

**HB**

**265**

# HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: April 28, 1997

FURTHER REFERRALS:

Date of Committee Action: 5/8/97

The STATE AFFAIRS Committee considered:

HB 265

HOUSE BILL NO. 265

REPORTS & RECORDS OF & TO STATE AGENCIES

"An Act relating to pamphlets, publications, plans, and records of state agencies; and relating to reports to and from state agencies and the governor."

recommends it be replaced with the following committee substitute CS HB 265 (STA)  the same title  a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
 fiscal note(s) \_\_\_\_\_  fiscal note(s) \_\_\_\_\_

zero fiscal note(s) DEC, CED  zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Janette James</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE *Janette James*

REPRESENTATIVE  
**TERRY MARTIN**  
VICE-CHAIRMAN  
BUDGET & AUDIT COMMITTEE  
MEMBER  
HOUSE FINANCE COMMITTEE

# Alaska State Legislature



MAY 15 - JAN 15 258-8169  
716 W. 4TH, SUITE 650  
ANCHORAGE, AK 99504  
JAN 15 - MAY 15 465-3783  
STATE CAPITOL  
JUNEAU, AK 99801-1182

## Sponsor Statement

### HB 265

**"An act relating to pamphlets, publications, plans and records of state agencies; and relating to reports to and from state agencies and the governor."**

Just as the operating budget is made up of thousands of small parts, so too, can the legislature cut the budget by eliminating or repealing some of those small parts. That is simply what HB 265 seeks to do, by repealing or amending statutes that require state agencies to issue certain reports or information. HB 265 does not delete every report or informational bulletin that originates in the auspices of the state. Instead, it eliminates reporting requirements that are duplicated by other sections of law, are unnecessarily burdensome and costly, or which no longer serves a public purpose.

HB 265 sprang from a report first issued in 1991 by the Office of Management and Budget on needless reporting requirements, which was again updated by OMB earlier this year.

While the reports eliminated by HB 265 represent only a small fraction of the state's operating budget, HB 265 alleviates useless expenditures incurred by the state while cleaning up the statutes at the same time.



# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH 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

May 1, 1997

**SUBJECT:** Sectional Summary of HB 265. (Agency reports, publications, and records)

**TO:** Representative Terry Martin  
Attn: John Manly

**FROM:** Terri Lauterbach  
Legislative Counsel *TLauterbach*

You have requested a sectional summary of the above-described bill.

As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, let me know.

**Section 1.** Repeals the Board of Barbers and Hairdressers' annual report on its operations.

**Section 2.** Technical corrections corresponding to the repeal of AS 08.24.220 in sec. 20.

**Section 3.** Same as sec. 2.

**Section 4.** Changes a biennial report by the University into an annual report and adds to the reporting requirement the information currently required under AS 37.25.010(d), which is amended in sec. 10.

**Section 5.** Eliminates two reports by the Alaska Public Offices Commission.

**Section 6.** Eliminates a DHSS report concerning funding needs for the community health aide grant program.

**Section 7.** Technical change corresponding to the repeal of AS 21.84.340(b) in sec. 20.

**Section 8.** Changes an APOC report requirement to be biennially, rather than quarterly and annually.

Representative Terry Martin

May 1, 1997

Page 2

**Section 9.** Eliminates a DOT/PF reporting requirement on upgrades already made and still needed to implement accessibility standards.

**Section 10.** Provides for this information from the University to be included in a different report.

**Section 11.** Eliminates a personnel division report on nonpermanent and emergency hires.

**Section 12.** Technical correction corresponding to the repeal of AS 43.76.030 in sec. 20.

**Section 13.** Technical correction corresponding to the repeal of AS 44.42.055 in sec. 20.

**Section 14.** Eliminates a C&RA report on the statement of accounts for villages under the municipal lands trust.

**Section 15.** Eliminates a DEC report on use of the Alaska Clean Water Fund.

**Section 16.** Eliminates a requirement that state agencies cannot get money from the hazardous substance release prevention and response fund unless they provide information needed for a report.

**Section 17.** Changes a DEC annual report on activities of the oil and hazardous substance release prevention and response fund to a biennial report.

**Section 18.** Changes a governor's annual report on activities of the oil and hazardous substance release prevention and response fund to a biennial report.

**Section 19.** Changes an annual report on the foster care review system into a biennial report.

**Section 20.** Repeals the following statutes:

- AS 08.04.070(g) - Board of Accountancy annual report
- AS 08.24.071 - Collection agencies' annual directory
- AS 08.24.220 - Collection agency employee list
- AS 08.36.070(a)(3) - Board of Dental Examiners report
- AS 08.48.071(c) - AELS Board annual report
- AS 08.48.101(b) - AELS Board report
- AS 08.63.050(8) - Board of Marital/Family Therapy report
- AS 08.64.101(3) - State Medical Board report
- AS 08.65.030(a)(6) - Direct-Entry Midwives report
- AS 08.68.100(a)(7) - Board of Nursing report
- AS 08.84.010(b)(6) - Physical Therapy Board report
- AS 08.86.070(7) - Psychologists Board report
- AS 08.95.030(2) - Clinical Social Workers Board report

Representative Terry Martin

May 1, 1997

Page 3

AS 08.98.050(a)(7) - Veterinarian Board report  
AS 14.07.181 - State Board of Education pamphlet on drugs  
AS 14.40.170(a)(9) - University report on lands  
AS 14.40.296(b) - University report on a reserve fund  
AS 14.40.455(e) - University report on risk fund  
AS 14.56.182 - 190 - Alaska Blue Book  
AS 16.51.100(5) - ASMI report  
AS 18.20.150(b) - State medical facilities annual plan  
AS 18.85.160(b) - Public Defender Agency report  
AS 21.39.175 - medical malpractice insurers' reports  
AS 21.84.340(b) - report of fraternal benefit societies  
AS 36.30.540(2), (3) and (6) - GSS procurement reports  
AS 37.05.030(b) - agency financial reports  
AS 37.05.035 - DOA consolidated report of agency reports  
AS 42.45.020(e)(3) - rural electrification loan report  
AS 43.76.030 - aquaculture association reports  
AS 44.42.055 - DOT/PF facility procurement plan

TML:glc  
97-288.glc

STATE OF ALASKA

**DEPARTMENT OF LAW**

**OFFICE OF THE ATTORNEY GENERAL**

May 5, 1997

Honorable Jeanette James  
Representative  
Chairperson  
House State Affairs Committee  
State Capitol, Room 102  
Juneau, Alaska 99801

Re: HB 265

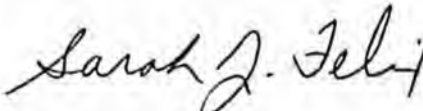
Dear Representative James:

We have reviewed HB 265, and find that it presently presents no legal problems.

Please contact me if I can be of further assistance to you on this matter.

Very truly yours,

BRUCE M. BOTELHO  
ATTORNEY GENERAL

By:   
Sarah J. Felix  
Assistant Attorney General

SJF:clh

cc: Pat Pourchot  
Legislative Director  
Office of the Governor

Chrystal Smith  
Legislative Liaison  
Department of Law

Deborah Behr  
Assistant Attorney General

TONY KNOWLES, GOVERNOR

PLEASE REPLY TO:

1031 WEST 4TH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501-1994  
PHONE: (907)269-5100  
FAX: (907)276-3697

KEY BANK BUILDING  
100 CUSHMAN ST., SUITE 400  
FAIRBANKS, ALASKA 99701-4679  
PHONE: (907)451-2811  
FAX: (907)451-2846

P.O. BOX 110300-DIMOND COURT HOUSE  
JUNEAU, ALASKA 99811-0300  
PHONE: (907)465-3600  
FAX: (907)465-6735

**Reports Departments Determined are Unnecessary**

Dept.	Division	Statutory Reference	Report Requirement	To Whom	By	Prior Recommendation	Current Recommendation
DOA	APOC	15.13.030	Report on non-compliance. (7) report ... the names of all persons and groups who have failed to comply with any of the provisions of this chapter...	Attorney General	Within 60 days of election	Report unnecessary- reported under other sections of law.	Report determined unnecessary.
DOA	APOC	15.13.030	Report of violations. (8) examine, investigate, and compare all reports, statements, and actions required by this chapter, AS 24.45, and AS 39.50 and report ... the names of all persons or groups that the commission has substantial reason to believe have violated this chapter, AS 24.45 or AS 39.50;	Attorney General	Not specified	Report unnecessary- reported under other sections of law.	Report determined unnecessary.
DOA	Public Defender Agency	18.85.160	Public Defender report showing number of persons represented, crimes involved, the outcome of each case and the expenditures made in carrying out the agency responsibilities.	Supreme Court / Notify Legislature report is available	Not stated	Department feels annual report is necessary.	Report to the Supreme Court can be continued, but is hardly necessary. The Alaska Court System does appoint cases, but has no oversight responsibilities, so crime, outcome, and expenditures are for informational purposes only.
DOA	DGS	36.30.540	General services and supply biennial procurement report. The commissioner shall biennially prepare a report concerning procurements by agencies and notify the legislature that the report is available.	Notify Legislature that report is available	Not stated	Report not necessary- records of exceptions would still be maintained.	These reports have not been requested by the legislature. Reports required by AS 36.30.540(2)(3) and (6) appear unnecessary. Several of the specific record keeping requirements are not up to date due to limited staff resources and other priorities. Of the various reports required under 540 only (1), (4) and (5) would appear to have interest in retaining. These suspending compile information on types of procurements that occurred and instae vs. out of state awards.
DOA	Finance	37.05.030	DOA shall require all state agencies to prepare financial reports and statements together with a narrative summary not exceeding 1,000 words at least 60 days before legislative session. DOA shall submit a consolidated report to the legislature.	Notify Legislature report is available	Before 11th day of session	N/A	Report is unnecessary, information is in AKSAS.
DOA	Finance	37.05.035	Each state agency which makes or purchases a loan shall prepare an annual report of the aggregate of all loans, by type made or purchased during the last year.	Notify Legislature report is available	By January 30	Not reported.	Report is unnecessary.
DOA	Personnel	39.25.195	Personnel nonpermanent and emergency report. (h) The director shall prepare a report on nonpermanent and emergency hire practices in state government...	Notify Legislature report is available.	Within 1st 10 days of each regular Legislative session	Report determined unnecessary.	Does not appear to be a worthwhile report. It has only been requested once.
DCED	Occupational Licensing	08.04.070	Board of Accountancy annual report. (g) The board shall submit an annual containing: (1) a statement of the board's purpose and goals for the year; (2) programs planned by the board; (3) statistics relating to operations, (4) significant developments and concerns of the board; (5) amendments offered and adopted to regulations; (6) proposed statutory changes; (7) member participation and appointment status; and (8) budget information.	Governor	Not stated	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.

DCED	Occupational Licensing	08.13.050	Board of Barbers and Hairdressers annual report. The board shall submit an annual report on its operations.	Governor	Not stated	Report biennially.	Revise statute to delete report requirement. Delete only last sentence of statute.
DCED	Occupational Licensing	08.24.071	Collection agencies annual directory. The department shall publish a directory containing a list of licensed collection agencies that specifies as to each agency its owners and officers and the names of its licensed operator or operators, together with other matters pertinent to the general purposes of this chapter.	Public / Court	On/About August 1 of each year	Report biennially.	Delete this report. Roster is maintained per 08.01.050 (a) (12).
DCED	Occupational Licensing	08.24.220	Semi-annual employee list. (a) Every collection agency licensee shall file with the department ... a list of the names and residence addresses of each person employed by the licensee in the six-month period ending 10 days before the due date of the report.	DCED	June 1 & December 1	Report biennially.	Delete this report. Determined unnecessary for regulation of collection agencies.
DCED	Occupational Licensing	08.36.070	Board of Dental Examiners annual report. (3) report annually ... on the board's proceedings during the year, findings concerning the standards and availability of dental services in the state including the number of licensees, examination, and licensing activities, other matters related to dental practice, and board receipts and expenditures;	Governor and DCED	Not stated	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.48.071	Architects, engineers and land surveyors annual report. (c) Annually ... the board shall submit to the governor, and notify the legislature about the availability of, (1) a report of its transactions of the preceding year; (2) a complete statement of the receipts and expenditures of the board, attested by affidavits of its president and its secretary; (3) a report of attendance of members of the board at meetings of the board; (4) a list of the regulations adopted, amended, or repealed since the last report; (5) a report of the current purposes and goals of the board; and (6) a report of significant developments in the field of architecture, engineering, or land surveying of concern to the board.	Governor / Notify Legislature report is available	End of Fiscal Year	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.48.101	Architects, engineers and land surveyors regulations, bylaws and code of ethics published in the annual report. (b) The regulations, bylaws and code of ethics or professional conduct adopted by the board shall be published in the annual report to the governor.	Governor	End of Fiscal Year	Report biennially.	Delete 08.48.101 (b). Statute and regulation books are published and distributed on request all year long.
DCED	Occupational Licensing	08.63.050	(8) report annually ... on the board's proceedings each year; the report must include the number of licensure applicants, the number of examinations conducted, the failure rate for each examination, a financial report, and other information requested by the department;	Governor / DCED	Not stated	Not on prior listing.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.64.101	State Medical Board annual report. (3) submit an annual report of its proceedings including a statement of money received and disbursed;	Governor	Not stated	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.65.030	(a) (6) report annually to the governor and the department on the board's proceedings during the year;	Governor / DCED	Not stated	Not on prior listing.	Delete this report as annual report of state boards (AS 08.01.070) applies.

DCED	Occupational Licensing	08.68.100	(a) (7) keep a record of its proceedings, and submit annual reports to the governor and legislature;	Governor / Legislature	Not stated	Not on prior listing.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.84.010	Physical Therapy and Occupational Therapy Board annual report.  (b) (6) keep a record and minutes of its meetings, proceedings, and hearings and submit an annual report of its activities to the governor and other interested parties;	Governor	Not stated	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.86.070	Psychologists and Psychological Associates Board activity report.  (7) prepare an annual report for covering board activities, the number of applicants, the number of examinations conducted, the passing and failure rate of each examination, finances, and other information as requested by the department;	DCED	Not stated	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.95.030	Board of Clinical Social Work Examiners annual report.  (2) submit an annual report of its proceedings	DCED	Not stated	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	Occupational Licensing	08.98.050	Board of Veterinarian Examiners annual report.  (7) prepare and submit an annual report containing information concerning board activities, the number of examinations held, the number of applicants for examination, the number of persons who pass and the number who fail each examination, financial data, including receipts and expenditures, and other information which the department may require;	DCED	Not stated	Report biennially.	Delete this report as annual report of state boards (AS 08.01.070) applies.
DCED	ASMI	16.51.100	Alaska Seafood Marketing Institute is to submit an annual report describing the activities of ASMI.	Governor/ Notify Legislature report available.	Not stated	Department feels annual report is necessary.	Statutorily requiring the report is not necessary if it would be desirable to delete the reference. AMSI annual report has been incorporated into a newsletter that is sent to fisherman and processors and shared with interested parties, i.e., Legislators. ASMI would continue to provide an annual update to the board and industry.
DCED	Division of Insurance	21.39.175	An insurer providing malpractice coverage for health care shall report annually on number and amounts of claims filed, reserved, paid, settled and adjudicated. This report is to be made available to the public and the State Medical Board.	Public / DCED	Not stated	Not reported.	Eliminate the requirement.
DCED	Division of Insurance	21.84.340	Fraternal Benefit Societies. Every society transacting business in Alaska shall file a true statement of its financial condition, transactions and affairs for the preceding calendar year and pay a fee.	DCED	Before March 2	Not reported.	Eliminate the requirement.
DCED		43.76.030	Regional aquaculture association requesting state assistance under 43.76.025 (salmon enhancement tax) submit annual financial report and an annual budget. Regulation 03 AAC 089 0120 specifies report must be filed within 120 days after end FY	DCED	To be specified by DCED	N/A	Department no longer feels report is necessary.
DCRA	Division of Energy	42.45.020	(c) (3) have available a report of actions taken by the department under this section and an accounting of the rural electrification revolving loan fund; the department shall notify the legislature that the report is available.	Notify the Legislature the report is available.	Within 10 days of each regular legislative session.	Not on prior report listing.	Department feels this report is no necessary- the small level of program activity does not warrant a statutorily required annual report. Funds are no longer available under this program for new loans and no new loans

							have been made for many years. The only accounting activity is interest received each year from several outstanding loans. The report now consists essentially of a single page. The department will continue to maintain accounting for this program as long as there is any activity and is prepared to report on this activity at any time.
DCRA		44.47.150	Municipal Lands Trust. (d) Separate accounts shall be maintained in the name of each village for the land, including the revenues from the land, acquired from each village corporation under this section, and ... a statement of the account for each municipality shall be prepared by the commissioner and be made available to the village and to the public upon request.	Public / Villages	Every two years within 90 days of the second state FY	Department fee! annual report is necessary.	Department feels this report is not necessary. Little demand for publication. The department continues to maintain accounts for each village and believes it would be adequate to notify each effected village each year of the status of that village's trust lands. A member of the public could contact the department and request any specific information needed.
DOE	State Board of Education	14.07.181	The board shall direct the department to develop, adopt, periodically review, and distribute annually to each student enrolled in a public school an information pamphlet.	Each child in Alaska schools	Annually	Not on prior listing.	Repeal statute. Not provided for two years as funding reduced by legislature.
DOE	AK State Libraries	14.56.182 - 14.56.185	The division of state libraries shall compile and issue biennially, beginning in 1973, an official directory of all state officers, state departments, agencies, institutions, boards and commissions, and municipal officials, to be known as the Alaska Blue Book.	Legislature, schools, etc.	Biennially	Not on prior listing.	Repeal statutes. Legislature defunded two years ago.
DEC		46.03.032	Alaska Clean Water Fund. Provide to the legislature a biennial report.	Legislature	Biennial report on/before 1st day of each first regular session of the Legislature	Necessary, biennial acceptable. <i>Recommendation adopted. Statute revised.</i>	This report is not necessary for the legislature, and the requirement for it could be deleted.
DH&SS		18.20.150	Statewide medical facilities annual plan.  (b) The department shall prepare and submit to the surgeon general a state plan, including the hospital and medical facilities, community mental health centers, and facilities for the mentally retarded construction program developed under (a) of this section	Public / Federal Government	Not stated	Report not necessary (department does not recommend statute change as it serves as a place-holder for a future, similar federal program).	Report not necessary.
DH&SS	Public Health	18.28.030	Community Health Aide Program, Community Health Aide Grant Account. DHSS shall determine the amount of money needed to fully fund grants (18.28.010) and contracts (18.28.020(3)) for the next year and report that to the legislature.	Legislature	Not stated	Department feels annual report is necessary.	Report is unnecessary.
DOTPF		35.10.015	DOT/PF adopt and enforce regulations governing construction of public buildings & develop and maintain inventory of all public buildings. Report annually describing work performed to upgrade public buildings to conform with regulations.	Governor / Notify Legislature report available.	Not stated	N/A	Not funded. Report not necessary.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH 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

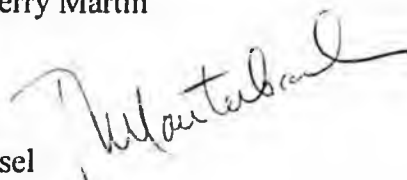
## MEMORANDUM

May 5, 1997

**SUBJECT:** Agency reports, pamphlets, etc. (CSHB 265( ), "E" Version)

**TO:** Representative Terry Martin  
Attn: Chris

**FROM:** Terri Lauterbach  
Legislative Counsel



Enclosed is the CS you requested.

The only changes made, compared to the original bill, are on page 9, line 19. Instead of repealing AS 37.05.030(b), all of AS 37.05.030 is repealed in the CS. Also, the original bill repealed AS 37.05.035; this CS does not repeal that section.

Please let me know if you have further questions.

TML:jdr  
97-329.jdr

Enclosure

0-LS0927AE  
Lauterbach  
5/5/97

CS FOR HOUSE BILL NO. 265( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTIETH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES MARTIN, Dyson, Ryan, Cowdery, Kott, Davies

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to pamphlets, publications, plans, and records of state agencies;  
2 and relating to reports to and from state agencies and the governor."

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

4 \* Section 1. AS 08.13.050 is amended to read:

5 Sec. 08.13.050. Records of the board. The Department of Commerce and  
6 Economic Development shall keep a record of the board's proceedings related to the  
7 issuance, refusal, suspension, and revocation of each license and permit. The record  
8 shall contain the name of the person to whom a license or permit is issued, the  
9 person's place of business, the date of issuance for each license and permit, and  
10 whether it is currently valid. The record shall be open to inspection by the public at  
11 all reasonable times. [THE BOARD SHALL SUBMIT AN ANNUAL REPORT ON  
12 ITS OPERATIONS TO THE GOVERNOR.]

13 \* Sec. 2. AS 08.24.240 is amended to read:

14 Sec. 08.24.240. Failure to file statement. If the annual statement of

1 collection [OR SEMIANNUAL STATEMENT OF EMPLOYEES] is not filed as  
2 required under AS 08.24.210 [AND 08.24.220], the failure to file constitutes grounds  
3 for the immediate suspension of the collection agency license of the licensee failing  
4 to file the statement, and the department shall notify the licensee by registered or  
5 certified mail that the license of the licensee will be suspended upon the expiration of  
6 15 days after the date on which the notice was mailed unless the licensee complies  
7 with the provisions of AS 08.24.210 [OR 08.24.220]. However, for good cause shown  
8 and upon satisfactory proof furnished by the licensee that the failure to file the  
9 statement was due to a condition not within the control, or was due to excusable  
10 neglect, of the licensee, the department may permit the filing of the statement after the  
11 time limited and excuse the failure to file the statement within the time limited. If the  
12 statement required by AS 08.24.210 [OR 08.24.220] is not filed as required by this  
13 section, the department shall revoke the license.

14 \* Sec. 3. AS 08.24.250 is amended to read:

15 **Sec. 08.24.250. Information confidential.** Except as otherwise provided in  
16 this chapter, information in whatever form required to be filed by the terms of  
17 AS 08.24.210 [AND 08.24.220] shall be confidential and may not become a public  
18 record, but it may be introduced in evidence in a suit, action, or proceeding in a court  
19 or in a proceeding involving the granting or revocation of the license of a licensee.

20 \* Sec. 4. AS 14.40.190 is amended to read:

21 **Sec. 14.40.190. Report.** The Board of Regents shall prepare a written report  
22 at the beginning of each [FIRST] regular session of the legislature of the condition of  
23 the university property, of all receipts and expenditures, including the administration  
24 and disposition of appropriated and restricted funds and information required under  
25 AS 37.25.010(d), and of the educational and other work performed during the  
26 preceding [TWO] fiscal year [YEARS]. The board shall notify the legislature that the  
27 report is available.

28 \* Sec. 5. AS 15.13.030 is amended to read:

29 **Sec. 15.13.030. Duties of the commission.** The commission shall

30 (1) develop and provide all forms for the reports and statements  
31 required to be made under this chapter, AS 24.45, and AS 39.50;

1 (2) prepare and publish a manual setting out uniform methods of  
2 bookkeeping and reporting for use by persons required to make reports and statements  
3 under this chapter and otherwise assist candidates, groups, and individuals in  
4 complying with the requirements of this chapter;

5 (3) receive and hold open for public inspection reports and statements  
6 required to be made under this chapter and, upon request, furnish copies at cost to  
7 interested persons;

8 (4) compile and maintain a current list of all filed reports and  
9 statements;

10 (5) prepare a summary of each report filed under AS 15.13.110 and  
11 make copies of this summary available to interested persons at their actual cost;

12 (6) notify, by registered or certified mail, all persons who are  
13 delinquent in filing reports and statements required to be made under this chapter;

14 (7) [REPORT WITHIN 60 DAYS AFTER THE ELECTION THE  
15 NAMES OF ALL PERSONS AND GROUPS WHO HAVE FAILED TO COMPLY  
16 WITH ANY OF THE PROVISIONS OF THIS CHAPTER TO THE OFFICE OF THE  
17 ATTORNEY GENERAL;

18 (8)] examine, investigate, and compare all reports, statements, and  
19 actions required by this chapter, AS 24.45, and AS 39.50 [AND REPORT TO THE  
20 ATTORNEY GENERAL THE NAMES OF ALL PERSONS OR GROUPS THAT  
21 THE COMMISSION HAS SUBSTANTIAL REASON TO BELIEVE HAVE  
22 VIOLATED THIS CHAPTER, AS 24.45 OR AS 39.50];

23 (8) [(9)] prepare and publish a biennial report concerning the activities  
24 of the commission, the effectiveness of this chapter, its enforcement by the attorney  
25 general's office, and recommendations and proposals for change; the commission shall  
26 notify the legislature that the report is available;

27 (9) [(10)] adopt regulations necessary to implement and clarify the  
28 provisions of AS 24.45, AS 39.50, and this chapter, subject to the provisions of  
29 AS 44.62 (Administrative Procedure Act).

30 \* Sec. 6. AS 18.28.030(b) is amended to read:

31 (b) Each fiscal year, the department shall determine the amount of money

1 needed to fund all grants under AS 18.28.010 and contracts under AS 18.28.020(3)  
2 during the next fiscal year [AND SHALL REPORT THAT AMOUNT TO THE  
3 LEGISLATURE]. If the amount appropriated to the account is not sufficient to  
4 finance all grants and contracts, the money shall be distributed pro rata among  
5 qualified regional and local health organizations.

6 \* Sec. 7. AS 21.84.350(a) is amended to read:

7 (a) Each [AS A PART OF THE ANNUAL STATEMENT REQUIRED  
8 UNDER AS 21.84.340, EACH] society shall, before the second day of March, file  
9 with the director a valuation of its certificates in force on the preceding December 31,  
10 provided, the director may, for cause shown, extend the time for filing the valuation  
11 for not more than two calendar months. The report of valuation must include an  
12 opinion of a qualified actuary as to whether the reserves and related actuarial items  
13 held in support of the certificates in force are computed appropriately, are based on  
14 assumptions that satisfy contractual provisions, are consistent with prior reported  
15 amounts, and comply with applicable laws of this state. The report of valuation shall  
16 show, as reserve liabilities, the difference between the present mid-year value of the  
17 promised benefits provided in the certificates of the society in force and the present  
18 mid-year value of the future net premiums as the same are in practice actually  
19 collected, not including any value for the right to make extra assessments and not  
20 including any amount by which the present mid-year value of future net premiums  
21 exceeds the present mid-year value of promised benefits on individual certificates. At  
22 the option of a society, in lieu of the above, the valuation may show the net tabular  
23 value. The net tabular value on certificates issued before July 1, 1967, shall be  
24 determined under the law applicable before July 1, 1966, and on certificates issued on  
25 or after July 1, 1967, may not be less than the reserves determined according to the  
26 Commissioner's Reserve Valuation Method as defined in this section. If the premium  
27 charged is less than the tabular net premium according to the basis of valuation used,  
28 an additional reserve equal to the present value of the deficiency in the premiums shall  
29 be set up and maintained as a liability. The reserve liabilities shall be properly  
30 adjusted if the mid-year or tabular values are not appropriate.

31 \* Sec. 8. AS 24.45.031(b) is amended to read:

1 (b) The commission may

2 (1) hold hearings and conduct investigations into compliance with the  
3 provisions of this chapter;

4 (2) in conjunction with (1) of this subsection, issue subpoenas, compel  
5 the attendance and testimony of witnesses, administer oaths and affirmations, and  
6 require the production of books, papers, records, documents, or other items material  
7 to the commission's duties or powers under this chapter;

8 (3) prepare, publish, and make available to the public, periodic, but at  
9 least biennially [QUARTERLY AND ANNUALLY], summaries of the statements and  
10 reports received; these summaries shall list separately individual lobbyists and  
11 employers of lobbyists.

12 \* Sec. 9. AS 35.10.015(b) is amended to read:

13 (b) The department shall develop and maintain an inventory of all public  
14 buildings and facilities with respect to their compliance with the regulations adopted  
15 under (a) of this section. [THE DEPARTMENT SHALL MAKE AN ANNUAL  
16 REPORT TO THE GOVERNOR DESCRIBING WORK PERFORMED IN THE  
17 PRECEDING CALENDAR YEAR TO UPGRADE PUBLIC BUILDINGS AND  
18 FACILITIES TO CONFORM WITH THE REGULATIONS.] In addition, the  
19 department shall develop cost estimates and recommended priorities for the upgrading  
20 of public buildings and facilities that do not conform with the regulations adopted  
21 under (a) of this section [AND SHALL INCLUDE THESE ESTIMATES AND THE  
22 RECOMMENDED PRIORITIES IN THE ANNUAL REPORT TO THE GOVERNOR.  
23 THE DEPARTMENT SHALL NOTIFY THE LEGISLATURE THAT THE REPORT  
24 IS AVAILABLE].

25 \* Sec. 10. AS 37.25.010(d) is amended to read:

26 (d) The University of Alaska shall, in the report required under  
27 AS 14.40.190, report the amount of university receipts received in one year and  
28 expended in the succeeding fiscal year [TO THE DEPARTMENT OF  
29 ADMINISTRATION AND THE LEGISLATIVE BUDGET AND AUDIT  
30 COMMITTEE BY SEPTEMBER 30 OF THE SUCCEEDING FISCAL YEAR].

31 \* Sec. 11. AS 39.25.195(h) is amended to read:

1 (h) [THE DIRECTOR SHALL PREPARE A REPORT ON  
2 NONPERMANENT AND EMERGENCY HIRE PRACTICES IN STATE  
3 GOVERNMENT AND NOTIFY THE LEGISLATURE WITHIN THE FIRST 10  
4 DAYS OF EACH REGULAR LEGISLATIVE SESSION THAT THE REPORT IS  
5 AVAILABLE.] A hiring department or agency shall certify to the director within 15  
6 working days following the appointment its reasons for appointing an emergency  
7 employee. [THE REPORT SHALL INCLUDE INFORMATION ON THE NUMBER  
8 OF NONPERMANENT EMPLOYEES AUTHORIZED UNDER THIS SECTION  
9 AND THE NUMBER OF EMERGENCY EMPLOYEES HIRED IN EACH  
10 DEPARTMENT, A DESCRIPTION OF THE PROCEDURES USED IN  
11 AUTHORIZING THE HIRING OF NONPERMANENT EMPLOYEES, AND ANY  
12 RECOMMENDATIONS FOR LEGISLATION REQUIRED TO IMPLEMENT THE  
13 INTENT OF THIS SECTION.]

14 \* Sec. 12. AS 43.76.025(c) is amended to read:

15 (c) The salmon enhancement tax collected under AS 43.76.010 - 43.76.028  
16 [AS 43.76.010 - 43.76.030] shall be deposited in the general fund. The legislature may  
17 make appropriations based on this revenue to the Department of Commerce and  
18 Economic Development for the purpose of providing financing for qualified regional  
19 associations. The legislature may base an appropriation for a qualified regional  
20 association operating within a region designated under AS 16.10.375 on the value of  
21 the fisheries resources caught in that region rather than the value of the fisheries  
22 resources sold in that region if those values differ.

23 \* Sec. 13. AS 44.47.092 is amended to read:

24 **Sec. 44.47.092. Land use planning and state facility procurement plan.**

25 The department shall make recommendations to the Department of Transportation and  
26 Public Facilities and to appropriate program agencies concerning the effect upon the  
27 comprehensive plan or other land use plans or proposals of municipalities and  
28 unincorporated communities with respect to the facility procurement plan required to  
29 be prepared in accordance with AS 35.10.170 [AND AS 44.42.055].

30 \* Sec. 14. AS 44.47.150(d) is amended to read:

31 (d) Separate accounts shall be maintained in the name of each village for the

1 land, including the revenues from the land, acquired from each village corporation  
2 under this section [, AND EVERY TWO YEARS WITHIN 90 DAYS OF THE  
3 CLOSE OF THE SECOND STATE FISCAL YEAR A STATEMENT OF THE  
4 ACCOUNT FOR EACH MUNICIPALITY SHALL BE PREPARED BY THE  
5 COMMISSIONER AND BE MADE AVAILABLE TO THE VILLAGE AND TO THE  
6 PUBLIC UPON REQUEST].

7 \* Sec. 15. AS 46.03.032(k) is amended to read:

8 (k) The department shall prepare reports required by the federal government  
9 in conjunction with federal capitalization grant award conditions. The department shall  
10 also prepare reports and notices, including notices of default, required by the state  
11 bond committee in conjunction with bonds issued under AS 37.15.560 - 37.15.605.  
12 [THE DEPARTMENT SHALL ALSO PREPARE A BIENNIAL REPORT ON THE  
13 ALASKA CLEAN WATER FUND AND NOTIFY THE LEGISLATURE THAT IT  
14 IS AVAILABLE ON OR BEFORE THE FIRST DAY OF EACH FIRST REGULAR  
15 SESSION OF THE LEGISLATURE.]

16 \* Sec. 16. AS 46.08.050(b) is amended to read:

17 (b) A department that is appropriated or allocated money from the fund, either  
18 directly or through a reimbursable service agreement with the Department of  
19 Environmental Conservation, shall develop procedures governing the expenditure of,  
20 and accounting for, money it expends from the fund. [THE DEPARTMENT OF  
21 ENVIRONMENTAL CONSERVATION MAY NOT REIMBURSE OR PAY MONEY  
22 TO ANOTHER STATE AGENCY FOR THE AGENCY'S ACTIVITIES UNDER  
23 AS 46.08.040 UNLESS THE STATE AGENCY PROVIDES TO THE DEPARTMENT  
24 THE INFORMATION NECESSARY TO COMPLETE THE REPORT REQUIRED  
25 BY AS 46.08.060.]

26 \* Sec. 17. AS 46.08.060(a) is amended to read:

27 (a) The commissioner shall make available a report to the legislature not later  
28 than the 10th day following the convening of each first regular session of the  
29 legislature. The commissioner shall notify the legislature that the report is available.  
30 The report may include information considered significant by the commissioner but  
31 must include [:]

1 (1) the amount of money expended by the department under  
2 AS 46.08.040(a) during the preceding two fiscal years [YEAR];

3 (2) the amount and source of money received and money recovered by  
4 or on behalf of the department during the preceding two fiscal years [YEAR] under

5 (A) AS 46.08.020; and

6 (B) AS 46.08.025;

7 (3) a summary of municipal participation in the department's responses  
8 that were paid for by the fund;

9 (4) a detailed summary of department activities in responses paid for  
10 by the fund during the preceding two fiscal years [YEAR], including response  
11 descriptions and statements outlining the nature of the threat; in this paragraph,  
12 "detailed" includes information describing each personal services position and total  
13 compensation for that position, each contract in excess of \$10,000, and each purchase  
14 in excess of \$10,000; and

15 (5) the projected cost to the department for the next two fiscal years  
16 [YEAR] of monitoring, operating, and maintaining sites where response has been  
17 completed or is expected to be continued during the next two fiscal years [YEAR].

18 \* Sec. 18. AS 46.08.060(c) is amended to read:

19 (c) In addition to the department's report required under (a) of this section, the  
20 governor shall submit a report about use of the fund during the previous two fiscal  
21 years [YEAR] to the legislature not later than the 10th day following the convening  
22 of each first regular session of the legislature. In the report, the governor shall describe  
23 in detail the governor's use of money from the fund, with separate explanations, by  
24 agency, of the activities that were paid for under the authority of AS 46.08.045.

25 \* Sec. 19. AS 47.14.210 is amended to read:

26 **Sec. 47.14.210. Duties of the state panel.** The state panel shall

27 (1) by regulation adopt policies and procedures to carry out its duties  
28 and to govern the performance of the duties of the local panels established under  
29 AS 47.14.220;

30 (2) ensure that local panel members receive the minimum level of  
31 training necessary to effectively carry out their duties;

1 (3) coordinate and review the activities of the local panels and make  
2 recommendations to the governor on appointments to the local panels;

3 (4) prepare a biennial report [ANNUALLY], by the 10th day of each  
4 first regular session of the legislature, concerning the activities of the state and local  
5 panels during the previous two fiscal years [YEAR]; the report must include the  
6 number of cases reviewed by each local panel, a description of the characteristics of  
7 the children whose cases were reviewed by the panels, the number of children reunited  
8 with their families, the number of children placed in other permanent homes, and  
9 recommendations and justifications for program improvement, including  
10 recommendations relating to state agencies and to the panel review system; the report  
11 may contain other information on the experience of the local panels; the state panel  
12 shall notify the legislature that the report is available.

13 \* Sec. 20. AS 08.04.070(g); AS 08.24.071, 08.24.220; AS 08.36.070(a)(3);  
14 AS 08.48.071(c), 08.48.101(b); AS 08.63.050(8); AS 08.64.101(3); AS 08.65.030(a)(6);  
15 AS 08.68.100(a)(7); AS 08.84.010(b)(6); AS 08.86.070(7); AS 08.95.030(2);  
16 AS 08.98.050(a)(7); AS 14.07.181; AS 14.40.170(a)(9), 14.40.296(b), 14.40.455(e);  
17 AS 14.56.182, 14.56.183, 14.56.184, 14.56.185, 14.56.190; AS 16.51.100(5); AS 18.20.150(b);  
18 AS 18.85.160(b); AS 21.39.175; AS 21.84.340(b); AS 36.30.540(2), 36.30.540(3),  
19 36.30.540(6); AS 37.05.030; AS 42.45.020(e)(3); AS 43.76.030; and AS 44.42.055 are  
20 repealed.

DOT/PF		44.42.055	DOT/PF prepare and biennially revise a statewide comprehensive facility procurement plan for public facilities of the state and its municipalities. Submit findings, plans and recommendations to the governor and appropriate state agencies to aid in developing capital budget requests.	Governor / State Agencies	Not stated	Not reported.	Not funded. Report not necessary.
University of Alaska		14.40.170	Report of expenditures of funds derived from sale, lease, exchange or transfer of land.  (a)(9) report ... on the expenditures made during the preceding fiscal year from the funds of the University of Alaska that are derived from sales, leases, exchanges, or transfers of the land of the university or of interests in land of the university that were conveyed to the University of Alaska in settlement of the claim of the University of Alaska to land granted to the state in accordance with the Act of March 4, 1915 (38 Stat. 1214), as amended, and in accordance with the Act of January 21, 1929 (45 Stat. 1091), as amended.	Legislature	Within 1st 10 days of regular session of the Legislature	Necessary, biennial acceptable.	Not necessary because the proceeds from the sale of trust lands are unavailable for expenditure under AS 14.40.400. If required, should be annual.
University of Alaska		14.40.296	There is a Working Capital Reserve Fund established in the treasury of the University of Alaska. Quarterly reports on the activity of the fund are to be submitted to the LB&A Committee.	LB & A	Quarterly	Not reported.	Report not necessary because the working capital funds cannot be expended without specific appropriation.
University of Alaska	DOA/Risk Management	14.40.455	There is established in the general fund the University Risk Management Fund. DOA shall report annually on the activity of the fund and on the loss assumption levels.	OMB / LB & A	Not stated	Not reported.	Report not necessary because the risk management collateral fund has not been funded since inception. Other legislation was introduced this year to delete AS 14.40.455 in its entirety.

Recommended Change of Report Due Dates							
Dept.	Division	Statutory Reference	Report Requirement	To Whom	By	Prior Recommendation	Current Recommendation
DOA	APOC	24.45.031	Annual lobbying report.  (b) (3) prepare, publish, and make available to the public, periodic, but at least quarterly and annually, summaries of the statements and reports received; these summaries shall list separately individual lobbyists and employers of lobbyists.	Make available to the public	Quarterly and annually	Report necessary, but should be required biennially.	Report biennially rather than annually
DOA	Foster Care Review	47.14.210	Annual report of state and local panels.  Panel shall report to the state panel information needed by the state panel to prepare the report required	Legislature	By 10th day of each regular Legislative session	Report necessary, but should be required biennially.	Report biennially.
DEC		46.08.060	Oil and hazardous substance release response fund activity report.	Make available to the Legislature	By 10th day of each regular Legislative session	Necessary, biennial acceptable.	Report could be biennial rather than annual.

University of Alaska		14.40.190	Board of Regents prepare a written report on the condition of University property, of all receipts and expenditures, including the administration and disposition of appropriated and restricted funds, and of the educational and other work performed during the preceding two fiscal years.	Notify the Legislature the report is available	Beginning of each first regular session	Necessary, biennial acceptable.	Report is not unreasonable; however, it should be provided on an annual rather than a biennial basis.
University of Alaska		37.25.010	The University of Alaska must shall report the amount of University receipts received in one year and expended in the succeeding fiscal year.	DOA / LB&A	By September 30	Not reported.	Annual report is not unreasonable; however, the information is not available by the 9/30 due date. Recommend that this report be included in the report submitted in accordance with AS 14.40.190.

REPRESENTATIVE  
**TERRY MARTIN**  
VICE-CHAIRMAN  
BUDGET & AUDIT COMMITTEE  
MEMBER  
HOUSE FINANCE COMMITTEE

# Alaska State Legislature



MAY 15 - JAN 15 258-8169  
716 W. 4TH, SUITE 650  
ANCHORAGE, AK 99504  
JAN 15 - MAY 15 465-3783  
STATE CAPITOL  
JUNEAU, AK 99801-1182

## MEMORANDUM

*J. James*  
TO: Rep. Jeannette James, Chair  
State Affairs Committee

*T. Martin*  
FROM: Rep. Terry Martin

DATE: May 2, 1997

RE: Scheduling of HB 265

---

Thank you for scheduling House Bill 265.

