative Services/Division

Phone: 465-3672

Date: March 22, 1994

Approved by Commissioner: Bruce M. Botelho, Attorney General

Agency: Department of Law

Date: March 22, 1994

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB 365 (Fin)

ANALYSIS:

Section 24 increases the length allowed for lease extensions authorized under SB 129 during the last legislative session from five years to ten years. We anticipate that some lessors who are not willing to negotiate lease rate reductions and ADA modifications in exchange for a five-year lease extension will be willing to extend leases for ten years because of more favorable financing opportunities and longer amortization periods. There are up to 24 leases that offer the potential for savings in exchange for a ten-year extension. The actual amount of savings is dependent upon negotiations, lessor's ability to refinance existing obligations, and costs for ADA improvements. A rough review of leases suggests a potential in the range of \$165.0 - \$325.0. Since the leasing budget is historically under funded, any savings achieved through negotiations would reduce the amount requested in a supplemental appropriation.

Section 25 amends the small procurement section of the Procurement Code to include leases that do not exceed 2,500 square feet or \$5,000 per month. This will allow for informal and therefore less cumbersome procurements for certain leases. The Division of General Services (DGS) believes that this change will allow for greater efficiencies in lease acquisition which will permit DGS contracting officers to concentrate their efforts on the backlog of lease renewals and bids--thereby reducing the risk of premium payments for unplanned lease extensions and evictions. The current inventory of leases shows 144 leases that fit in this category.

5/10/94 am #1

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: SB 365 am

Page 1, line 2:

Delete "~~transportation and capital improvement planning,~~"

Page 1, line 8 through page 2, line 15:

Delete all material

Page 10, line 5, through page 11, line 30:

Delete all material

NO OBJ
→
→

- * Delete section # 1 - #2
- * Remove section # ~~27~~ : #2B

Renumber following bill sections accordingly.

SENATE BILL 365 am

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

Section	Department	Brief Description
1	Transportation & Public Facilities	Amends long-range program consistent with the Federal Highway Act of 1991
2	Transportation & Public Facilities	Clarifies the construction season report
3	Transportation & Public Facilities	Eliminates the requirement to conform closely with standards adopted by the American Association of State Highway and Transportation Officials to provide increased flexibility to meet Alaska's unique circumstances
4	Labor	Adopts latest federal publication which reflects basic job requirements and basis for determining eligibility for reemployment for Workers' Compensation
5	Labor	Delegates authority to arrange medical evaluations to Workers' Compensation staff.
6	Labor	Identify appropriate publication to be used to determine eligibility for permanent partial impairment compensation and reemployment benefits for Workers' Compensation.
7	Public Safety	Allows the department to use a certified computer printed record in court in the same manner as the original document
8	Public Safety	Changes the method of notice for license actions from certified to first class mail
9	Public Safety	Allows hearings to be conducted by telephone in areas where no departmental hearing officers are located and allows the department discretion of determining where and when a hearing is needed in person

SENATE BILL 365 am

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

Section	Department	Brief Description
10	Public Safety	Extends the time period for dealer temporary permits from 30 to 60 days
11	Public Safety	Repeals the requirement to have all commercial and special registrations expire in a certain month - This was only required for initial implementation of staggered registration
12-13	Public Safety	Allows hearings to be conducted by telephone and allows the department the discretion of determining where and when a hearing is needed in person
14-22	Public Safety	Increases the dollar amount from \$500 to \$1,000 of damages for reporting and proof of financial responsibility
23	Corrections	Clarifies the department's legal obligation to provide access to medical treatment
24	Administration	Allows the extension of existing leases up to 10 years if a certain cost savings can be realized as specified in this section
25	Administration	Allows leases of \$5,000 or less per month and less than 2,500 square feet to be bid under small procurement regulations
26	Governor's Office	Replaces 6-year plan with a multi-year program in either fiscal year or priority format
27	Transportation & Public Facilities	Amends the capital project description requirements for the department to include a general description and source of financing for proposed projects

SENATE BILL 365 am

- REDUCING STATE GOVERNMENT EXPENDITURES - SECTIONAL

Section	Department	Brief Description
28-29	Transportation & Public Facilities	Allows the department to develop the long-range plan consistent with applicable federal laws
30	Environmental Conservation	Establishes in statute the on-site water and sewer system certification and audit program
31	Environmental Conservation	Restricts the department review of sewerage system plans in areas where local codes are established
32	Public Safety	Repeals AS 28.10.108(b) that requires commercial and special registrations to expire in a certain month - see section 11
32	Public Safety	Repeals AS 28.22.041(h) relating to exceptions to providing proof of motor vehicle liability insurance in the case of an accident - see section 20
33		Allows departments to proceed to adopt necessary regulations to implement their respective sections in this bill
34		Provides an immediate effective date for section 33
35		Provides for a July 1, 1994 effective date for all other sections

COMMISSION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 21, 1994

SUBJECT: Enclosed CS incorporating amendment related to police protection in certain municipalities (CSSB 365(FIN))

TO: Senator Steve Frank
Co-Chair, Senate Finance Committee

FROM: David R. Dierdorff
Revisor of Statutes 

Enclosed is the CS that you requested. I believe you may have been alerted to the single subject problems of CSSB 365(FIN), but I also wanted to stress to you that the enclosed CS contributes further to the risk that the bill would be held to violate the state's constitution.

Under the state constitution, bills must be limited to a single subject. Article II, sec. 13.^{1/} The only subject that is common to all present provisions of CSSB 365(FIN) is "reduction of state government expenditures." As I have stated in previous opinions, I believe that a court would be very likely to find that the bill violates the single subject rule.^{2/}

The principal subject of the amendment you have asked us to incorporate is municipal service areas. It deals with the formation of a service area in one type of

^{1/} Article II, section 13 provides, in part:

Every bill shall be confined to one subject * * *. The subject of each bill shall be expressed in the title.

^{2/} My previous opinions are based on the California case of Harbor v. Deukmejian, 742 P.2d 1290 (Cal. 1987), in which the court stated that "statutory adjustments" to effect savings in the budget was excessively general and "violates the purpose and intent of the single subject rule." I believe that the Harbor case will be followed by an Alaska court if a challenge to bills like CSSB 365(FIN) and last year's SB 99 are brought. The rule in California has been interpreted almost exactly like Alaska's; all previous California decisions were like ours--quite generous in their interpretation. But our court has not yet been asked to consider an enactment with contents as broad as CSSB 365(FIN) and its relatives.

Senator Steve Frank

April 21, 1994

Page 2

municipality for a specific purpose. It also provides for the levy of an assessment if approved. Only secondarily does it affect state government, in that only if the municipal area is formed do the troopers have an obligation to provide service, and only then would the state be reimbursed for the cost of those services. Whether the net revenue to the state would cover more than the additional services provided by the state is an open question--in other words it is impossible to know whether these provisions would in fact reduce state expenditures. For that reason, I believe that the added provisions are not within even the unconstitutionally broad subject of reducing state expenditures. It is true that the title of the bill mentions several specific areas of law that are affected by the bill, but each of those is not a "subject" in the constitutional sense. Each of them is a subject area that is involved in the common goal of reduction of expenditures.

If I may be of further assistance please advise.

DRD:pl
94-330.plm

Enclosure

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 25, 1994

SUBJECT: Subjects Contained in SB 365 am (8-GS1049\R)

TO: Representative Ramona Barnes
Speaker of the House
Attn: Melva Krogseng

FROM: David R. Dierdorff 
Revisor of Statutes

You have asked for a brief review of the subjects contained in the Senate-passed version of the governor's "state finance improvement" bill, SB 365. This sectional describes briefly the operative provisions and suggests appropriate subjects, in the context of the constitutional single subject requirement, that describe the contents of the section or sections discussed. I assume that you have seen my memo to Representative Larson or another of my memos regarding single subject problems in SB 365 as introduced, so I won't repeat any of the legal discussions in this memo.

Sections 1 - 3 and 28 - 29 amend laws relating to transportation planning. Proper subjects might include "transportation planning" or "duties of the Department of Transportation and Public Facilities".

Sections 4 - 6 amend the workers' compensation statutes. According to a memo dated April 6 from Commissioner Mahlen to Nancy Slagle, the amendments in secs. 4 and 6 update publication references to make them "current" and "reduce the need for administrative hearings." Section 5's amendment clarifies the board's authority to delegate to staff the authority to arrange independent medical evaluations, allowing the board to concentrate more on adjudicative duties and less on administrative matters. The obvious subject is "workers' compensation." The changes in secs. 4 and 6 don't really fit under any other subject.

Sections 7 - 22 all deal with various aspects of the regulation of motor vehicles (records, notices, hearings, permits, registration, security deposits, accident reports, and insurance). The proper subject is "motor vehicles."

Representative Ramona Barnes
April 25, 1994
Page 2

Section 23 relates to medical care for prisoners. Proper subjects might include "corrections" or "medical care for prisoners."

Sections 24 and 25 authorize the extension of certain state leases and categorize certain other lease procurements as small procurements. Proper subjects might include "state leases" or "procurement procedures."

Sections 26 and 27 relate to planning for capital improvement programs. Proper subjects might include "capital improvement construction programs" or "capital improvement planning."

Sections 30 and 31 relate to review and approval of water and sewer systems. Proper subjects might include "water and sewer systems" or "sanitation."

Section 32 repeals statutes relating to motor vehicles. The proper subject is, obviously "motor vehicles."

Section 33 simply allows agencies that need to adopt new regulations because of changes made in the Act to start right away even though the changed law is not yet in effect.

Sections 34 and 35 are effective date sections.

I have previously expressed my belief that even though SB 365 am (in its earlier incarnation as a draft CS) is an improvement over SB 365 as introduced, there are still single subject questions that could be raised. For that reason, it is important that the waters not be muddied further by adding in new material (such as the "Hillside police" amendments) that would make it even easier for a constitutional challenge to succeed. Note also that the title describes each of the operative subject areas by reference to and in the context of "the purpose of reducing state government expenditures," which is the only "single subject" under which the bill can be defended (and which I believe is likely to be difficult to defend).

If I may be of further assistance, please advise.

DRD:pl
94-334.plm

WALTER J. HICKEL
GOVERNOR



P. O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 23, 1994

*The Honorable Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182*

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the improvement of state finances and fiscal accountability by increasing fees, collecting additional revenues, reducing certain program expenditures, and changing state agency functions or procedures to achieve certain savings or efficiencies. A section-by-section description of this bill is forthcoming.

In this time of great financial concern, we must look for ways of streamlining state government and find ways for agencies to defray a greater portion of their costs through the imposition or increase of fees. If there are ways to access other kinds of funds for the services the state provides, then we must be willing to seek those funds. If there are ways to cut the expenses of the state administration, we must be open to the changes necessary to achieve them.

This bill is only one example of this administration's continued efforts to keep the costs of state government in check. It, along with the bills I have introduced that change required reports of state agencies (HB.530 - SB 357) and eliminate some state multimember bodies (HB 531 - SB 358), can go a long way to improving the operation and expense of the state.

I urge your favorable consideration of the bill.

Sincerely,

A large, stylized handwritten signature of Walter J. Hickel in black ink.

Walter J. Hickel
Governor

(7)
Date Referred: April 27, 1994

HOUSE COMMITTEE REPORT
FURTHER REFERRALS:

5/9/94
Finance

Date of Committee Action: 5-9-94

The STATE AFFAIRS Committee considered:

SB 365 am

SENATE BILL NO. 365 am

GOVERNOR'S OMNIBUS BILL

"An Act amending, and repealing laws providing for state agency functions and services related to transportation and capital improvement planning, workers' compensation, motor vehicles and motor vehicle insurance, medical care for prisoners, state building leases, and review and approval of water and sewer systems, for the purpose of reducing state government expenditures; and providing for an effective date."

- 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 _____

(7) [] (zero fiscal note(s) ^{Senate} DEC, DOT, GOV, RDM 4/26/94 DOC, Labor, P.S.

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Al Veary</i> Veary	X	<i>Frank Ulmer</i> Ulmer		X	
<i>Paul Cott</i> Cott	X	<i>Harvey Goldberg</i> Goldberg		✓	
<i>John Sanders</i> Sanders	✓	<i>George Davis</i> G. DAVIS		✓	
<i>George Davis</i> B. Davis	✓				
	(4)			(3)	

Al Veary
CHAIRMAN'S SIGNATURE

FISCAL NOTE

No. 18

Bill Version: CSSB 365(FIN)

(S) Publish Date: 4-21-94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to the improvement BRU: Alaska State Troopers
of state finances . . . Component: Administration
 Sponsor: Rules
 Requestor: Governor COMPONENT SERIAL NO. _____

Expenditures/Revenues

(Thousands of Dollars)

	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
OPERAT						
PERSONA		202.5	202.5	202.5	202.5	202.5
TRAVEL		0	0	0	0	0
CONTRAI		30.0	30.0	30.0	30.0	30.0
SUPPLIE		20.6	20.6	20.6	20.6	20.6
EQUIPME		0	0	0	0	0
LAND &		0	0	0	0	0
GRANTS		0	0	0	0	0
MISCEL		0	0	0	0	0
TOTAL		253.1	253.1	253.1	253.1	253.1
CAPIT						
CHANG		253.1	253.1	253.1	253.1	253.1

NO

FUND:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	253.1	253.1	253.1	253.1	253.1	253.1
1006 GF/MHTIA						
Other						
TOTAL	253.1	253.1	253.1	253.1	253.1	253.1

Estimate of any current year (FY94) cost: \$ _____

POSITIONS

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Senate Finance Committee
 Division: _____
 Approved by Commissioner: [Signature]
 Agency: _____

Phone: 465-2678
 Date: 04/20/94
 Date: 04/20/94

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FISCAL NOTE

No. 19

Bill Version: CSSB 365 (FIN)

(S) Publish Date: 4-21-94

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Revision Date: _____	Dept. Affected: <u>Public Safety</u>
Title: <u>An Act relating to the improvement of state finances . . .</u>	BRU: <u>Alaska State Troopers</u>
Sponsor: <u>Rules</u>	Component: <u>Detachments</u>
Requestor: <u>Governor</u>	COMPONENT SERIAL NO. _____

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	1355.2	1355.2	1355.2	1355.2	1355.2	1355.2
TRAVEL	57.0	57.0	57.0	57.0	57.0	57.0
CONTRACTUAL	252.5	252.5	252.5	252.5	252.5	252.5
SUPPLIES	22.8	22.8	22.8	22.8	22.8	22.8
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5
1006 GF/MHTIA						
Other						
TOTAL	1687.5	1687.5	1687.5	1687.5	1687.5	1687.5

Estimate of any current year (FY94) cost: \$ _____

POSITIONS

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary)

Prepared by: <u>Senate Finance Committee</u>	Phone: <u>465-2678</u>
Division: _____	Date: <u>04/20/94</u>
Approved by Commissioner: <u><i>Peace</i></u>	Date: <u>04/20/94</u>
Agency: _____	

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