

**SB**

**265**

SFIN

FILE

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/7/96

FURTHER:

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4/30/96

The Finance Committee considered SB 265

Relating to receipts of commercial fisheries test fishing operations.

and recommends:

- be replaced with \_\_\_\_\_ CS SB 265 (Fix)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical change
  - new: SCR# \_\_\_\_\_

| SIGNING DO PASS              | DP | OTHER RECOMMENDATIONS | NR | DNP | AM |
|------------------------------|----|-----------------------|----|-----|----|
| <i>[Signature]</i>           | ✓  | <i>[Signature]</i>    | ✓  |     |    |
|                              |    | <i>[Signature]</i>    | ✓  |     |    |
|                              |    | <i>[Signature]</i>    | ✓  |     |    |
|                              |    | <i>[Signature]</i>    | ✓  |     |    |
| Co-Chair: <i>[Signature]</i> | ✓  | Co-Chair:             |    |     |    |
| Co-Chair: <i>[Signature]</i> | ✓  | Co-Chair:             |    |     |    |

**NEW FISCAL NOTE(S):**

| Department    | Date   | Zero | Fiscal           |
|---------------|--------|------|------------------|
| OMB - Various | 5/1/96 |      | (7,734,474) p.r. |
|               |        |      |                  |
|               |        |      |                  |
|               |        |      |                  |
|               |        |      |                  |
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**PREVIOUS FISCAL NOTE(S):\***

| Department | Date | Zero | Fiscal |
|------------|------|------|--------|
|            |      |      |        |
|            |      |      |        |
|            |      |      |        |
|            |      |      |        |
|            |      |      |        |
|            |      |      |        |

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/7/96

FURTHER:

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4/30/96

The Finance Committee considered SB 265

Relating to receipts of commercial fisheries test fishing operations.

and recommends:

- be replaced with \_\_\_\_\_ CS SB 265 (FIN)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical change
  - new: SCR# \_\_\_\_\_

| SIGNING DO PASS              | DP | OTHER RECOMMENDATIONS | NR | DNP | AM |
|------------------------------|----|-----------------------|----|-----|----|
| <i>[Signature]</i>           | ✓  | <i>[Signature]</i>    | ✓  |     |    |
|                              |    | <i>[Signature]</i>    | ✓  |     |    |
|                              |    | <i>[Signature]</i>    | ✓  |     |    |
|                              |    | <i>[Signature]</i>    | ✓  |     |    |
| Co-Chair: <i>[Signature]</i> | ✓  | Co-Chair:             |    |     |    |
| Co-Chair: <i>[Signature]</i> | ✓  | Co-Chair:             |    |     |    |

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal

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**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal

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|  |  |  |  |

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. SB265

Revision Date: \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title: An Act relating to receipts of commercial fisheries BRU: Commercial Fisheries Mgt & Dev  
test fishing operations; and providing for an effective date. Component: Fisheries Management  
 Sponsor: Senator Zharoff  
 Requester: Senate Finance COMPONENT SERIAL NO. #1941

**Expenditures/Revenues**

(Thousands of Dollars)

| OPERATING EXPENDITURES | FY 97      | FY 98      | FY 99      | FY 100     | FY 01      | FY 02      |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      |            |            |            |            |            |            |
| TRAVEL                 |            |            |            |            |            |            |
| CONTRACTUAL            |            |            |            |            |            |            |
| SUPPLIES               |            |            |            |            |            |            |
| EQUIPMENT              |            |            |            |            |            |            |
| LAND & STRUCTURES      |            |            |            |            |            |            |
| GRANTS, CLAIMS         |            |            |            |            |            |            |
| MISCELLANEOUS          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                        |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES ( ) |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|

**FUND SOURCE**

(Thousands of Dollars)

|                                  |            |                |                |                |                |                |
|----------------------------------|------------|----------------|----------------|----------------|----------------|----------------|
| 1002 Federal Receipts            |            |                |                |                |                |                |
| 1003 GF Match                    |            |                |                |                |                |                |
| 1004 GF                          |            |                |                |                |                |                |
| 1005 GF/Program Receipts         |            |                |                |                |                |                |
| 1091 Designated Program Receipts | (2,240.5)  |                |                |                |                |                |
| Test Fish Receipts               | 2,240.5    | 2,240.5        | 2,240.5        | 2,240.5        | 2,240.5        | 2,240.5        |
| <b>TOTAL</b>                     | <b>0.0</b> | <b>2,240.5</b> | <b>2,240.5</b> | <b>2,240.5</b> | <b>2,240.5</b> | <b>2,240.5</b> |

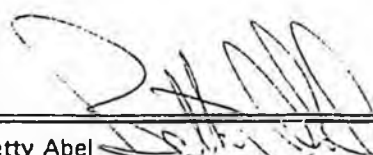
Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

The test fishing projects done by the Commercial Fisheries Management & Development Division are done to manage the fisheries during the season. The data required to open fisheries can only be obtained right before the fishery takes place. Test sets are made to ascertain size and maturity of the resource. Fisheries are opened depending on the results of the test fishing. The revenues received from selling the fish offsets the expenditures needed to do the test fishing. If the receipts were not received, the project would not be done, management would have to be very conservative, usually resulting in less harvest and less income from the resource.



Prepared by: Betty Abel  
 Division: Commercial Fisheries Management & Development

Phone: 465-6158  
 Date: 3/12/96

Approved by Commissioner: [Signature]  
 Agency: \_\_\_\_\_

Date: 3/20/96

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# FISCAL NOTE

No. 1

Bill Version: (S SB 265(FIN))

(S) Publish Date: 5/1/96

**STATE OF ALASKA  
1996 LEGISLATIVE SESSION**

Revision Date: 5/1/96 Dept. Affected: Various Departments  
 Title: An Act relating to the definition of program receipt BRU: \_\_\_\_\_  
 and providing for an effective date. Component: \_\_\_\_\_  
 Sponsor: Senators Zharoff, Taylor  
 Requester: Senate Finance Committee COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues (Thousands of Dollars)**

| OPERATING EXPENDITURES | FY 97      | FY 98      | FY 99      | FY 100     | FY 01      | FY 02      |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      |            |            |            |            |            |            |
| TRAVEL                 |            |            |            |            |            |            |
| CONTRACTUAL            |            |            |            |            |            |            |
| SUPPLIES               |            |            |            |            |            |            |
| EQUIPMENT              |            |            |            |            |            |            |
| LAND & STRUCTURES      |            |            |            |            |            |            |
| GRANTS, CLAIMS         |            |            |            |            |            |            |
| MISCELLANEOUS          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

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| CAPITAL EXPENDITURES |  |  |  |  |  |  |
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|                        |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES ( ) |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|

**FUND SOURCE (Thousands of Dollars)**

|                                  |            |            |            |            |            |            |
|----------------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts            |            |            |            |            |            |            |
| 1003 GF Match                    |            |            |            |            |            |            |
| 1004 GF                          |            |            |            |            |            |            |
| 1005 GF/Program Receipts         | (7,731.4)  | (7,731.4)  | (7,731.4)  | (7,731.4)  | (7,731.4)  | (7,731.4)  |
| 1037 GF/Mental Health            |            |            |            |            |            |            |
| 1077 Restricted Program Receipts | 7,731.4    | 7,731.4    | 7,731.4    | 7,731.4    | 7,731.4    | 7,731.4    |
| <b>TOTAL</b>                     | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

**ANALYSIS: (Attach a separate page if necessary)**

This bill establishes a new fund source under AS 37.05.146. Restricted Program Receipts are defined as "money received by the state from a source other than the state or another government entity under a gift, grant, bequest, or written contract with the state, that by its terms restricts the use of the money ..."  
 Attached is a spreadsheet that identifies both programs and dollar amounts impacted by this legislation.

Prepared by: Nancy Slagle, Director  
 Division: OMB - DBR  
 Approved by Commissioner: Annalisa McConnell  
 Agency: Director, Office of Management & Budget

Phone: 465-4681  
 Date: 5/1/96  
 Date: 5/1/96

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SENATE FINANCE COMMITTEE  
**OMB DESIGNATED PROGRAM RECEIPTS - NON-GOVERNMENT CONTRACTS**

As of April 30, 1996

| Dept           | BRU/Component               | Description   | Type         | FY 96          | FY 97          | Change       |
|----------------|-----------------------------|---|--------------|----------------|----------------|--------------|
|                |                             |   |              | Auth           | Amend          |              |
| Administration | Information Services        | Various information services; including repairs to Kenal TV system                                      | C            | 55.0           | 55.0           | 0.0          |
| Education      | AK Voc. Tech. Center        | Training classes, under contract, for Cominco employees   | C            | 43.1           | 91.3           | 48.2         |
| DEC            | Spill Prevent. & Response   | Industry funds to mitigate/cleanup pollution at APC facility in Sike                                    | C            | 334.9          | 285.9          | (49.0)       |
| DEC            | Spill Prevent. & Response   | Reimbursable services agreement covering Badami Project   | C            | 130.0          | 0.0            | (130.0)      |
| Fish & Game    | Com. Fish Management & Dev. | Funds restricted by private contract or test fisheries projects   | C            | 2,022.2        | 2,240.5        | 218.3        |
| Fish & Game    | Com. Fish Management & Dev. | Lake fertilization studies funded by private hatcheries (Limnology)                                     | C            | 0.0            | 200.0          | 200.0        |
| Fish & Game    | Com. Fish Management & Dev. | Special Projects: funded, under contract, by private entities   | C            | 1,213.3        | 1,070.8        | (142.5)      |
| Fish & Game    | Habitat & Restoration       | Projects/studies funded, under contract, with private firms (i.e. ARCO, BP, NSB)                        | C            | 283.8          | 270.9          | (12.9)       |
| Fish & Game    | Sport Fish                  | Fish raising project funded by Southern SE Aquaculture Association (Earl West Cove Project)             | C            | 0.0            | 200.0          | 200.0        |
| Fish & Game    | Subsistence                 | Special studies & Shiamarel subsistence practices project   | C            | 40.1           | 0.0            | (40.1)       |
| Fish & Game    | Wildlife Conservation       | Contracts with non-state entities for wildlife management projects                                      | C            | 299.0          | 300.3          | 1.3          |
| Labor          | Administrative Services     | Contractual agreements with private & non-state agencies for specialized reports and on-site assistance | C            | 2.0            | 2.0            | 0.0          |
| Labor          | Employment Security         | Data/Record services provided under contract with private entities                                      | C            | 53.9           | 54.2           | 0.3          |
| DNR            | Resource Development        | Reimbursable agreements for work on Badami Project, TAPS monitoring, and TAGS gas project               | C            | 2,022.7        | 2,460.5        | 437.8        |
| DNR            | Resource Development        | Reimbursable agreements for work, such as those for the Fort Knox Mine project.                         | C            | 500.0          | 500.0          | 0.0          |
|                |                             |   | <b>Total</b> | <b>7,000.0</b> | <b>7,731.4</b> | <b>731.4</b> |

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CS for SB265 (FIN)

Revision Date: 5/1/96 Dept. Affected: Various Departments  
 Title: An Act relating to the definition of program receipt BRU: \_\_\_\_\_  
and providing for an effective date. Component: \_\_\_\_\_  
 Sponsor: Senators Zharoff, Taylor  
 Requester: Senate Finance Committee COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 97      | FY 98      | FY 99      | FY 100     | FY 01      | FY 02      |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      |            |            |            |            |            |            |
| TRAVEL                 |            |            |            |            |            |            |
| CONTRACTUAL            |            |            |            |            |            |            |
| SUPPLIES               |            |            |            |            |            |            |
| EQUIPMENT              |            |            |            |            |            |            |
| LAND & STRUCTURES      |            |            |            |            |            |            |
| GRANTS, CLAIMS         |            |            |            |            |            |            |
| MISCELLANEOUS          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                        |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES ( ) |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                                  |            |            |            |            |            |            |
|----------------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts            |            |            |            |            |            |            |
| 1003 GF Match                    |            |            |            |            |            |            |
| 1004 GF                          |            |            |            |            |            |            |
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| 1077 Restricted Program Receipts | 7,731.4    | 7,731.4    | 7,731.4    | 7,731.4    | 7,731.4    | 7,731.4    |
| <b>TOTAL</b>                     | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

This bill establishes a new fund source under AS 37.05.146. Restricted Program Receipts are defined as "money received by the state from a source other than the state or another government entity under a gift, grant, bequest, or written contract with the state, that by its terms restricts the use of the money ..." Attached is a spreadsheet that identifies both programs and dollar amounts impacted by this legislation.

Prepared by: Nancy Slagle, Director  
 Division: OMB - DBR  
 Approved by Commissioner: Annalisa McConnell  
 Agency: Director, Office of Management & Budget

Phone: 465-4681  
 Date: 5/1/96  
 Date: 5/1/96

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SENATE FINANCE COMMITTEE  
**OMB DESIGNATED PROGRAM RECEIPTS - NON-GOVERNMENT CONTRACTS**

As of April 30, 1996

| Dept           | BITU/Component              | Description   | Type  | FY 96   | FY 97   | Change  |
|----------------|-----------------------------|---|-------|---------|---------|---------|
|                |                             |   |       | Auth    | Amend   |         |
| Administration | Information Services        | Various information services; including repairs to Kenai TV system                                      | C     | 55.0    | 55.0    | 0.0     |
| Education      | AK Voc. Tech. Center        | Training classes, under contract, for Cominco employees   | C     | 43.1    | 91.3    | 48.2    |
| DEC            | Spill Prevent. & Response   | Industry funds to mitigate/cleanup pollution at APC facility in Sitka                                   | C     | 334.9   | 285.9   | (49.0)  |
| DEC            | Spill Prevent. & Response   | Reimbursable services agreement covering Badami Project   | C     | 130.0   | 0.0     | (130.0) |
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| Fish & Game    | Com. Fish Management & Dev. | Lake fertilization studies funded by private hatcheries (Limnology)                                     | C     | 0.0     | 200.0   | 200.0   |
| Fish & Game    | Com. Fish Management & Dev. | Special Projects: funded, under contract, by private entities   | C     | 1,213.3 | 1,070.8 | (142.5) |
| Fish & Game    | Habitat & Restoration       | Projects/studies funded, under contract, with private firms (i.e. ARCO, BP, NSB)                        | C     | 283.8   | 270.9   | (12.9)  |
| Fish & Game    | Sport Fish                  | Fish raising project funded by Southern SE Aquaculture Association (Earl West Cove Project)             | C     | 0.0     | 200.0   | 200.0   |
| Fish & Game    | Subsistence                 | Special studies & Shlemaref subsistence practices project   | C     | 40.1    | 0.0     | (40.1)  |
| Fish & Game    | Wildlife Conservation       | Contracts with non-state entities for wildlife management projects                                      | C     | 299.0   | 300.3   | 1.3     |
| Labor          | Administrative Services     | Contractual agreements with private & non-state agencies for specialized reports and on-site assistance | C     | 2.0     | 2.0     | 0.0     |
| Labor          | Employment Security         | Data/Record services provided under contract with private entities                                      | C     | 53.9    | 54.2    | 0.3     |
| DNR            | Resource Development        | Reimbursable agreements for work on Badami Project, TAPS monitoring, and TAGS gas project               | C     | 2,022.7 | 2,460.5 | 437.8   |
| DNR            | Resource Development        | Reimbursable agreements for work, such as those for the Fort Knox Mine project.                         | C     | 500.0   | 500.0   | 0.0     |
|                |                             |   | Total | 7,000.0 | 7,731.4 | 731.4   |

4/30/96

9-LS1614\F.1  
Utermohle  
4/30/96  
*as a  
technical  
amend  
to  
accompany  
CSSB 265  
(Fin)  
Version  
dated 4/29/96*

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 265(FIN); Version "F" dated 4/29/96

- 1 Page 3, line 7, following "AS 37.14.410":
- 2       Insert ":
- 3                       (6) receipts of commercial fisheries test fishing operations
- 4       (AS 16.05.050(15))"

4/30/96  
SF  
moved  
include  
Amend  
test  
fish  
Adopted

9-LS1614F  
Utermohle  
4/29/96

CS FOR SENATE BILL NO. 265(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:  
Referred:

Sponsor(s): SENATORS ZHAROFF, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the definition of program receipts; and providing for an  
2 effective date."

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

4 \* Section 1. AS 37.05.146 is amended to read:

5       Sec. 37.05.146. DEFINITION OF PROGRAM RECEIPTS AND NON-  
6 GENERAL FUND PROGRAM RECEIPTS. (a) In AS 37.05.142 - 37.05.146 and  
7 AS 37.07.080, "program receipts" means fees, charges, income earned on assets, and  
8 other state money received by a state agency in connection with the performance of  
9 its functions. Unless otherwise provided in this section, program receipts are  
10 accounted for within, and appropriated from, the general fund of the state.

11       (b) The program receipts listed in this subsection are accounted for  
12 separately, and appropriations from these program receipts are not made from  
13 the unrestricted general fund [; ALL PROGRAM RECEIPTS EXCEPT THE  
14 FOLLOWING ARE GENERAL FUND PROGRAM RECEIPTS];

- 1 (1) federal receipts;
- 2 (2) University of Alaska receipts (AS 14.40.491);
- 3 (3) restricted program receipts; in this paragraph, "restricted  
4 program receipt" means money received by the state from a source other than the  
5 state or another government entity under a gift, grant, bequest, or written  
6 contract with the state, that by its terms restricts the use of the money  
7 [INDIVIDUAL, FOUNDATION, OR CORPORATION GIFTS, GRANTS, OR  
8 BEQUESTS THAT BY THEIR TERMS ARE RESTRICTED] to a specific purpose;
- 9 (4) receipts of the following funds:
- 10 (A) highway working capital fund (AS 44.68.210);
- 11 (B) correctional industries fund (AS 33.32.020);
- 12 (C) loan funds;
- 13 (D) international airport revenue fund (AS 37.15.430);
- 14 (E) funds managed by the Alaska Housing Finance Corporation  
15 (AS 18.56.020), the Alaska Railroad Corporation (AS 42.40.010), the  
16 Municipal Bond Bank Authority (AS 44.85.020), the Alaska Aerospace  
17 Development Corporation (AS 14.40.821), or the Alaska Industrial  
18 Development and Export Authority (AS 44.88.020);
- 19 (F) fish and game fund (AS 16.05.100);
- 20 (G) school fund (AS 43.50.140);
- 21 (H) training and building fund (AS 23.20.130);
- 22 (I) retirement funds (AS 14.25, AS 22.25, AS 26.05.222,  
23 AS 39.35, and former AS 39.37);
- 24 (J) permanent fund (art. IX, sec. 15, Alaska Constitution);
- 25 (K) public school fund (AS 37.14.110);
- 26 (L) second injury fund (AS 23.30.040);
- 27 (M) fishermen's fund (AS 23.35.060);
- 28 (N) FICA administration fund (AS 39.30.050);
- 29 (O) receipts of the employee benefits program established under  
30 AS 39.30.150 - 39.30.180;
- 31 (P) receipts of the deferred compensation program established

- 1                   under AS 39.45;
- 2                               (Q) clean air protection fund (AS 46.14.260);
- 3                               (R) receipts of the group insurance programs established under
- 4                   AS 39.30.090;
- 5                               (S) mental health trust fund (AS 37.14.031);
- 6                               (5) receipts of or from the trust established by AS 37.14.400 -
- 7                   37.14.450, except reimbursements described in AS 37.14.410.
- 8                   \* Sec. 2. This Act takes effect July 1, 1996.

SENATE FINANCE COMMITTEE  
**OMB DESIGNATED PROGRAM RECEIPTS - NON-GOVERNMENT CONTRACTS**  
 As of April 30, 1996

| Dept           | BRU/Component               | Description   | Type  | FY 96   | FY 97   | Change  |
|----------------|-----------------------------|---|-------|---------|---------|---------|
|                |                             |   |       | Aulb    | Amend   |         |
| Administration | Information Services        | Various information services; including repairs to Kenai TV system                                      | C     | 55.0    | 55.0    | 0.0     |
| Education      | AK Voc. Tech. Center        | Training classes, under contract, for Cominco employees   | C     | 43.1    | 91.3    | 48.2    |
| DEC            | Spill Prevent. & Response   | Industry funds to mitigate/cleanup pollution at APC facility in Sitka                                   | C     | 334.9   | 285.9   | (49.0)  |
| DEC            | Spill Prevent. & Response   | Reimbursable services agreement covering Badami Project   | C     | 130.0   | 0.0     | (130.0) |
| Fish & Game    | Com. Fish Management & Dev. | Funds restricted by private contract or test fisheries projects   | C     | 2,022.2 | 2,240.5 | 218.3   |
| Fish & Game    | Com. Fish Management & Dev. | Lake fertilization studies funded by private hatcheries (Limnology)                                     | C     | 0.0     | 200.0   | 200.0   |
| Fish & Game    | Com. Fish Management & Dev. | Special Projects: funded, under contract, by private entities   | C     | 1,213.3 | 1,070.8 | (142.5) |
| Fish & Game    | Habitat & Restoration       | Projects/studies funded, under contract, with private firms (i.e. ARCO, BP, NSB)                        | C     | 283.8   | 270.9   | (12.9)  |
| Fish & Game    | Sport Fish                  | Fish raising project funded by Southern SE Aquaculture Association (Earl West Cove Project)             | C     | 0.0     | 200.0   | 200.0   |
| Fish & Game    | Subsistence                 | Special studies & Shismaref subsistence practices project   | C     | 40.1    | 0.0     | (40.1)  |
| Fish & Game    | Wildlife Conservation       | Contracts with non-state entities for wildlife management projects                                      | C     | 299.0   | 300.3   | 1.3     |
| Labor          | Administrative Services     | Contractual agreements with private & non-state agencies for specialized reports and on-site assistance | C     | 2.0     | 2.0     | 0.0     |
| Labor          | Employment Security         | Data/Record services provided under contract with private entities                                      | C     | 53.9    | 54.2    | 0.3     |
| DNR            | Resource Development        | Reimbursable agreements for work on Badami Project, TAPS monitoring, and TAGS gas project               | C     | 2,022.7 | 2,460.5 | 437.8   |
| DNR            | Resource Development        | Reimbursable agreements for work, such as those for the Fort Knox Mine project.                         | C     | 500.0   | 500.0   | 0.0     |
|                |                             |   | Total | 7,000.0 | 7,731.4 | 731.4   |

SENATE FINANCE COMMITTEE

**SB 265 RECEIPTS OF TEST FISHING OPERATIONS**

PLEASE SIGN IN BELOW

NAME: Dean Padlock  
Co./DEPT./TITLE: Exec. Dir., Bristol Bay Drift Netters Assn PHONE: 463-4970  
ADDRESS: POB 20312 c/mo ZIP: 99802  
DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

NAME: \_\_\_\_\_  
Co./DEPT./TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_  
DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

NAME: \_\_\_\_\_  
Co./DEPT./TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_  
DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

NAME: \_\_\_\_\_  
Co./DEPT./TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_  
DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

NAME: \_\_\_\_\_

Co./DEPT./TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_

DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

NAME: \_\_\_\_\_

Co./DEPT./TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_

DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

NAME: \_\_\_\_\_

Co./DEPT./TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_

DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

NAME: \_\_\_\_\_

Co./DEPT./TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_

DO YOU WISH TO TESTIFY?  YES  NO  RESPOND TO QUESTIONS

TEST FISH FUND  
STANDARD OPERATING PROCEDURES  
DIVISION OF COMMERCIAL FISHERIES  
SOP CF-006

The following Standard Operating Procedures must be followed unless otherwise specified in writing by the Director or the Deputy Director for Operations (DDO) of the Division of Commercial Fisheries.

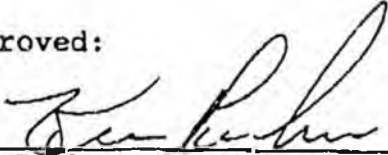
- \* The Deputy Director of Operations (DDO) or the DDO's designee shall administer the Test Fish Fund. He or she shall approve all allocations from the fund.
- \* The DDO will periodically review the fund's performance, and make whatever changes may be needed to both ensure the integrity of the fund and meet statewide test fish needs.
- \* The Headquarters Administrative Officer, under the direction of the DDO, shall establish accounting procedures for the Test Fish Fund, monitor the accounts, and provide reports of the fund's balance and activities when requested.
- \* Regional Supervisors are responsible for the proper administration and accounting of Test Fish Fund projects under their jurisdiction. This includes all normal aspects of project review, approval, and reporting, as well as ensuring that proper administrative procedures are followed.
- \* Each Regional Supervisor will provide quarterly financial reports on Test Fish Fund projects to the Headquarters Administrative Officer.
- \* Each Regional Supervisor shall submit to the DDO Test Fish Fund budget requests for preparation of fiscal year budgets. The request must include a description of the projects including a justification, funding detail by line item, expected receipts, and a receipt/expenditure history of the project if it has operated in the past.
- \* The DDO will evaluate the budget requests, prioritize those that are approved, and submit to the director for inclusion in the division's budget request.
- \* Once the budget has passed the Legislature and been signed by the Governor, allocations from the fund will be made. The DDO shall notify each Regional Supervisor that the budget has been approved and what the allocations are for that fiscal year.
- \* Once the allocations have been approved, test fish projects can start. Preplanning, up to and including the acceptance of

bids, can be done before the allocations are approved. Contracts cannot be awarded (an encumbrance against the fund) until the allocations are approved.

- \* All standard operating procedures, such as those dealing with bidding, contract awards, and vessel charters, must be adhered to. Pertinent SOPs and guidelines are included in the Test Fish Fund manual.
- \* Regional Supervisors are responsible for obtaining Test Fish Fund permit cards from the Commercial Fisheries Entry Commission. This is done directly with the Commercial Fisheries Entry Commission and is required for the sale of fish to processors and buyers. A separate card should be obtained for each project.
- \* All fish caught during a test fish project immediately become the property of the state.
- \* Project biologists shall do all in their power to ensure that the highest quality product is delivered to the buyer and that the best price is obtained.
- \* To maximize the value of the fish and to alleviate any concerns over favoritism, fish sales are to be awarded based on an informal written bid process. An example of a written bid form is included in the Test Fish Manual. Exceptions to this procedure may be made when the fishery was not anticipated, thus not allowing time for a written bid process, or no buyer was selected under the written bid process. In such case a buyer may be selected through an informal solicitation, rotating amongst interested buyers, or selecting a buyer by drawing. For a bid to be valid, the bidder must have a valid Alaska business license at the time the bid is tendered.
- \* The project biologist shall ensure that the buyer of the fish has all the required licenses and permits for his or her operation prior to any sale of fish.
- \* The project biologist shall obtain receipts for the sale of all fish. Fish tickets shall be used as the receipt and must be imprinted with the proper CFEC card, contain the species, number, and weight of the fish sold, the price paid, and be signed by the seller (department employee making the delivery) and the buyer. If the purchaser of the fish is not a licensed fish buyer or processor, the project biologist shall issue the fish ticket. Payment should be by check made out to the state. Cash payments should be discouraged.
- \* Records of all Test Fish Fund related documents must be maintained by the regional offices.

- \* The Project Biologist shall track his or her test fish catches and sales to ensure that all payments due to the state are made.
- \* All FPOs issued for vessel charters must be submitted to the regional office. A copy of the vessel charter contract must be attached to the FPO.
- \* Test Fish resources are credited to a fiscal year based on the delivery date on the fish ticket.

Approved:



\_\_\_\_\_  
Ken Parker, Director  
Division of Commercial Fisheries

7/5/90  
\_\_\_\_\_  
Date

*4/29/96 Removed from members' files per instructions from Tom Williams*

WORK DRAFT

WORK DRAFT

WORK DRAFT

9-LS1614C  
Cramer/Utermohle  
4/17/96

CS FOR SENATE BILL NO. 265(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATORS ZHAROFF, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the definition of program receipts; and providing for an  
2 effective date."

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

4 \* Section 1. AS 37.05.146 is amended to read:

5 Sec. 37.05.146. DEFINITION OF PROGRAM RECEIPTS AND NON-  
6 GENERAL FUND PROGRAM RECEIPTS. (a) In AS 37.05.142 - 37.05.146 and  
7 AS 37.07.080, "program receipts" means fees, charges, income earned on assets, and  
8 other state money received by a state agency in connection with the performance of  
9 its functions. Unless otherwise provided in this section, program receipts are  
10 accounted for within, and appropriated from, the general fund of the state.

11 (b) The program receipts listed in this subsection are accounted for  
12 separately, and appropriations from these program receipts are not made from  
13 the unrestricted general fund [; ALL PROGRAM RECEIPTS EXCEPT THE  
14 FOLLOWING ARE GENERAL FUND PROGRAM RECEIPTS]:

- 1 (1) federal receipts;  
2 (2) University of Alaska receipts (AS 14.40.491);  
3 (3) designated program receipts: in this paragraph. "designated

4 program receipt" means

5 (A) money received from a source other than the state:

6 (B) as a gift, grant, bequest, or contract or as the result of  
7 an assessment imposed on members of a group in accordance with the  
8 terms of a statute and by the vote of the membership: and

9 (C) if the source of the money restricts the use of the money  
10 [INDIVIDUAL, FOUNDATION, OR CORPORATION GIFTS, GRANTS, OR  
11 BEQUESTS THAT BY THEIR TERMS ARE RESTRICTED] to a specific  
12 purpose;

13 (4) receipts of the following funds:

14 (A) highway working capital fund (AS 44.68.210);

15 (B) correctional industries fund (AS 33.32.020);

16 (C) loan funds;

17 (D) international airport revenue fund (AS 37.15.430);

18 (E) funds managed by the Alaska Housing Finance Corporation  
19 (AS 18.56.020), the Alaska Railroad Corporation (AS 42.40.010), the  
20 Municipal Bond Bank Authority (AS 44.85.020), the Alaska Aerospace  
21 Development Corporation (AS 14.40.821), or the Alaska Industrial  
22 Development and Export Authority (AS 44.88.020);

23 (F) fish and game fund (AS 16.05.100);

24 (G) school fund (AS 43.50.140);

25 (H) training and building fund (AS 23.20.130);

26 (I) retirement funds (AS 14.25, AS 22.25, AS 26.05.222,  
27 AS 39.35, and former AS 39.37);

28 (J) permanent fund (art. IX, sec. 15, Alaska Constitution);

29 (K) public school fund (AS 37.14.110);

30 (L) second injury fund (AS 23.30.040);

31 (M) fishermen's fund (AS 23.35.060);

- 1 (N) FICA administration fund (AS 39.30.050);  
2 (O) receipts of the employee benefits program established under  
3 AS 39.30.150 - 39.30.180;  
4 (P) receipts of the deferred compensation program established  
5 under AS 39.45;  
6 (Q) clean air protection fund (AS 46.14.260);  
7 (R) receipts of the group insurance programs established under  
8 AS 39.30.090;  
9 (S) mental health trust fund (AS 37.14.031);  
10 (5) receipts of or from the trust established by AS 37.14.400 -  
11 37.14.450, except reimbursements described in AS 37.14.410.

12 \* Sec. 2. This Act takes effect July 1, 1996.

SENATE FINANCE COMMITTEE  
**OMB DESIGNATED PROGRAM RECEIPTS - CONTRACTS AND ASSESSMENTS**  
 As of April 26, 1996

| <u>Dept</u>    | <u>RU/Component</u>            | <u>Description</u>  | <u>Type</u> | <u>FY 96</u><br><u>Auth</u> | <u>FY 97</u><br><u>Amend</u> | <u>Change</u> |
|----------------|--------------------------------|---|-------------|-----------------------------|------------------------------|---------------|
| Administration | Information Services           | Various information services; including repairs to Kenai TV system                                      | C           | 55.0                        | 55.0                         | 0.0           |
| Administration | Public Communications Ser.     | Repair & maintenance agreements with user communities   | C           | 15.0                        | 15.0                         | 0.0           |
| Education      | AK Voc. Tech. Center           | Training classes, under contract, for Cominco employees   | C           | 43.1                        | 91.3                         | 48.2          |
| DEC            | Spill Prevent. & Response      | Industry funds to mitigate/cleanup pollution at APC facility in Sitka                                   | C           | 334.9                       | 285.9                        | (49.0)        |
| DEC            | Spill Prevent. & Response      | Reimbursable services agreement covering Badami Project   | C           | 130.0                       | 0.0                          | (130.0)       |
| Fish & Game    | Com. Fish Management & Dev.    | Funds restricted by private contract or test fisheries projects   | C           | 2,022.2                     | 2,240.5                      | 218.3         |
| Fish & Game    | Com. Fish Management & Dev.    | Lake fertilization studies funded by private hatcheries (Limnology)                                     | C           | 0.0                         | 200.0                        | 200.0         |
| Fish & Game    | Com. Fish Management & Dev.    | Special Projects: funded, under contract, by private entities   | C           | 1,213.3                     | 1,070.8                      | (142.5)       |
| Fish & Game    | Habitat & Restoration          | Projects/studies funded, under contract, with private firms (i.e. ARCO, BP, NSB)                        | C           | 283.8                       | 270.9                        | (12.9)        |
| Fish & Game    | Sport Fish                     | Fish raising project funded by Southern SE Aquaculture Association (Earl West Cove Project)             | C           | 0.0                         | 200.0                        | 200.0         |
| Fish & Game    | Subsistence                    | Special studies & Shismarek subsistence practices project   | C           | 40.1                        | 0.0                          | (40.1)        |
| Fish & Game    | Wildlife Conservation          | Contracts with non-state entities for wildlife management projects                                      | C           | 299.0                       | 300.3                        | 1.3           |
| H&SS           | Family & Youth Services        | Anchorage Muni. funds, provided under contract, for "Making a Difference" project                       | C           | 125.0                       | 125.0                        | 0.0           |
| Labor          | Administrative Services        | Contractual agreements with private & non-state agencies for specialized reports and on-site assistance | C           | 2.0                         | 2.0                          | 0.0           |
| Labor          | Employment Security            | Data/Record services provided under contract with private/municipal entities                            | C           | 53.9                        | 54.2                         | 0.3           |
| DNR            | Resource Development           | Receipts received under contract to implement Municipal land entitlements                               | C           | 0.0                         | 15.0                         | 15.0          |
| DNR            | Resource Development           | Reimbursable agreements for work on Badami Project, TAPS monitoring, and TAGS gas project               | C           | 2,022.7                     | 2,460.5                      | 437.8         |
| DNR            | Resource Development           | Reimbursable agreements for work, e.g. Fort Knox Mine project.  | C           | 500.0                       | 500.0                        | 0.0           |
| DOT            | Central Region Design & Const. | Utility Rights-of-Way services under lease provisions   | C           | 128.1                       | 130.9                        | 2.8           |
| DOT            | North. Region Design & Const.  | Utility Rights-of-Way services under lease provisions   | C           | 20.6                        | 21.6                         | 1.0           |
| DOT            | SE Region Highway/Aviation     | Road maintenance service contracts with various non-state entities, including: FAA, CBJ, USFS           | C           | 109.5                       | 75.0                         | (34.5)        |
| Commerce       | ASMI                           | Marketing Assessments used for market Alaska Seafood  | A           | 3,000.0                     | 3,000.0                      | 0.0           |
|                |                                |   | Total       | 10,398.2                    | 11,113.9                     | 715.7         |



## Senator Fred F. Zharoff

*Alaska State Legislature*

In Kodiak: P.O. Box 405, Kodiak, Alaska 99615 (907) 486-5259 (Fax also)

In Juneau: State Capitol, Room 121, Juneau, Alaska 99801-1182

Phone: (907) 465-3473 • Fax: (907) 463-3043

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State Senate District C

Kodiak Island & Rural Southeast Alaska

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### Sponsor Statement

SB 265

"An Act relating to receipts of commercial fisheries test fishing operations."

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I have introduced SB 265 to enhance the ability of the Department of Fish and Game (ADF&G) to successfully manage our complex fisheries. An important tool in their management regime is the utilization of private sector vessels and expertise to conduct test fisheries. These fisheries provide valuable information on such things as the health of fish stocks, the composition of stocks, the timing of fish runs, and the economic condition of our resources.

ADF&G is very limited with regard to vessels and field staff in many areas of the state. As budget constraints continue, it is increasingly difficult for the department to maintain or enhance their management capabilities without a significant cooperative effort with the private sector.

The funds involved in test fisheries are obtained and expended through program receipt authority. Funds from the sales of fish caught in test fisheries are in turn used to pay the cost of the contracts made with fishermen to conduct these types of fisheries in the manner desired by ADF&G.

SB 265 does not affect the legislature's role in making appropriations to the test fisheries program, but recognizes the special relationship of these particular funds and clarifies their treatment in the budget process.

**Sec. 37.05.144. Appropriations based upon program receipts.** The annual estimated balance in each account maintained under AS 37.05.142 may be used by the legislature to make appropriations to state agencies to administer the programs generating the program receipts, to implement the laws related to the functions generating the program receipts, or to cover costs associated with the collection of the program receipts. (§ 1 ch. 36 SLA 1990)

**Sec. 37.05.146. Definition of program receipts and non-general fund program receipts.** In AS 37.05.142 — 37.05.146 and AS 37.07.080, "program receipts" means fees, charges, income earned on assets, and other state money received by a state agency in connection with the performance of its functions; all program receipts except the following are general fund program receipts:

- (1) federal receipts;
- (2) University of Alaska receipts (AS 14.40.491);
- (3) individual, foundation, or corporation gifts, grants, or bequests that by their terms are restricted to a specific purpose;
- (4) receipts of the following funds:
  - (A) highway working capital fund (AS 44.68.210);
  - (B) correctional industries fund (AS 33.32.020);
  - (C) loan funds;
  - (D) international airport revenue fund (AS 37.15.430);
  - (E) funds managed by the Alaska Housing Finance Corporation (AS 18.56.020), the Alaska Railroad Corporation (AS 42.40.010), the Municipal Bond Bank Authority (AS 44.85.020), the Alaska Aerospace Development Corporation (AS 14.40.821), or the Alaska Industrial Development and Export Authority (AS 44.88.020);
  - (F) fish and game fund (AS 16.05.100);
  - (G) school fund (AS 43.50.140);
  - (H) training and building fund (AS 23.20.130);
  - (I) retirement funds (AS 14.25, AS 22.25, AS 26.05.222, AS 39.35, and former AS 39.37);
  - (J) permanent fund (art. IX, sec. 15, Alaska Constitution);
  - (K) public school fund (AS 37.14.110);
  - (L) second injury fund (AS 23.30.040);
  - (M) fishermen's fund (AS 23.35.060);
  - (N) FICA administration fund (AS 39.30.050);
  - (O) receipts of the employee benefits program established under AS 39.30.150 — 39.30.180;
  - (P) receipts of the deferred compensation program established under AS 39.45;
  - (Q) clean air protection fund (AS 46.14.260);
  - (R) receipts of the group insurance programs established under AS 39.30.090.

(5) receipts of or from the trust established by AS 37.14.400 — 37.14.450, except reimbursements described in AS 37.14.410. (§ 1 ch 36 SLA 1990; am § 8 ch 14 SLA 1991; am § 8 ch 88 SLA 1991; am § 11 ch 31 SLA 1992; am § 3 ch 1 FSSLA 1992; am § 115 ch 4 FSSLA 1992; am § 64 ch 63 SLA 1993; am § 10 ch 74 SLA 1993)

**Delayed amendment of section.** — Under §§ 5 and 58, ch. 66, SLA 1991, a new subparagraph is added to paragraph (4) of this section effective upon the entry of a final order dismissing *Weiss v. State of Alaska*, 4FA-82-2208 Civ. and the expiration of any time for appeal. When that provision takes effect, it will read "mental health trust fund (AS 37.14.031)."

**Revisor's notes.** — Subparagraph (4)(Q) was enacted as (R); relettered in 1993.

**Effect of amendments.** — The first 1991 amendment, effective January 1, 1992, in subparagraph (4)(E), deleted "the medical indemnity corporation of Alaska (AS 21.88.020)" preceding "the Alaska Railroad Corporation."

The second 1991 amendment, effective July 2, 1991, inserted "the Alaska Aerospace Development Corporation (AS 14.40.821)" in subparagraph (4)(E).

The first 1992 amendment, effective July 1, 1993, added subparagraphs (4)(O) and (4)(P) and made a related stylistic change.

The second 1992 amendment, effective June 19, 1992, added paragraph (5).

The third 1992 amendment, effective July 1, 1992, deleted a reference to the Alaska State Housing Authority in subparagraph (4)(E).

The first 1993 amendment, effective January 1, 1993, added subparagraph (4)(R).

The second 1993 amendment, effective June 28, 1993, added subparagraph (4)(Q).

**Editor's notes.** — Section 87, ch. 63, SLA 1993 provides "[i]f any section of this bill is found to violate the single subject rule it is severed from the rest of the bill."

**Sec. 37.05.150. Funds and accounts.** The accounting system shall be in accordance with accepted principles of governmental (fund) accounting and shall include both budgetary and property accounts. The system must provide records showing at all times by funds, accounts, and other pertinent classifications the amounts appropriated, the estimated revenue, actual revenue or receipts, the amounts available for expenditure, the total expenditures, the unliquidated obligations, actual balances on hand, and the unencumbered balances of appropriations for each state agency. (§ 3 art III ch 82 SLA 1955; am § 5 ch 186 SLA 1957)

*Sec. 37.05.151. [Renumbered as AS 37.05.500.]*

*Sec. 37.05.152. [Renumbered as AS 37.05.510.]*

*Sec. 37.05.153. [Renumbered as AS 37.05.520.]*