

LEG. FINANCE - BILLS 1975 - 1976 495

CSSB 1 cont. thru SB 13 495

1 (7) the agency's act was arbitrary or capricious, constituted
2 an abuse of discretion, or was otherwise erroneous or not in accordance
3 with the law.

4 (b) The ombudsman may request the agency to notify him, within a
5 specified time, of any action taken on his recommendations.

6 Sec. 24.55.200. PUBLICATION OF RECOMMENDATIONS. Within a
7 reasonable amount of time after the ombudsman reports his opinion and
8 recommendations to an agency he may present his opinion and recommen-
9 dations to the governor, the legislature, the public or any of these.
10 The ombudsman shall include with his opinion any reply made by the
11 agency.

12 Sec. 24.55.210. NOTICE TO THE COMPLAINANT. Within a reasonable
13 amount of time after the ombudsman reports his opinion and recom-
14 mendations to an agency, he shall notify the complainant of the actions
15 taken by him and by the agency.

16 ARTICLE 5. MISCELLANEOUS.

17 Sec. 24.55.220. MISCONDUCT BY AGENCY PERSONNEL. If the ombudsman
18 believes there is a breach of duty or misconduct by an officer or
19 employee of an agency in the conduct of his official duties, the
20 ombudsman shall refer the matter to the chief executive officer of the
21 agency or, when appropriate, to any other appropriate official or
22 agency.

23 Sec. 24.55.230. ANNUAL REPORT. The ombudsman shall submit to
24 the legislature and the public an annual report of his activities
25 under this chapter.

26 Sec. 24.55.240. JUDICIAL REVIEW. A proceeding or decision of
27 the ombudsman may be reviewed in superior court only to determine if
28 it is contrary to the provisions of this chapter.

29 Sec. 24.55.250. IMMUNITY OF THE OMBUDSMAN. The ombudsman has

1 the same immunities from civil and criminal liability as a judge of
2 this state.

3 Sec. 24.55.260. OMBUDSMAN'S PRIVILEGE NOT TO TESTIFY. The
4 ombudsman and his staff may not testify in a court regarding matters
5 coming to their attention in the exercise or purported exercise of
6 their official duties except as may be necessary to enforce the
7 provisions of this chapter.

8 Sec. 24.55.270. LETTERS TO OR FROM OMBUDSMAN. A letter to the
9 ombudsman from a person held in custody by an agency shall be forwarded
10 immediately, unopened, to the ombudsman. A letter from the ombudsman
11 to a person held in custody by an agency shall be delivered immediately,
12 unopened, to the person.

13 Sec. 24.55.280. TIME FOR JUDICIAL REVIEW OF AGENCY ACTION. This
14 chapter in no way extends the time limit in which judicial review of
15 agency action must be sought.

16 Sec. 24.55.290. PENALTY. A person who wilfully hinders the
17 lawful actions of the ombudsman or his staff, or who wilfully refuses
18 to comply with their lawful demands, or who wilfully violates sec. 270
19 of this chapter, is guilty of a misdemeanor and upon conviction is
20 punishable by a fine of not more than \$1,000.

21 ARTICLE 6. GENERAL PROVISIONS

22 Sec. 24.55.300. DEFINITIONS. In this chapter

23 (1) "agency" includes a department, office, institution,
24 organization, commission, or board in the executive branch of the
25 state government, and a department, office, institution, organization,
26 commission, or board of the state government independent of the executive,
27 legislative and judicial branches; it also includes an officer, employee,
28 or member of an "agency" acting or purporting to act in the exercise
29 of his official duties, but does not include the governor, lieutenant

1 governor, or their personal staffs or the members or employees of the
2 legislative and judicial branches;

3 (2) "administrative act" means an action, omission, de-
4 cision, recommendation, practice, policy, or procedure of an agency,
5 but does not include the preparation or presentation of legislation.

6 Sec. 24.55.310. ADMINISTRATIVE PROCEDURE ACT. The administrative
7 acts of the ombudsman are not subject to the provisions of the Admini-
8 strative Procedure Act (AS 44.62), except as provided in sec. 090 of
9 this chapter.

10 Sec. 24.55.320. SHORT TITLE. This chapter may be cited as The
11 Ombudsman Act.

12 * Sec. 2. AS 39.25.110 is amended by adding a new paragraph to read:

13 (16) the ombudsman and his staff.

14 * Sec. 3. Sec. 24.55.260 in sec. 1 of this Act amends Rule 43(h) of the
15 Rules of Civil Procedure by establishing an additional privilege not to
16 testify in a court and must receive an affirmative vote of two-thirds of
17 the full membership of each house in order to be effective.

18 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
19 10.070(c).

I. REQUEST

Bill No. SB 1

Title: An Act Creating the Office of the Ombudsman

Requested by: Danny Bowman

Date: January 27, 1975

Return Date Requested: February 1, 1975

Agency: Administration

Program: Budget and Management

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

		FY76					
	OBJECT	Change	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES	61.0	97.9	107.7	118.5	130.4	143.4
200	TRAVEL	5.8	5.8	6.4	7.0	7.7	8.5
300	CONTRACTUAL	48.9	12.0	12.0	11.0	12.1	13.3
400	COMMODITIES	.8	.8	.5	.6	.7	.8
500	EQUIPMENT	0	0	0	0	0	0
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
TOTAL							

B. FUNDING: (Thousands of dollars)

GENERAL FUND	116.5	116.5	126.6	137.1	150.9	166.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	2 /	3 / 0	3 /	3 /	3 /	3 /
MAN MONTHS (P./T.)	24 /	36.0 / 0	36 /	36 /	36 /	36 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Ombudsman
Assistant-Ombudsman
Secretary III

The House Finance Committee in passing out it's Committee Substitute for CSSB 1 decided to change the structure of the Fiscal Note. The Assistant Ombudsman position has been deleted with the resulting savings added to the contractual account. Assuming passage of the bill the Ombudsman should present detailed justification in the FY 77 budget for necessary contractual services and for any positions requested.

V. DATE: February 4, 1975

PREPARED BY: Wayne E. Weeks

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Original sponsor: Kerttula, Miller,
Croft, et al

Offered: 3/5/75
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 1 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the office of the ombudsman; amending
7 Rule 43(h) of the Rules of Civil Procedure; and pro-
8 viding for an effective date."

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

10 * Section 1. AS 24 is amended by adding a new chapter to read:

11 CHAPTER 55. OFFICE OF THE OMBUDSMAN.

12 ARTICLE 1. ORGANIZATION.

13 Sec. 24.55.010. OFFICE OF THE OMBUDSMAN. There is created in the
14 legislative branch of the state the office of the ombudsman.

15 Sec. 24.55.020. APPOINTMENT OF THE OMBUDSMAN. (a) A candidate for
16 appointment as the ombudsman shall be nominated by the Alaska Legislative
17 Council.

18 (b) The legislative council shall examine persons to serve as the
19 ombudsman regarding their qualifications and abilities and shall place
20 the name of the person selected in nomination before the legislature for
21 appointment as the ombudsman. The appointment of a person nominated as
22 the ombudsman by the legislative council

23 (1) shall be considered in hearings before the appropriate
24 standing committees of each house; and

25 (2) is effective if his candidacy is approved by a roll call
26 vote of three-fourths of the members in each house of the legislature
27 entered in the journal.

28 Sec. 24.55.030. QUALIFICATIONS; PROHIBITION AGAINST POLITICAL
29 ACTIVITY. (a) No person may serve as ombudsman

1 (1) within one year of the last day on which he served as a
2 member of the legislature;

3 (2) while he is a candidate for or holds any other national,
4 state, or municipal office; nor may the ombudsman become a candidate for
5 national, state or municipal office until one year has elapsed from the
6 date he vacates the office of ombudsman;

7 (3) while he is engaged in any other occupation for which he
8 receives compensation.

9 (b) It is essential that the nonpartisan nature, integrity and
10 impartiality of the ombudsman's functions and services be maintained. The
11 ombudsman and members of his staff may not join, support or otherwise
12 participate in a partisan political organization, faction or activity,
13 including but not limited to the making of political contributions.
14 However, this subsection does not restrict the ombudsman or members of
15 his staff from expressing private opinion, registering as to party, or
16 voting.

17 Sec. 24.55.040. TERM OF OFFICE. (a) The term of office of the
18 ombudsman is five years. An ombudsman may be reappointed.

19 (b) If the term of an ombudsman expires without the appointment of
20 a successor under this chapter, the incumbent ombudsman may continue in
21 office until a successor is appointed. If the ombudsman dies, resigns,
22 becomes ineligible to serve, or is removed or suspended from office, the
23 deputy ombudsman becomes acting ombudsman until a new ombudsman is ap-
24 pointed for a full term.

25 Sec. 24.55.050. REMOVAL. The legislature, by a concurrent resolu-
26 tion adopted by a roll call vote of two-thirds of the members in each
27 house entered in the journal, may remove or suspend the ombudsman from
28 office, but only for neglect of duty, misconduct, or disability.

29 Sec. 24.55.060. COMPENSATION. The ombudsman is entitled to receive

1 an annual salary equal to that of a superior court judge.

2 Sec. 24.55.070. STAFF AND DELEGATION. (a) The ombudsman may
3 appoint a deputy ombudsman; he shall also appoint assistants and clerical
4 personnel necessary to carry out the provisions of this chapter.

5 (b) The ombudsman may delegate to his deputy or assistants any of
6 his duties except those specified in secs. 190 - 200 of this chapter;
7 however, during the ombudsman's absence from his principal business
8 offices, the ombudsman may delegate the duties specified in secs. 190 -
9 200 of this chapter to his deputy for the duration of his absence.
10 Those duties specified in secs. 190 - 200 of this chapter shall be
11 performed by the deputy ombudsman when he is serving as acting ombudsman
12 under sec. 40(b) of this chapter.

13 (c) The ombudsman and the staff appointed by him are in the exempt
14 service under AS 39.25.110.

15 Sec. 24.55.080. OFFICE FACILITIES AND ADMINISTRATION. (a) The
16 Alaska Legislative Council shall provide suitable office space and
17 equipment for the ombudsman and his staff.

18 (b) The salary and benefits of the ombudsman and his permanent
19 staff shall be paid through the same procedures used for payment of the
20 salaries and benefits of other permanent legislative employees.

21 (c) The ombudsman shall submit a budget for each fiscal year to
22 the finance committees of the legislature and shall annually submit an
23 estimated budget to the governor for information purposes in the prepara-
24 tion of the executive budget.

25 Sec. 24.55.090. PROCEDURE. The ombudsman shall, by regulations
26 adopted under the Administrative Procedure Act (AS 44.62), establish
27 procedures for receiving and processing complaints, conducting investi-
28 gations, and reporting his findings. However, he may not charge fees
29 for the submission or investigation of complaints.

1 ARTICLE 2. JURISDICTION AND INITIATION OF INVESTIGATIONS.

2 Sec. 24.55.100. JURISDICTION. (a) The ombudsman has jurisdiction
3 to investigate the administrative acts of agencies.

4 (b) The ombudsman may exercise his powers without regard to the
5 finality of an administrative act.

6 Sec. 24.55.110. INVESTIGATION OF COMPLAINTS. The ombudsman shall
7 investigate any complaint which is an appropriate subject for investiga-
8 tion under sec. 150 of this chapter, unless he reasonably believes that

9 (1) there is presently available an adequate remedy for the
10 grievance stated in the complaint;

11 (2) the complaint relates to a matter that is outside the
12 jurisdiction of the ombudsman;

13 (3) the complaint relates to an administrative act of which
14 the complainant has had knowledge for an unreasonable length of time
15 before the complaint was submitted;

16 (4) the complainant does not have a sufficient personal
17 interest in the subject matter of the complaint;

18 (5) the complaint is made in bad faith;

19 (6) the resources of the ombudsman's office are insufficient
20 for adequate investigation.

21 Sec. 24.55.120. INVESTIGATION ON THE OMBUDSMAN'S MOTION. The
22 ombudsman may investigate the administrative act of an agency on his own
23 motion if he reasonably believes that it is an appropriate subject for
24 investigation under sec. 150 of this chapter.

25 Sec. 24.55.130. NOTICE TO COMPLAINANT. (a) If the ombudsman
26 decides not to investigate a complaint, he shall inform the complainant
27 of that decision and shall state his reasons.

28 (b) If the ombudsman decides to investigate a complaint, he shall
29 notify the complainant of his decision.

1 Sec. 24.55.140. NOTICE TO THE AGENCY. If the ombudsman decides to
2 investigate a complaint, he shall notify the agency of his intention to
3 investigate unless he believes that advance notice will unduly hinder
4 the investigation or make it ineffectual.

5 ARTICLE 3. INVESTIGATIONS.

6 Sec. 24.55.150. APPROPRIATE SUBJECTS FOR INVESTIGATION. (a) An
7 appropriate subject for investigation by the ombudsman is an administra-
8 tive act of an agency which the ombudsman has reason to believe might be

9 (1) contrary to law;

10 (2) unreasonable, unfair, oppressive, arbitrary, capricious,
11 an abuse of discretion, or unnecessarily discriminatory, even though in
12 accordance with law;

13 (3) based on a mistake of fact;

14 (4) based on improper or irrelevant grounds;

15 (5) unsupported by an adequate statement of reasons;

16 (6) performed in an inefficient or discourteous manner; or

17 (7) otherwise erroneous.

18 (b) The ombudsman may investigate to find an appropriate remedy.

19 Sec. 24.55.160. INVESTIGATION PROCEDURES. (a) In an investiga-
20 tion, the ombudsman may

21 (1) make inquiries and obtain information as he considers
22 necessary;

23 (2) enter without notice to inspect the premises of an agency,
24 but only when agency personnel are present; and

25 (3) hold private hearings.

26 (b) The ombudsman shall maintain confidentiality with respect to
27 all matters and the identities of the complainants or witnesses coming
28 before him except insofar as disclosures may be necessary to enable him
29 to carry out his duties and to support his recommendations.

1 Sec. 24.55.170. POWERS. (a) Subject to the privileges which
2 witnesses have in the courts of this state, the ombudsman may

3 (1) compel by subpoena, at a specified time and place, the
4 appearance and sworn testimony of a person who the ombudsman reasonably
5 believes may be able to give information relating to a matter under
6 investigation; and

7 (2) compel a person, by subpoena, to produce documents,
8 papers, or objects which the ombudsman reasonably believes may relate to
9 the matter under investigation.

10 (b) If a person refuses to comply with a subpoena issued under (a)
11 of this section, the superior court may, on application of the ombudsman,
12 compel obedience by proceedings for contempt in the same manner as in
13 the case of disobedience to the requirements of a subpoena issued by the
14 court or refusal to testify in the court.

15 (c) Papers, records, documents, memoranda, bills, receipts, photo-
16 graphs, tape recordings, letters, correspondence, invoices, work orders,
17 working papers, agreements, notes, reports and any other manner of
18 writing, recording or document possessed by or in the custody of an
19 agency may be inspected and copied by the ombudsman, notwithstanding a
20 law of the state making any of these items or the information contained
21 in them confidential. However, access to confidential items or infor-
22 mation is subject to prior approval of the superior court or a federal
23 court of appropriate jurisdiction. The ombudsman may not make public
24 disclosure of information required by law to be confidential. The om-
25 budsman or a member of his staff who makes public information required
26 to be confidential is punishable under AS 11.30.240. If any of these
27 items contain information which is in part available to the ombudsman
28 and in part not available to him under this subsection, the agency shall
29 take the steps that are necessary to segregate and release the available

1 information to the ombudsman.

2 ARTICLE 4. PROCEDURE AND REPORTS AFTER INVESTIGATION.

3 Sec. 24.55.180. CONSULTATION WITH AGENCY. Before giving an opinion
4 or recommendation which is critical of an agency or person, the ombudsman
5 shall consult with that agency or person.

6 Sec. 24.55.190. PROCEDURE AFTER INVESTIGATION. (a) The ombudsman
7 shall report his opinion and recommendations to an agency if he finds,
8 after investigation, that

- 9 (1) a matter should be further considered by the agency;
10 (2) an administrative act should be modified or cancelled;
11 (3) a statute or regulation on which an administrative act is
12 based should be altered;
13 (4) reasons should be given for an administrative act;
14 (5) any other action should be taken by the agency;
15 (6) there are no grounds for action by the agency; or
16 (7) the agency's act was arbitrary or capricious, constituted
17 an abuse of discretion, or was otherwise erroneous or not in accordance
18 with the law.

19 (b) The ombudsman may request the agency to notify him, within a
20 specified time, of any action taken on his recommendations.

21 Sec. 24.55.200. PUBLICATION OF RECOMMENDATIONS. Within a reason-
22 able amount of time after the ombudsman reports his opinion and recom-
23 mendations to an agency he may present his opinion and recommendations
24 to the governor, the legislature, a grand jury, the public or any of
25 these. The ombudsman shall include with his opinion any reply made by
26 the agency.

27 Sec. 24.55.210. NOTICE TO THE COMPLAINANT. After a reasonable
28 time has elapsed, the ombudsman shall notify the complainant of the
29 actions taken by him and by the agency.

1 ARTICLE 5. MISCELLANEOUS.

2 Sec. 24.55.220. MISCONDUCT BY AGENCY PERSONNEL. If the ombudsman
3 believes there is a breach of duty or misconduct by an officer or em-
4 ployee of an agency in the conduct of his official duties, the ombudsman
5 shall refer the matter to the chief executive officer of the agency or,
6 when appropriate, to a grand jury or to another appropriate official or
7 agency.

8 Sec. 24.55.230. ANNUAL REPORT. The ombudsman shall submit to the
9 legislature and the public an annual report of his activities under this
10 chapter.

11 Sec. 24.55.240. JUDICIAL REVIEW. A proceeding or decision of the
12 ombudsman may be reviewed in superior court only to determine if it is
13 contrary to the provisions of this chapter.

14 Sec. 24.55.250. IMMUNITY OF THE OMBUDSMAN. No civil action may be
15 brought against the ombudsman or a member of his staff for anything done
16 said or omitted in performing his duties or responsibilities under this
17 chapter.

18 Sec. 24.55.260. OMBUDSMAN'S PRIVILEGE NOT TO TESTIFY. The ombuds-
19 man and his staff may not testify in a court regarding matters coming to
20 their attention in the exercise or purported exercise of their official
21 duties except as may be necessary to enforce the provisions of this
22 chapter.

23 Sec. 24.55.270. LETTERS TO OR FROM OMBUDSMAN. A letter to the
24 ombudsman from a person held in custody by an agency shall be forwarded
25 immediately, unopened, to the ombudsman. A letter from the ombudsman to
26 a person held in custody by an agency shall be delivered immediately,
27 unopened, to the person.

28 Sec. 24.55.280. TIME FOR JUDICIAL REVIEW OF AGENCY ACTION. This
29 chapter in no way extends the time limit in which judicial review of

1 agency action must be sought.

2 Sec. 24.55.290. PENALTY. A person who wilfully hinders the lawful
3 actions of the ombudsman or his staff, or who wilfully refuses to comply
4 with their lawful demands, or who wilfully violates sec. 270 of this
5 chapter, is guilty of a misdemeanor and upon conviction is punishable by
6 a fine of not more than \$1,000.

7 ARTICLE 6. GENERAL PROVISIONS.

8 Sec. 24.55.300. ADMINISTRATIVE PROCEDURE ACT. The administrative
9 acts of the ombudsman are not subject to the provisions of the Adminis-
10 trative Procedure Act (AS 44.62), except as provided in sec. 90 of this
11 chapter.

12 Sec. 24.55.320. DEFINITIONS. In this chapter

13 (1) "administrative act" means an action, omission, decision,
14 recommendation, practice, policy, or procedure of an agency, but does not
15 include the preparation or presentation of legislation or the substantive
16 content of a judicial order, decision or opinion;

17 (2) "agency" includes a department, office, institution,
18 corporation, authority, organization, commission, committee, council or
19 board of the executive, legislative or judicial branches of the state
20 government, and a department, office, institution, corporation, author-
21 ity, organization, commission, committee, council or board of the state
22 government independent of the executive, legislative and judicial
23 branches; it also includes an officer, employee or member of an "agency"
24 acting or purporting to act in the exercise of his official duties, but
25 does not include the governor, lieutenant governor or a member of the
26 legislature.

27 Sec. 24.55.330. SHORT TITLE. This chapter may be cited as The
28 Ombudsman Act.

29 * Sec. 2. AS 39.25.110 is amended by adding a new paragraph to read:

1 (16) the ombudsman and his staff.

2 * Sec. 3. AS 11.30.240 is amended to read:

3 Sec. 11.30.240. MISHANDLING OF PUBLIC RECORDS. A person who has
4 the legal custody of and who wilfully destroys, secretes, or mutilates a
5 public record, book, paper, or writing, or a person [AN ATTORNEY] who
6 wilfully destroys, secretes, or mutilates a public record, book, paper,
7 or writing, or wrongfully takes a public record, book, paper, or writing
8 from the person having legal custody of it, or who has obtained posses-
9 sion wrongfully and refuses or neglects to return or produce it when
10 lawfully required or demanded so to do, or a person who makes public a
11 record made confidential under, or that is not subject to inspection or
12 copying under the exceptions to, AS 09.25.120, is guilty of a misdemeanor
13 and, upon conviction, is punishable by a fine of not less than \$100 nor
14 more than \$500, or by imprisonment for not less than 90 days nor more
15 than one year, or by both [IMPRISONMENT IN THE PENITENTIARY FOR NOT LESS
16 THAN SIX MONTHS NOR MORE THAN ONE YEAR, OR BY IMPRISONMENT IN A JAIL FOR
17 NOT LESS THAN THREE MONTHS NOR MORE THAN ONE YEAR, OR BY A FINE OF NOT
18 LESS THAN \$100 NOR MORE THAN \$500].

19 * Sec. 4. Section 24.55.260 in sec. 1 of this Act amends Rule 43(h) of the
20 Rules of Civil Procedure by establishing an additional privilege not to
21 testify in a court and must receive an affirmative vote of two-thirds of the
22 full membership of each house in order to be effective.

23 * Sec. 5. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).
25
26
27
28
29

A M E N D M E N T S

TO: HCS CSRB 1/CSHB 45

BY THE FINANCE COMMITTEE

Amendments requested by the Committee:

Amendment No. 1

On page 1, line 23, after "approved by", insert:

"a concurrent resolution adopted by"

Amendment No. 2

On page 2, line 27, strike out "two-thirds vote", and insert:

"concurrent resolution adopted by a roll call vote of
two-thirds of the members"

On page 2, line 28, after "house", insert:

"entered in the journal"

Amendment No. 3

On page 5, line 21, after "PROCEDURES.", insert: "(a)"

On page 5, between lines 27 and 28, insert:

"(b) The ombudsman shall maintain confidentiality with respect to all matters and the identities of the complainants or witnesses coming before him except insofar as disclosures may be necessary to enable him to carry out his duties and to support his recommendations."

Amendments suggested by Legislative Counsel:

Amendment No. 4

On page 2, line 3, after "office", insert:

" , if the municipality is subject to the ombudsman's jurisdiction under sec. 310 of this chapter"

Amendment No. 5

On page 7, line 21, after "agency", insert: "or a person"

Amendment No. 6

On page 4, between lines 16 and 17, insert:

"(4) the complainant does not have a sufficient personal interest in the subject matter of the complaint;"

Renumber paragraphs (4), (5) and (6) as (5), (6), and (7), respectively.

Table of Contents

- 1. Declaration
- 2. Chapter 30A, § 3-1. COMMISSION ON GOVERNMENT ADMINISTRATION AND STATE EMPLOYEES' COMPENSATION
- 3. Appendix A. STATE DELEGATIONS
- 4. Appendix B. 30A
- 5. Appendix C. 30A
- 6. Appendix D. STATE DELEGATIONS
- 7. Appendix E. STATE DELEGATIONS
- 8. Appendix F. STATE DELEGATIONS
- 9. Appendix G. STATE DELEGATIONS
- 10. Appendix H. STATE DELEGATIONS
- 11. Appendix I. STATE DELEGATIONS
- 12. Appendix J. STATE DELEGATIONS
- 13. Appendix K. STATE DELEGATIONS
- 14. Appendix L. STATE DELEGATIONS
- 15. Appendix M. STATE DELEGATIONS
- 16. Appendix N. STATE DELEGATIONS
- 17. Appendix O. STATE DELEGATIONS
- 18. Appendix P. STATE DELEGATIONS
- 19. Appendix Q. STATE DELEGATIONS
- 20. Appendix R. STATE DELEGATIONS

30A-1. Definitions. (a) "Agency" includes any permanent governmental entity, department, organization, or institution, and any officer, employee, or member thereof acting or purporting to act in the exercise of his official duties, except:

- (1) A court;
- (2) The legislature, its committees, and its staff;
- (3) An entity of the federal government;
- (4) A multistate governmental entity; and
- (5) The governor and his personal staff.

(b) "Administrative act" includes any action, omission, decision, recommendation, practice, or procedure, but does not include the preparation or presentation of legislation. [R. 1967, c. 306, §1]

30A-2. Ombudsman: office established; appointment; tenure; removal; qualifications; compensation; vacancy. The office of ombudsman is established. The legislature, by a majority vote of each house in joint session, shall appoint an ombudsman who shall serve for a period of six years. An ombudsman may be reappointed but may not serve for more than three terms. The legislature, by two-thirds vote of the members in joint session, may remove or suspend the ombudsman from office, but only for neglect of duty, misconduct, or disability.

No person may serve as ombudsman within two years of the last day on which he served as a member of the legislature, or while he is a candidate for or holds any other state office, or while he is engaged in any other occupation for reward or profit.

The ombudsman shall be appointed by the Governor for a term of five years, beginning on the first day of January following the date of his appointment. He shall be eligible for reappointment for a full term. [L. 1967, c. 300, §1]

The ombudsman shall be a resident of this State in the year of his appointment. He shall be a citizen of the United States and shall have been at least one year a resident of this State immediately preceding his appointment. [L. 1967, c. 300, §2]

§96-3. Assistant to the ombudsman. The ombudsman shall appoint a first assistant and such other officers and employees, including his necessary to carry out his duties, civil employees, including the first assistant, shall be hired by the ombudsman and shall serve at his pleasure. In determining the salary of each such employee, the ombudsman shall consult with the department of personnel services and shall follow as closely as possible the recommendations of the department. The first assistant's salary shall not exceed the maximum limitation established by law for a deputy director of a department. The ombudsman and his full-time staff shall be entitled to participate in any employee benefit plan.

The ombudsman may delegate to his appointees any of his duties, except those specified in sections 96-12 and 96-13. [L. 1967, c. 300, §4]

§96-4. Procedure. The ombudsman may establish procedures for receiving and processing complaints, conducting investigations, and reporting his findings. However, may not levy fees for the submission or investigation of complaints. [L. 1967, c. 300, §5]

§96-5. Jurisdiction. The ombudsman has jurisdiction to investigate the administrative acts of agencies and he may exercise his powers without regard to the finality of any administrative act. [L. 1967, c. 300, §6]

§96-6. Investigation of complaints. (a) The ombudsman shall investigate any complaint which he determines to be an appropriate subject for investigation under section 96-3.

(b) The ombudsman may investigate on his own motion if he reasonably believes that an appropriate subject for investigation under section 96-3 exists. [L. 1967, c. 300, §7]

§96-7. Notice to complainant and agency. If the ombudsman decides not to investigate, he shall inform the complainant of this decision and shall state his reasons.

If the ombudsman decides to investigate, he shall notify the complainant of his decision and he shall also notify the agency of his intention to investigate. [L. 1967, c. 300, §8]

§96-8. Appropriate subjects for investigation. An appropriate subject for investigation is an administrative act of an agency which might be

§96-13. *Investigation of agency action.* [I. 1967, c. 306, §13]

§96-13. Investigation of agency action. After the time specified in §96-12, the ombudsman shall investigate the agency action complained of and shall report to the legislature and the public an annual report describing his activities under this chapter. [I. 1967, c. 306, §13]

§96-14. *Notice to the legislature.* After a reasonable time has elapsed, the ombudsman shall notify the legislature of the action taken by him and by the agency. [I. 1967, c. 306, §14]

§96-15. *Misconduct by agency personnel.* If the ombudsman thinks there is a breach of duty or misconduct by any officer or employee of an agency, he shall refer the matter to the appropriate authorities. [I. 1967, c. 306, §15]

§96-16. *Annual report.* The ombudsman shall submit to the legislature and the public an annual report describing his activities under this chapter. [I. 1967, c. 306, §16]

§96-17. *Judicial review, immunity.* No proceeding or decision of the ombudsman may be reviewed in any court, unless it contravenes the provisions of this chapter. The ombudsman has the same immunities from civil and criminal liability as a judge of this State. The ombudsman and his staff shall not testify in any court with respect to matters coming to their attention in the exercise or purported exercise of their official duties except as may be necessary to enforce the provisions of this chapter. [I. 1967, c. 306, §17]

§96-18. *Agencies may not open letters to ombudsman.* A letter to the ombudsman from a person held in custody by an agency shall be forwarded immediately, unopened, to the ombudsman. [I. 1967, c. 306, §18]

§96-19. *Penalty for obstruction.* A person who willfully hinders the lawful action of the ombudsman or his staff, or willfully refuses to comply with their lawful demands, shall be fined not more than \$1,000. [I. 1967, c. 306, §19]

STATUTES

CHAPTER 93

PUBLIC ARCHIVES, DEPARTMENT OF ARCHIVES

SECTION 176. PUBLIC ARCHIVES

176-1. (a) The public archives shall be established in the Department of Archives.

CHAPTER 94

PUBLIC ARCHIVES, DEPARTMENT OF ARCHIVES

176-2. (a) The public archives shall be established in the Department of Archives. (b) The public archives shall be established in the Department of Archives.

The state shall enter into depository agreements with private and public educational, historical, or scientific institutions or other libraries, within or without the State, in order to achieve the objectives sought under this part. [L. 1965, c. 175, p. 4 § 2(b); Supp. § 13.721 L.R.S. 195-31; am L. 1970, c. 121, § 1]

CHAPTER 94

PUBLIC ARCHIVES, DEPARTMENT OF ARCHIVES

SECTION 176-6. Section 176-6.

176-6. (a) Within ten days following the initiation of any study to be done on a contractual basis by the State or one of its political subdivisions, or any agency thereof, the initiator, department or agency shall notify the State archivist of the initiation of the study in the form of notice prescribed by the archivist.

The archivist shall maintain a complete and current index of all studies so initiated and shall, at least semi-annually, send current copies of this index to the governor, the mayors of the respective counties, the legislative reference bureau and the legislative auditor.

The archivist may at any time request that a copy of any study or portion of a study be deposited with the archives and this request shall be complied with by the department or agency initiating the study.

This section shall apply to all studies of whatever nature provided, however that to the extent that the governor or mayor of any county initiating a study determines that compliance with any portion of this section would be contrary to the public interest they may waive compliance with respect to any study initiated under their jurisdiction. [L. 1972, c. 193, § 1; am L. 1973, c. 198, § 1]

CHAPTER 95

THE CONSTITUTION

SECTION 95-1. Section 95-1.

- 95-1 DEPOSITIONS
- 95-2 OATHS OF OFFICE, ESTABLISHMENT, AFFIRMATION, DENIAL, REMOVAL, OF OFFICERS, COMMISSIONERS, AGENTS
- 95-3 ASSISTANCE, BILLS, DELEGATION, FUNDING
- 95-6 INVESTIGATIONS OF COMPLAINTS

§ 202. Assessment, except decisions for the individual, shall appoint a first assistant and a second assistant, who shall be sworn in by the court and shall exercise the powers and duties of the first assistant and second assistant, respectively, until they are removed or their terms expire. The court may, at any time, remove any first or second assistant and may, at any time, appoint any other person to the office of first or second assistant, who shall be sworn in by the court and shall exercise the powers and duties of the first or second assistant, respectively, until they are removed or their terms expire.

The court shall have the power to remove any first or second assistant.

§ 203. The court shall have the power to remove any first or second assistant.

§ 204. The court shall have the power to remove any first or second assistant.

§ 205. The court shall have the power to remove any first or second assistant.

§ 206. The court shall have the power to remove any first or second assistant.

§ 207. The court shall have the power to remove any first or second assistant.

§ 208. The court shall have the power to remove any first or second assistant.

§ 209. The court shall have the power to remove any first or second assistant.

§ 210. The court shall have the power to remove any first or second assistant.

§ 211. The court shall have the power to remove any first or second assistant.

§ 212. The court shall have the power to remove any first or second assistant.

§ 213. The court shall have the power to remove any first or second assistant.

§ 214. The court shall have the power to remove any first or second assistant.

§ 215. The court shall have the power to remove any first or second assistant.

§ 202. Assessment, except decisions for the individual, shall appoint a first assistant and a second assistant, who shall be sworn in by the court and shall exercise the powers and duties of the first assistant and second assistant, respectively, until they are removed or their terms expire. The court may, at any time, remove any first or second assistant and may, at any time, appoint any other person to the office of first or second assistant, who shall be sworn in by the court and shall exercise the powers and duties of the first or second assistant, respectively, until they are removed or their terms expire.

...the President and the Secretary of the Board of Directors of the Corporation shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the President and the Secretary of the Board of Directors of the Corporation shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

...the Board of Directors shall have the right to remove or appoint any officer or director of the Corporation...

Excerpt from Walter Hallhorn, "Annotated Model Ombudsman Statute"
in Stanley V. Anderson (ed.), OMBUDSMEN FOR AMERICAN
GOVERNMENT? (1968), pp. 167-68

STATUTORY
TEXT:

Section 24. (b) (1) The Ombudsman may refuse to investigate a complaint if:

1. the complaint is not made in good faith;
2. the complaint is not made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman;
3. the complaint is not made to the Ombudsman within the time prescribed by law;
4. the complaint is trivial, frivolous, vexatious, or not made in good faith;
5. other complaints are more worthy of attention;
6. the Ombudsman's resources are insufficient for adequate investigation; or
7. the complaint has been too long delayed to justify present examination of its merit.

The Ombudsman's decline to investigate a complaint shall not, however, bar him from proceeding on his own motion to inquire into the matter complained about or into related problems.

Section 24. (b) (2) The Ombudsman may refuse to investigate a complaint if:

1. the complaint is not made in good faith;
2. the complaint is not made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman;
3. the complaint is not made to the Ombudsman within the time prescribed by law;
4. the complaint is trivial, frivolous, vexatious, or not made in good faith;
5. other complaints are more worthy of attention;
6. the Ombudsman's resources are insufficient for adequate investigation; or
7. the complaint has been too long delayed to justify present examination of its merit.

The Ombudsman's decline to investigate a complaint shall not, however, bar him from proceeding on his own motion to inquire into the matter complained about or into related problems.

Section 24. (b) (3) The Ombudsman may refuse to investigate a complaint if:

1. the complaint is not made in good faith;
2. the complaint is not made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman;
3. the complaint is not made to the Ombudsman within the time prescribed by law;
4. the complaint is trivial, frivolous, vexatious, or not made in good faith;
5. other complaints are more worthy of attention;
6. the Ombudsman's resources are insufficient for adequate investigation; or
7. the complaint has been too long delayed to justify present examination of its merit.

The Ombudsman's decline to investigate a complaint shall not, however, bar him from proceeding on his own motion to inquire into the matter complained about or into related problems.

Section 24. (b) (4) The Ombudsman may refuse to investigate a complaint if:

1. the complaint is not made in good faith;
2. the complaint is not made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman;
3. the complaint is not made to the Ombudsman within the time prescribed by law;
4. the complaint is trivial, frivolous, vexatious, or not made in good faith;
5. other complaints are more worthy of attention;
6. the Ombudsman's resources are insufficient for adequate investigation; or
7. the complaint has been too long delayed to justify present examination of its merit.

The Ombudsman's decline to investigate a complaint shall not, however, bar him from proceeding on his own motion to inquire into the matter complained about or into related problems.

Section 24. (b) (5) The Ombudsman may refuse to investigate a complaint if:

1. the complaint is not made in good faith;
2. the complaint is not made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman;
3. the complaint is not made to the Ombudsman within the time prescribed by law;
4. the complaint is trivial, frivolous, vexatious, or not made in good faith;
5. other complaints are more worthy of attention;
6. the Ombudsman's resources are insufficient for adequate investigation; or
7. the complaint has been too long delayed to justify present examination of its merit.

The Ombudsman's decline to investigate a complaint shall not, however, bar him from proceeding on his own motion to inquire into the matter complained about or into related problems.

COMMENT:

contrary. The duty to act on every complaint should not be imposed, partly because the diminution of the work burden cannot be exactly predicted and partly because some complaints will show on their face that they are unlikely to lead to productive findings. The above listing leaves the Ombudsman free to reject complaints,

but it is not intended to be exhaustive. The Ombudsman may also refuse to investigate a complaint if the complaint is not made in good faith, if the complaint is not made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman, if the complaint is not made to the Ombudsman within the time prescribed by law, if the complaint is trivial, frivolous, vexatious, or not made in good faith, if other complaints are more worthy of attention, if the Ombudsman's resources are insufficient for adequate investigation, or if the complaint has been too long delayed to justify present examination of its merit.

Another way to help is to require that the complaint be made in good faith, that the complaint be made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman, that the complaint be made to the Ombudsman within the time prescribed by law, that the complaint be trivial, frivolous, vexatious, or not made in good faith, that other complaints are more worthy of attention, that the Ombudsman's resources are insufficient for adequate investigation, or that the complaint has been too long delayed to justify present examination of its merit.

Section 24. (c) The Ombudsman may refuse to investigate a complaint if:

1. the complaint is not made in good faith;
2. the complaint is not made to the proper authority or does not concern a matter within the jurisdiction of the Ombudsman;
3. the complaint is not made to the Ombudsman within the time prescribed by law;
4. the complaint is trivial, frivolous, vexatious, or not made in good faith;
5. other complaints are more worthy of attention;
6. the Ombudsman's resources are insufficient for adequate investigation; or
7. the complaint has been too long delayed to justify present examination of its merit.

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

Excerpt from Walter Gellhorn, "Annotated Model Ombudsman Statute"
in Stanley V. Anderson (ed.), OMBUDSMEN FOR AMERICAN
GOVERNMENT? (1968), pp. 167-68

STATUTORY
TEXT:

Section 11. Action on complaints. (a) The Ombudsman may receive a complaint from any source concerning an administrative act. He shall conduct a suitable investigation into the things complained of unless he believes that

1. the complainant has available to him another remedy or channel of complaint which he could reasonably be expected to use;
2. the grievance pertains to a matter outside the Ombudsman's power;
3. the complainant's interest is insufficiently related to the subject matter;
4. the complaint is trivial, frivolous, vexatious, or not made in good faith;
5. other complaints are more worthy of attention;
6. the Ombudsman's resources are insufficient for adequate investigation; or
7. the complaint has been too long delayed to justify present examination of its merit.

The Ombudsman's declining to investigate a complaint shall not, however, bar him from proceeding on his own motion to inquire into the matter complained about or into related problems.

COMMENT:

comment. The duty to act on every complaint should not be imposed, partly because the dimensions of the work burden cannot be exactly predicted and partly because some complaints will show on their face that they are unlikely to lead to productive findings. The above listing leaves the Ombudsman free to reject complaints,

but not to refuse to act on every complaint. It is not clear that a complaint is to be rejected if the Ombudsman is of the opinion that it is not in the public interest to investigate it. The Ombudsman's power to act on his own motion is a significant one. It is not clear that the Ombudsman's power to act on his own motion is to be limited to cases where the Ombudsman has received a complaint. It is not clear that the Ombudsman's power to act on his own motion is to be limited to cases where the Ombudsman has received a complaint.

Any other statutory change is a matter for the legislature which does not require that every complaint be heard on a defined number of a strictly defined list. This permits a certain amount of liberty to the Ombudsman's office in the matter of public rather than purely private concerns. Even if the Ombudsman's concern with the subject matter is not attenuated, the Ombudsman may choose not to investigate.

Subsection (c) does not contain an explicit "statute of limitations" on complaints, though the Ombudsman is permitted to report those based on stale claims or ancient grievances. In Sweden, complaints must be made on or filed within ten years of the event in question. In our case, new claims and grievances by citizens require a period of any complaint is to be made to the Ombudsman within a period of six months. Neither statute is particularly desirable. The present draft lays down no rule in this respect, but allows the Ombudsman to pick his way or the subject. Later, in the light of experience, he may wish to promulgate some rules of his own, as is allowed by Section 9 (b), above.

STATUTORY TEXT:

Section 301. *Investigation of complaints.*

The Ombudsman shall have the duty to investigate any complaint which discloses the existence of an appropriate subject for investigation under section 301. He may decline to investigate only for certain reasons, stipulated in section 302. However, these reasons are broadly stated and leave much to the Ombudsman's discretion. He may consider the degree of the complainant's interest in the problem disclosed, the seriousness of the grievance, whether the resources of his office permit an adequate investigation, and whether there are other complaints more worthy of his attention. He may also decline to investigate if another remedy is available to the complainant. Since the number of complaints an Ombudsman in an American state would receive is an unknown quantity, such provisions are necessary to enable him to make the most effective use of his powers. They in no way preclude the Ombudsman from investigating any complaint which discloses the existence of an appropriate subject for investigation under section 301. The Ombudsman shall have the duty to investigate any complaint which discloses the existence of an appropriate subject for investigation under section 301. He may decline to investigate only for certain reasons, stipulated in section 302. However, these reasons are broadly stated and leave much to the Ombudsman's discretion. He may consider the degree of the complainant's interest in the problem disclosed, the seriousness of the grievance, whether the resources of his office permit an adequate investigation, and whether there are other complaints more worthy of his attention. He may also decline to investigate if another remedy is available to the complainant. Since the number of complaints an Ombudsman in an American state would receive is an unknown quantity, such provisions are necessary to enable him to make the most effective use of his powers. They in no way preclude the Ombudsman from investigating any complaint which discloses the existence of an appropriate subject for investigation under section 301.

(a) the complaint is presented to the Ombudsman in a form which does not comply with the requirements stated in the complaint;

(b) the complaint relates to a matter that is outside the jurisdiction of the Ombudsman;

(c) the complaint relates to an administrative act of which the complainant has had knowledge for too long a time before the complaint was submitted;

(d) the complainant does not have a sufficient personal interest in the subject matter of the complaint;

(e) the complaint is trivial or made in bad faith;

(f) the facilities of the Ombudsman's office are insufficient for adequate investigation; or

(g) there are other complaints more worthy of the Ombudsman's attention.

COMMENT:

Section 302. *Investigation of complaints.*

In general, the Ombudsman has the duty to investigate any complaint which discloses the existence of an appropriate subject for investigation under section 301. He may decline to investigate only for certain reasons, stipulated in section 302. However, these reasons are broadly stated and leave much to the Ombudsman's discretion. He may consider the degree of the complainant's interest in the problem disclosed, the seriousness of the grievance, whether the resources of his office permit an adequate investigation, and whether there are other complaints more worthy of his attention. He may also decline to investigate if another remedy is available to the complainant. Since the number of complaints an Ombudsman in an American state would receive is an unknown quantity, such provisions are necessary to enable him to make the most effective use of his powers. They in no way preclude the Ombudsman from investigating any complaint which discloses the existence of an appropriate subject for investigation under section 301. The Ombudsman shall have the duty to investigate any complaint which discloses the existence of an appropriate subject for investigation under section 301. He may decline to investigate only for certain reasons, stipulated in section 302. However, these reasons are broadly stated and leave much to the Ombudsman's discretion. He may consider the degree of the complainant's interest in the problem disclosed, the seriousness of the grievance, whether the resources of his office permit an adequate investigation, and whether there are other complaints more worthy of his attention. He may also decline to investigate if another remedy is available to the complainant. Since the number of complaints an Ombudsman in an American state would receive is an unknown quantity, such provisions are necessary to enable him to make the most effective use of his powers. They in no way preclude the Ombudsman from investigating any complaint which discloses the existence of an appropriate subject for investigation under section 301.

CODE OF IOWA, §601C.12 re authority of the Citizens' Aide (Ombudsman) to refuse to investigate a complaint

601C.12. Citizens' Aide (Ombudsman). The citizens' aide may receive, receive, and investigate any complaint against any state agency, and shall investigate any complaint against any state agency which is referred to him by the citizens' aide.

1. The citizens' aide may refuse to investigate any other matter which is not referred to him by the citizens' aide.

2. The citizens' aide may refuse to investigate any matter which is referred to him by the citizens' aide.

3. The citizens' aide may refuse to investigate any procedural interest which is already provided by the matter complained of.

4. The complaint is not an individual complaint, or not made in good faith.

5. Other complaints are more worthy of attention.

6. The citizens' aide resources are insufficient for adequate investigation.

7. The complaint has been referred to the citizens' aide to justify present operations of his office.

The citizens' aide may receive, receive, and investigate any complaint, but shall not be prohibited from inquiring into the merits of a complaint or into related problems of wide nature than §601C, ch. 1173, §121.

REVISED STATUTES OF NEBRASKA 1943 (Reissue of 1971), §81-8,247 re authority of Public Counsel (Ombudsman) to refuse to investigate a complaint

81-8,247. Public Counsel; complaint; investigation; decision; notify complainant. The Public Counsel may receive a complaint from any person concerning an administrative act. He shall conduct a preliminary investigation and may refer the matter to any public hearing.

(1) The Public Counsel may refuse to investigate any matter which is not referred to him by the Public Counsel.

(2) The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

(3) The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

(4) The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

(5) The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

(6) The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

(7) The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.

The Public Counsel may refuse to investigate any matter which is referred to him by the Public Counsel.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/8/97
Date

COMMITTEE REPORT

SENATE

1/28

Mr. President:

Date _____

The Committee on FINANCE ~~has had~~ SB 2
~~(definition of peace officer & fireman for Public Employees Retirement system)~~
under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:

_____ Chairman

Committee Report

SENATE

FINANCE***

1/20/75

1/27/75

Date

Mr. President:

The Committee on State Affairs has had SB 2 definition of peace officer & fireman for Public Employees Retirement System under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEIAND
Colletta
John Weber

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

Seigerson recommends: 10 Res.

_____ recommends:

Frank Seigerson
CHAIRMAN

ph
fin 2

Introduced: 1/20/75
Referred: State Affairs
and Finance

1 IN THE SENATE BY POLAND, CROFT AND HOFFMAN

2 SENATE BILL NO. 2

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the definition of peace officer
7 and fireman for the purposes of the Public Employees
8 Retirement System; and providing for an effective date."

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

10 * Section 1. AS 39.35.680(14) is amended to read:

11 (14) "peace officer and fireman" means an employee who is
12 employed full time in the state as [a] an employee of the Department
13 of Fish and Game authorized under AS 16.05.150(1), peace officer,
14 chief of police, fireman or fire chief; this paragraph applies only
15 to Fish and Game personnel who are in the field under hazardous working
16 conditions;

17 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10
18 .070(c).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

ALASKA STATE LEGISLATURE

NINTH... Legislature FIRST.. Session

SENATE BILL..... NO. ...2.....

By POLAND, GROFT AND HOHMAN...

"An Act relating to the definition of peace officer and fireman for the purposes of the Public Employees Retirement System; and providing for an effective date."

peace officer & fireman Public Employees Retirement System

Introduced in the Senate ..1/20... 1975.

HISTORY IN THE SENATE

19 75

1 20

Read first time and referred to Committee on

State Affairs and Finance

Reported back with *11 Affairs* recommendation that *4 to pass*

1 no rec
To Finance

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

POUCH C - JUNEAU 99811

December 15, 1975

Mr. James D. Fennel
Staff Assistant
Senate Finance Committee
Juneau, Alaska 99811

RE: Revised Fiscal Notes for legislation introduced
last year: SB 2, SB 20, SB 45, SB 48, SB 189,
SB 222, SB 280, SB 363 and CSSB 241

Dear Mr. Fennel:

Senate Bill 2 was reviewed and it was determined that the legislation was incorporated in SB 195 which passed last session. The remaining legislation has been distributed for comment.

If you should have any questions, please do not hesitate to call me.

Sincerely,



Kellus N. Sewell
Administrative Officer

KNS/mjc
CC: Richard W. Freer
Deputy Commissioner

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill Number 2

Title: Definition of Peace Officer & Fireman to Include Fish & Game Personnel

Requested by: Senate State Affairs Date: January 24, 1975

Return Date Requested: ASAP

Agency: Administration - Retirement Program: Public Employees' Retirement System

II. FISCAL DETAIL

Budget Request Unit(s) Affected: ALL

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
100 Benefits	350.0	367.5	385.9	405.2	425.5	446.8
TOTAL	350.0	367.5	385.9	405.2	425.5	446.8

B. FUNDING: (Thousands of dollars)

GENERAL FUND 100%	350.0	367.5	385.9	405.2	425.5	446.8
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	0/0	0/0
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The inclusion of this group would have no administrative cost impact. The projection of the Benefits Cost was based upon an increase in the employers contribution rate of .25% times an estimated payroll of \$140,000.00. It is estimated that this would apply to approximately 175 positions.

A five percent annual increase in salaries is assumed.

IV. ATTACHMENTS

V. DATE: 2/3/75

PREPARED BY: Robert S. Gates

Robert S. Gates, Director
Division of Retirement & Benefits
Department of Administration

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

1 IN THE SENATE

BY POLAND AND CROFT

2 SENATE BILL NO. 2

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the definition of peace officer
7 and fireman for the purposes of the Public Employees
8 Retirement System; and providing for an effective date."

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

10 * Section 1. AS 39.35.680(14) is amended to read:

11 (14) "peace officer and fireman" means an employee who is
12 employed full time in the state as [a] an employee of the Department
13 of Fish and Game authorized under AS 16.05.150(1), peace officer,
14 chief of police, fireman or fire chief; this paragraph applies only
15 to Fish and Game personnel who are in the field under hazardous working
16 conditions;

17 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10
18 .070(c).

19
20
21
22
23
24
25
26
27
28
29

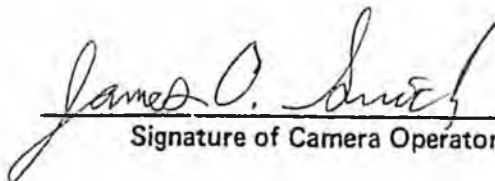
#



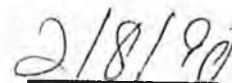
RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.



Signature of Camera Operator



Date

COMMITTEE REPORT

2/26/75

SENATE

Mr. President:

Date 5/7/75

The Committee on FINANCE has had SB 7
spec. appropriation for cold weather botanist positions
under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- (X) recommends it BE REPLACED WITH CS FOR SB 7 AND THAT
CS FOR SB 7 DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other"

Members signing the Majority report:

<u>[Signature]</u>	_____	<u>[Signature]</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends: <u>NO REC</u>
<u>[Signature]</u>	recommends: <u>no rec.</u>
_____	recommends:
_____	recommends:
_____	recommends:

[Signature] Chairman

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. SB 7
 Title: Approp. Natural Resources
 Requested by: Legislative Finance Date: 2/27/75
 Return Date Requested: _____
 Agency: Natural Resources Program: Agriculture

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	-0-	40.0	45.8	45.8		
200 TRAVEL		18.0	18.0	18.0		
300 CONTRACTUAL		10.0	10.0	10.0		
400 COMMODITIES		5.0	5.0	5.0		
500 EQUIPMENT		1.5				
600 LAND & STRUCTURES		5.5				
700 GRANTS, CLAIMS, ETC.						
TOTAL		80.0	78.8	78.8		

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	80.0	78.8	78.8		
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	2/	2/	2/	/	/
MAN MONTHS (P./T.)	/	24/	24/	24/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

To employ qualified professionals in the botany field, it will be necessary to establish Grade 18 positions. Investigation and collection of plant materials from arctic and subarctic areas will necessitate substantial travel. Introduction of materials from foreign locations will necessitate quarantine facilities at the Plant Material Center at Palmer.

IV. ATTACHMENTS

V. DATE: 2-27-75 PREPARED BY: F. S. Honsinger

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Original sponsor: Kerttula

Offered: 2/26/75
Referred: Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 7

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources, cold weather botanist
8 positions; and providing for an effective date."

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

10 * Section 1. The sum of \$64,000 is appropriated from the general fund to
11 the Department of Natural Resources for the fiscal year ending June 30, 1976,
12 for the purpose of funding cold weather botanist positions to collect seeds
13 and other plant propagative material from subarctic and subantarctic regions
14 to carry out agricultural experimentation under AS 03.65.

15 * Sec. 2. This Act takes effect July 1, 1975.
16
17
18
19
20
21
22
23
24
25
26
27
28
29

#

1 IN THE SENATE

BY KERTTULA

2 SENATE BILL NO. 7

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources, cold weather botanist
8 positions; and providing for an effective date."

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

10 * Section 1. The sum of \$80,000 is appropriated from the general fund
11 to the Department of Natural Resources, for the fiscal year ending June 30,
12 1976, for the purpose of funding two cold weather botanist positions to
13 gather suitable seed specimens from subarctic and subantarctic regions to
14 carry out agricultural experimentation under AS 03.65.

15 * Sec. 2. This Act takes effect on July 1, 1975.
16
17
18
19
20
21
22
23
24
25
26
27
28
29



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/8/90
Date

"An Act making a special appropriation to the Department of Natural Resources, cold weather botanist positions; and providing for an effective date."

COMMITTEE REPORT

5/13/75

HOUSE

Appears on today's roll call 6/12
Date 6-2-75

Mr. Speaker:

The Committee on FINANCE has had CSSB 7

under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

[Signature] recommends: No

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/8/90
Date

COMMITTEE REPORT

1/28

SENATE

Mr. President:

Date _____

The Committee on FINANCE has had SB 8
(Sp. approp. dept highways for design of *Ketchikan Airport*)
under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Committee Report

SENATE

****FINANCE****

1/20/75

1/27/75 Date

Mr. President:

The Committee on State Affairs has had SB 8 special approp. Dept. Highways for design of bridge for Ketchikan airport under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

<u>Frank Ferguson</u>	<u>Melend</u>	_____
<u>By Milly</u>	_____	_____
<u>Colletta</u>	_____	_____
<u>John Haer</u>	_____	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:

Frank Ferguson
CHAIRMAN

*ps fin
g*

Introduced: 1/20/75
Referred: State Affairs and
Finance

1 IN THE SENATE

BY ZIEGLER AND MELAND

2 SENATE BILL NO. 8

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Highways for design of a bridge from the
8 Ketchikan airport on Gravina Island to Revillagigedo
9 Island; and providing for an effective date."

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

11 * Section 1. The sum of \$500,000 is appropriated from the general fund to
12 the Department of Highways for design of a bridge from the Ketchikan airport
13 on Gravina Island to Revillagigedo Island.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

16
17
18
19
20
21
22
23
24
25
26
27
28
29

ALASKA STATE LEGISLATURE

NINTH... Legislature FIRST Session

SENATE BILL..... NO. 8

By

"An Act making a special appropriation to the Department of Highways for design of a bridge from the Ketchikan airport on Gravina Island to Revillagigedo Island; and providing for an effective date."

special approp. Dept. Highways design, bridge/Ketchikan airport

Introduced in the Senate ..1/20... 19.75

HISTORY IN THE SENATE

19 75

1 20

Read first time and referred to Committee on

State Affairs and Finance

Reported back with recommendation that *do pass*

To Finance

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

STATE
of ALASKA

MEMORANDUM

TO: James D. Fennel
Staff Assistant
Senate Finance Committee

DATE : December 18, 1975

FROM: Dick Chitty
Deputy Commissioner
Department of Highway



SUBJECT: Fiscal Notes
Senate Bill 8

This memorandum is in answer to your request of December 5, 1975 asking that we review the fiscal note for Senate Bill 8 which was referred to the Senate Finance Committee during the last legislative session. The information submitted in the previous fiscal note is still accurate.

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. SB 8
 Title: Gravina - Revillagigedo Bridge Design
 Requested by: Jay Hogan Date: January 28, 1975
 Return Date Requested: January 28, 1975
 Agency: Department of Highways Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	PY 75	PY 76	PY 77	PY 78	PY 79	PY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND	500	750	750			
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The 2.0 million estimate includes location, materials investigation and design for the bridge and necessary approach roads. The estimate is based on the Department of Highways Gravina Island Crossing Reconnaissance Report prepared in 1972 revised to include inflation.

IV. ATTACHMENTS

V. DATE: January 28, 1975

PREPARED BY: *C. Matlock*

Charles S. Matlock
Deputy Commissioner of Highways

Original: Legislative Finance ✓
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. SB 8

Title: Gravina - Revillagigedo Bridge Design

Requested by: Jay Hogan

Date: January 28, 1975

Return Date Requested: January 28, 1975

Agency: Department of Highways

Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND	500	750	750			
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The 2.0 million estimate includes location, materials investigation and design for the bridge and necessary approach roads. The estimate is based on the Department of Highways Gravina Island Crossing Reconnaissance Report prepared in 1972 revised to include inflation.

IV. ATTACHMENTS

V. DATE: January 28, 1975

PREPARED BY: _____

Charles S. Matlock
Charles S. Matlock
Deputy Commissioner of Highways

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

1 IN THE SENATE

BY ZIEGLER AND MELAND

2

SENATE BILL NO. 8

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the Department of Highways for design of a bridge from the Ketchikan airport on Gravina Island to Revillagigedo Island; and providing for an effective date."

7

8

9

10

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

11

* Section 1. The sum of \$500,000 is appropriated from the general fund to the Department of Highways for design of a bridge from the Ketchikan airport on Gravina Island to Revillagigedo Island.

12

13

14

* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-070(c).

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

#



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/8/90
Date

COMMITTEE REPORT

SENATE

4/26/75

Mr. President:

Date _____

The Committee on FINANCE has had SB 12
creation of Interim Joint Legislative Committee on Land Use (appropriation)
under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

_____ Chairman

COMMITTEE REPORT *****FINANCE*****

1/20/75

SENATE

Mr. President:

Date 4/25/75

The Committee on State Affairs has had SB 12 creation of Interim Joint Legislative Committee on Land Use (appropriation under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

~~other~~ "other" Individual Recommendations

Members signing the Majority report:

<u>Joseph No Rec.</u>	_____	_____
<u>Miller</u>	<u>NO REC</u>	_____
<u>RIELAND</u>	<u>NO REC</u>	_____
<u>Gallotta</u>	<u>No Rec</u>	_____

Members NOT concurring in the Majority report:

- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:

Frank Ferguson Chairman

*Ru
fin 12*

Introduced: 1/20/75
Referred: State Affairs and
Finance

1 IN THE SENATE

BY ORSINI

2 SENATE BILL NO. 12

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the
7 Legislative Council for the creation of the Interim
8 Joint Legislative Committee on Land Use; and providing
9 for an effective date."

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

11 * Section 1. The sum of \$75,000 is appropriated from the general fund to
12 the Legislative Council for the purpose of funding the Interim Joint Legisla-
13 tive Committee on Land Use.

14 * Sec. 2. The unexpended and unobligated portion of this appropriation
15 lapses into the general fund December 31, 1976.

16 * Sec. 3. This Act takes effect July 1, 1975.

ALASKA STATE LEGISLATURE

NINTH... Legislature FIRST.. Session

SENATE BILL..... NO. 12.....

By ORSINI.....

"An Act making a special appropriation to the Legislative Council for the creation of the Interim Joint Legislative Committee on Land Use; and providing for an effective date."

approp. Interim Joint Com. for land use

Introduced in the Senate 1/20...., 1975.

HISTORY IN THE SENATE

19 75	Read first time and referred to Committee on State Affairs and Finance
1 20	Reported back with recommendation that <i>SA: no recommendation to finance</i>
4 26	Read second time and
	Read third time and
	PASS Effective Date
	Yeas Yeas
	Nays Nays
	Absent Absent
	Excused Excused
	Reconsideration
	PASS Effective Date
	Yeas Yeas
	Nays Nays
	Absent Absent
	Excused Excused
	Reported correctly engrossed
	Signed by President
	Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19	Read first time and referred to Committee on
	Reported back with recommendation that
	Read second time and
	Read third time and
	PASS Effective Date
	Yeas Yeas
	Nays Nays
	Absent Absent
	Excused Excused
	Reconsideration
	PASS Effective Date
	Yeas Yeas
	Nays Nays
	Absent Absent
	Excused Excused
	Reported correctly engrossed
	Signed by Speaker
	Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19	Received from House
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
	Chapter No.

1 IN THE SENATE

BY ORSINI

2 SENATE BILL NO. 12

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the
7 Legislative Council for the creation of the Interim
8 Joint Legislative Committee on Land Use; and providing
9 for an effective date."

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

11 * Section 1. The sum of \$75,000 is appropriated from the general fund to
12 the Legislative Council for the purpose of funding the Interim Joint Legisla-
13 tive Committee on Land Use.

14 * Sec. 2. The unexpended and unobligated portion of this appropriation
15 lapses into the general fund December 31, 1976.

16 * Sec. 3. This Act takes effect July 1, 1975.

17

18

19

20

21

22

23

24

25

26

27

28

29

#

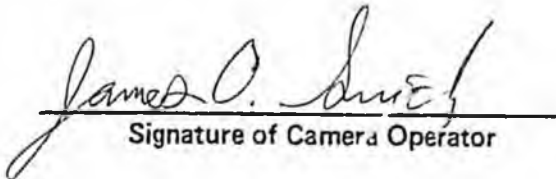


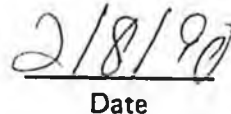
RECORDS



CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

COMMITTEE REPORT

4/26/75

SENATE

Mr. President:

Date _____

The Committee on FINANCE has had SB 13 creating the Interim Joint Legislative Committee on Land Use under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

COMMITTEE REPORT

*****FINANCE****

1/20/75

SENATE

Mr. President:

Date 4/25/75

The Committee on State Affairs has had SB 13 creating the Interim Joint Legislative Committee on Land Use under consideration. A Majority of the members of the Committee

- recommends it DO PASS ✓
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____ COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other"

Members signing the Majority report:

[Signature] _____

MEIAND _____

Collotta _____

Members NOT concurring in the Majority report:

[Signature] recommends: DO PASS by Concurrent Resolution

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

Page 13

Introduced: 1/20/75
Referred: State Affairs and
Finance

1 IN THE SENATE

BY ORSINI

2 SENATE BILL NO. 13

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Interim Joint Legislative
7 Committee on Land Use; and providing for an effective
8 date."

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

10 * Section 1. (a) There is created the Interim Joint Legislative Committee
11 on Land Use. The committee is composed of three members from the House,
12 appointed by the speaker of the House, and three members from the Senate,
13 appointed by the president of the Senate. At least one of the members from
14 each house shall be appointed from the minority party.

15 (b) The committee shall consider the feasibility of replacing the Joint
16 Federal-State Land Use Planning Commission (AS 41.40.010 - 41.40.120), and,
17 if replacement is feasible, recommend methods to accomplish it. The committee
18 shall hold hearings as appropriate to accomplish its purpose.

19 (c) The committee shall report its findings and recommendations to the
20 legislature by January 31, 1976.

21 * Sec. 2. This Act takes effect July 1, 1975.

22 * Sec. 3. This Act terminates January 31, 1976.

23
24
25
26
27
28
29

ALASKA STATE LEGISLATURE

NTN Legislature FIRST Session

SENATE BILL NO. 13

By ORSINI

"An Act creating the Interim Joint Legislative Committee on Land Use; and providing for an effective date."

Interim Joint Legislative Committee on Land Use

Introduced in the Senate 1/20, 1975

HISTORY IN THE SENATE

19 75

1 20

126

Read first time and referred to Committee on State Affairs and Finance

Reported back with recommendation that *SB: 3-10 pass to Finance*

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

1 IN THE SENATE

BY ORSINI

2 SENATE BILL NO. 13

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE -- FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Interim Joint Legislative
7 Committee on Land Use; and providing for an effective
8 date."

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

10 * Section 1. (a) There is created the Interim Joint Legislative Committee
11 on Land Use. The committee is composed of three members from the House,
12 appointed by the speaker of the House, and three members from the Senate,
13 appointed by the president of the Senate. At least one of the members from
14 each house shall be appointed from the minority party.

15 (b) The committee shall consider the feasibility of replacing the Joint
16 Federal-State Land Use Planning Commission (AS 41.40.010 - 41.40.120), and,
17 if replacement is feasible, recommend methods to accomplish it. The committee
18 shall hold hearings as appropriate to accomplish its purpose.

19 (c) The committee shall report its findings and recommendations to the
20 legislature by January 31, 1976.

21 * Sec. 2. This Act takes effect July 1, 1975.

22 * Sec. 3. This Act terminates January 31, 1976.

23

24

25

26

27

28

29

#