

SJR

14

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 1/26/96

FURTHER: _____

REPORTED
SFC 3/8/96

DATE TURNED INTO OFFICE: 3-8-96

The Finance Committee considered SPONSOR SUBSTITUTE FOR SJR 14

Relating to the confirmation of board members managing the Alaska permanent fund.

and recommends:

- be replaced with CS 555JR 14 (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>Steve Riege</i>	✓	<i>Wanda Douley</i>	✓		
<i>Coll. E. Riley</i>	✓				
<i>Barbara Wood</i>	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>Rick Halford</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>Gov.</i>	<i>1/23/96</i>		<i>2.2</i>

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

1/24/96

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. SJR 14

Revision Date: 1/23/96 Dept. Affected: Office of the Governor
 Title: Constitutional Amendment Re: Confirmation BRU: Elective Operations
 of members of public corporations Component: General and Primary Elections
 Sponsor: Senator Halford
 Requester: Senator Taylor COMPONENT SERIAL NO. 22

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.2					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.2	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

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

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.2					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	2.2	0.0	0.0	0.0	0.0	0.0

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

POSITIONS

FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

ANALYSIS: (Attach a separate page if necessary)

This figure includes the cost of providing information about this issue in the Official Election Pamphlet as required by AS 15.58, and the programming costs for counting votes cast on the measure. However, only four measures can be printed on a single ballot card. If this measure requires printing an additional ballot card, the costs will increase by \$53.4.

Prepared by: Dana LaTour *D. LaTour*
 Division: Division of Elections

Phone: 465-5347
 Date: 1/23/96

Approved by
 Commissioner: Lt. Governor Fran Ulmer *Fran Ulmer*
 Agency: Office of the Lt. Governor

Date: 1/23/96

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9-LS0480U ✓
Lauterbach
3/8/96

CS FOR SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 14(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATORS HALFORD, Frank, Green, Kelly, Leman, Miller, Pearce, Rieger, Sharp, Taylor, Torgerson, Phillips

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska relating to
2 certain public corporations.

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

4 * Section 1. Article III, sec. 26, Constitution of the State of Alaska, is amended to read:

5 SECTION 26. BOARDS AND COMMISSIONS. (a) Except as provided in
6 (b) of this section, when [WHEN] a board or commission is at the head of a
7 principal department or a regulatory or quasi-judicial agency, or at the head of a
8 public corporation that manages State assets, its members shall be appointed by the
9 governor, subject to confirmation by a majority of the members of the legislature in
10 joint session, and may be removed as provided by law. They shall be citizens of the
11 United States. The board or commission may appoint a principal executive officer
12 when authorized by law, but the appointment shall be subject to the approval of the
13 governor.

14 * Sec. 2. Article III, sec. 26, Constitution of the State of Alaska, is amended by adding a new
15 subsection to read:

16 (b) The legislature may by law provide that this section is inapplicable to a

Not Acceptable to Sen. Halford 3-11-96

1 public corporation based on the type or value, or both, of the State assets that are
2 managed by the public corporation.

3 * Sec. 3. The amendments proposed by this resolution shall be placed before the voters of
4 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State
5 of Alaska, and the election laws of the state.

3/8/96

Larry-

Attached is language
proposed by the drafter
in lieu of committee
changes to line 15 of
the amendment (copy also
attached).

Kathy
2618



3-8-96

Copies given to both
Sen. Hartford and
Sen. Rieger for review

OK Sen. Rieger
by Rieger per Sheila

Hold for okay
by Sen. Hartford
file processed. ~~Not~~ Approved

SENATE FINANCE
COMMITTEE

Amendment Number: 1

Bill Number: _____

Sponsor: _____ Date: 3-6-96

Logged In By: JLW

adopted

9-LS0480\O.3 ✓

Lauterbach

2/7/96

AMENDMENT

0555 SJR 14 (Fin)

OFFERED IN THE SENATE

BY SENATOR DONLEY

TO: SSSJR 14

1 Page 1, line 1, through page 2, line 7:

2 Delete all material.

3 Insert "Proposing an amendment to the Constitution of the State of Alaska
4 relating to certain public corporations.

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

6 * Section 1. Article III, sec. 26, Constitution of the State of Alaska, is amended to read:

7 SECTION 26. BOARDS AND COMMISSIONS. When a board or
8 commission is at the head of a principal department or a regulatory or quasi-judicial
9 agency, or at the head of a public corporation that manages State assets, its
10 members shall be appointed by the governor, subject to confirmation by a majority
11 of the members of the legislature in joint session, and may be removed as provided
12 by law. They shall be citizens of the United States. The board or commission may
13 appoint a principal executive officer when authorized by law, but the appointment
14 shall be subject to the approval of the governor. With respect to public
15 corporations, the legislature may by law ^{exclude} limit the applicability of ~~all or part of~~ *delete*
16 this section based on the type or value, or both, of the State assets that are
17 managed by the public corporation.

18 * Sec. 2. The amendment proposed by this resolution shall be placed before the voters of
19 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
20 State of Alaska, and the election laws of the state."

FISCAL NOTE

No. 1

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL N
Bill Version: STR 14
(S) Publish Date: 2-22-95

Revision Date: _____

Department Affected: Office of the Governor

Title: Amendment to the Constitution RE:

BRU: Division of Elections

Confirmation of members of public corporations

Component: General and Primary Elections

Sponsor: Senator Halford

Requestor: _____

COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	2.2*	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND &	0	0	0	0	0	0
GRANTS,	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL	0	2.2*	0	0	0	0

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

REVENUE						
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FUNDING:

1002 Federal	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	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	2.2*	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 (FY95) impact: 0

ANALYSIS: (Attach a separate page if necessary.)*This figure covers cost of inclusion of information about this issue in the Official Elections Pamphlet as required by AS 15.58, and programming for counting of votes cast on the measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be 53.4.

Prepared by: David Koivunemi, Acting Director Phone: 465-4611
Division: Division of Elections Date: 2-17-95

Approved by Commissioner: Lt. Governor Fran Ulmer
Agency: Office of the Lt. Governor Date: _____

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SENATE FINANCE
COMMITTEE

Amendment Number: 1

Bill Number: _____

Sponsor: _____ Date: 3-6-96

Logged In By: KL

9-LS0480\O.3 ✓

Lauterbach

2/7/96

SSSJR 14 (Fin)
AMENDMENT

OFFERED IN THE SENATE

BY SENATOR DONLEY

TO: SSSJR 14

1 Page 1, line 1, through page 2, line 7:

2 Delete all material.

3 Insert "Proposing an amendment to the Constitution of the State of Alaska
4 relating to certain public corporations.

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

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7 SECTION 26. BOARDS AND COMMISSIONS. When a board or
8 commission is at the head of a principal department or a regulatory or quasi-judicial
9 agency, or at the head of a public corporation that manages State assets, its
10 members shall be appointed by the governor, subject to confirmation by a majority
11 of the members of the legislature in joint session, and may be removed as provided
12 by law. They shall be citizens of the United States. The board or commission may
13 appoint a principal executive officer when authorized by law, but the appointment
14 shall be subject to the approval of the governor. With respect to public
15 corporations, the legislature may by law ^{exclude} limit the applicability of all or part of
16 this section based on the type or value, or both, of the State assets that are
17 managed by the public corporation.

18 * Sec. 2. The amendment proposed by this resolution shall be placed before the voters of
19 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
20 State of Alaska, and the election laws of the state."

Phoned ^{3/8/96}
to Legal
11:45 am



Official Business

Alaska State Legislature

Senate

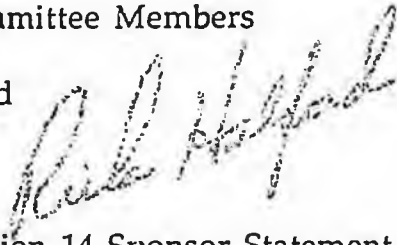
Office of The Majority Leader

Rick Halford
State Capitol
Juneau, Alaska 99801-1182
Phone (907) 465-4958

P.O. Box 670190
Chugiak, Alaska 99567
Phone (907) 694-4958

MEMORANDUM

TO: Senate Finance Committee Members

FROM: Senator Rick Halford 

DATE: January 30, 1996

SUBJECT: Senate Joint Resolution 14 Sponsor Statement

=====
Currently, the Alaska Constitution provides for legislative confirmation of any board or commission which is the head of a principal department or a regulatory or quasi-judicial agency; such as the Department of Education, the Department of Fish and Game or all the professional and regulatory boards. Public corporations such as the Permanent Fund Corporation, which is far more significant and important than regulatory boards, is not included in this provision.

Board members of the Permanent Fund Corporation manage and control over 15 billion of dollars of state assets which have a tremendous impact on all Alaskans as well as our State's economy.

I believe the amendment proposed in SS SJR 14, requiring the members of the Permanent Fund Corporation be subject to legislative confirmation, is a necessary addition to our state's constitution. It is clear the drafters of the constitution intended that the boards controlling principal state functions and Alaska's largest assets be subject to formal appointment and confirmation.

Please give SS SJR 14 your full consideration. Thank you.



Alaska State Senate

Senate Finance Committee

Official Business

MEMORANDUM

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

TO: Senate Finance Committee Members

FROM: Senator Rick Halford

DATE: February 20, 1995

SUBJECT: SJR 14 Sponsor Statement

=====
Currently, the Alaska Constitution provides for legislative confirmation of any board or commission which is the head of a principal department or a regulatory or quasi-judicial agency; such as the Department of Education, the Department of Fish and Game or all the professional and regulatory boards. Public corporations such as the Permanent Fund Corporation, Alaska Railroad, and Alaska Housing Finance Corporation, which are far more significant and important than regulatory boards, are not included in this provision.

Board members of these public corporations manage and control billions of dollars of state assets which have a tremendous impact on all Alaskans as well as our state's economy.

To date, the Permanent Fund Corporation manages over 15 billion dollars in state assets. The Railroad Corporation, an agency virtually independent of any state control, manages over 100 million dollars in state assets. Alaska Housing Finance Corporation's 1994 annual report, indicates that AHFC is currently managing assets in excess of 2 billion dollars.

I believe the amendment proposed in SJR 14 is a necessary addition to our state's constitution. It is clear the drafters of the constitution intended that the boards controlling principal state functions and Alaska's largest assets be subject to formal appointment and confirmation.

Please give SJR 14 your full consideration. Thank you.

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

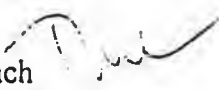
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

January 20, 1995

SUBJECT: Confirmation of Members of the Boards of Public
Corporations (Work Order No. 9-LS0480\A)

TO: Senator Rick Halford
Attn: Kelly

FROM: Terri Lauterbach 
Legislative Counsel

Enclosed is a work draft of a constitutional amendment relating to public corporations and legislative confirmation of the members of their governing bodies.

In my review of the statutes I have found the following agencies that are designated by the legislature as "public corporations":

- (1) Alaska Aerospace Development Corporation (AS 14.40.821)
- (2) Alaska Energy Authority (AS 44.83.020);
- (3) Alaska Housing Finance Corporation (AS 18.56.020);
- (4) Alaska Industrial Development and Export Authority (AS 44.88.020);
- (5) Alaska Medical Facility Authority (AS 18.26.010);
- (6) Alaska Mental Health Trust Authority (AS 47.30.011);
- (7) Alaska Municipal Bond Bank Authority (AS 44.85.020);
- (8) Alaska Permanent Fund Corporation (AS 37.13.040);
- (9) Alaska Railroad Corporation (AS 42.40.010);
- (10) Alaska Science and Technology Foundation (AS 37.17.010);
- (11) Alaska Seafood Marketing Institute (AS 16.51.010);
- (12) Alaska Student Loan Corporation (AS 14.42.100);
- (13) Alaska Tourism Marketing Council (AS 44.33.700);

The Commercial Fishing and Agriculture Bank (AS 44.81.010) appears to have some of the attributes of a public corporation in that the exercise of its powers "is considered to be for a public purpose," but it is not specifically designated as a "public corporation" in its enabling statute, AS 44.81.010(a). Therefore, I am not certain how CFAB would be treated under this constitutional amendment, and you might need other legislation to clarify its status.

I hope you find this information helpful. Please let me know if I can be of further assistance.

TML:pl:glc
95-007.plm
Enclosure



JAN 30 1996

Alaska Permanent Fund Corporation
P.O. Box 25500 Juneau, Alaska 99802-5500
(907) 465-2047

MEMORANDUM

DATE: January 29, 1996

TO: Senator Steve Rieger
Senator Rick Halford

FROM: Byron I. Mallott *Byron I. Mallott*
Executive Director

SUBJECT: **Trustees' Position on Senate Bill No. 89 and
Senate Joint Resolution 14**

This is to reiterate the position of the Board of Trustees regarding Senate Bill No. 89 and Senate Joint Resolution 14. As was the case last session, the Board does not intend to take a position on either the bill or the proposed Constitutional amendment because, in their view, the issues addressed are legislative prerogatives.

c: Board of Trustees
Pat Pourchot, Governor's Legislative Director

January 26, 1996

Larry -

Just a few notes re: SJR 14 file. The committee heard and discussed the resolution on March 8, 1995. Following testimony by Senator Taylor and Jim Baldwin, Senator Halford asked that the resolution be referred to the Senate Judiciary Committee prior to returning to Finance. It was retrieved by the Senate Secretary on March 8 and sent to Judiciary. It returned to us today as SSSJR 14 with an accompanying CS SSSJR 14 (Jud). The original resolution was introduced 2/8/95, the sponsor substitute 1/17/96, and the committee substitute on 1/26/96. Members presently have the original in their files from last year. We will be updating the files to include the sponsor substitute and the committee substitute. The original resolution ceased to exist once the sponsor substitute was introduced but since we formally discussed the original last year, I am reluctant to remove it from the files without your direction to do so. Please advise.

Kathy
2618



Alaska State Legislature
Senate

Office of the Secretary

OFFICIAL BUSINESS

P.O. BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

FOR YOUR IMMEDIATE ATTENTION

DATE: 3/8/95

TO SENATE COMMITTEE: Finance, Katny

FROM: Office of the Senate Secretary

The Senate President has added/changed the referral(s) on the following bill(s):

SJR 14 - Proposing an Amendment
to Constitution of Alaska

Please give the bill file(s) and the signed letter (this note) to the page delivering this message.

Thank you for your prompt attention.

pk 3/8/95 12:09pm
SIGNATURE OF PERSON RECEIVING THIS NOTE

JR/s



Alaska State Senate

Senate Finance Committee

Official Business

MEMORANDUM

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

TO: Senate Finance Committee Members
FROM: Senator Rick Halford
DATE: February 20, 1995
SUBJECT: SJR 14 Sponsor Statement

5773
=====

Currently, the Alaska Constitution provides for legislative confirmation of any board or commission which is the head of a principal department or a regulatory or quasi-judicial agency; such as the Department of Education, the Department of Fish and Game or all the professional and regulatory boards. Public corporations such as the Permanent Fund Corporation, Alaska Railroad, and Alaska Housing Finance Corporation, which are far more significant and important than regulatory boards, are not included in this provision.

Board members of these public corporations manage and control billions of dollars of state assets which have a tremendous impact on all Alaskans as well as our state's economy.

To date, the Permanent Fund Corporation manages over 15 billion dollars in state assets. The Railroad Corporation, an agency virtually independent of any state control, manages over 100 million dollars in state assets. Alaska Housing Finance Corporation's 1994 annual report, indicates that AHFC is currently managing assets in excess of 2 billion dollars.

I believe the amendment proposed in SJR 14 is a necessary addition to our state's constitution. It is clear the drafters of the constitution intended that the boards controlling principal state functions and Alaska's largest assets be subject to formal appointment and confirmation.

Please give SJR 14 your full consideration. Thank you.

Waived to Judicial 3/8/95

SENATE COMMITTEE REPORT

20

DATE: 1/17/96

FURTHER: Finance

DATE TURNED INTO OFFICE: _____

The Judiciary Committee considered SPONSOR SUBSTITUTE FOR SJR 14
 Relating to the confirmation of board members managing the Alaska permanent fund.

and recommends:

- be replaced with _____ CS SS SJR 14 (Jud)
- 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>Linda Green</i>	<input checked="" type="checkbox"/>	<i>Al Adams</i>		<input checked="" type="checkbox"/>	
<i>Edwin Taylor</i>	<input checked="" type="checkbox"/>				
<i>Mike Miller</i>	<input checked="" type="checkbox"/>				
CHAIR: <i>Dylan</i>					

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

CS

<i>Election</i>	<i>1/23</i>	<i>3</i>	<i>2.2</i>

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

<i>X OFF of Gov</i>	<i>2/17</i>		<i>2.2</i>

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE COMMITTEE REPORT

First Committee of Referral

done

DATE: 2/8/95

FURTHER: Finance

Date of 5-Day Notice: 2/16/95
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-21-95

State Affairs Committee considered SJR 14

FN

Proposing an amendment to the Constitution of the State of Alaska relating to certain public corporations.

and recommends:

- be replaced with _____ CS _____ (_____)
- 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:
- technical change
- new: SCR# _____

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>Loren A. Lemaw</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature] NR</i>			✓	
CHAIR: <i>[Signature]</i>	✓			

NEW FISCAL NOTE(S):

FY97

Department	Date	Zero	Fiscal
<i>GOVERNOR</i>	<i>2/17/95</i>		<i>2.2</i>

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill