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CS FOR SENATE BILL NO. 221()

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): SENATOR WIELECHOWSKI

A BILL

FOR AN ACT ENTITLED

"An Act relating to appropriations of federal receipts; and relating to an increase of an appropriation based on additional federal receipts."

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

*** Section 1.** AS 24.05.100(a) is amended to read:

(a) The legislature may hold a special session not exceeding 30 calendar days in length. The special session shall be called in either of the following ways:

(1) The governor may call the legislature into special session by issuing a proclamation. At a special session called by the governor, legislation is limited to the subjects designated by the governor in the proclamation or to the subjects presented by the governor, and to reconsideration of legislation, if any, vetoed following a regular session of that legislature. To enable the legislators to make travel and other arrangements, a proclamation for a special session shall be issued at least 30 days in advance of the convening date stated in the proclamation unless

(A) the proclamation is issued under AS 26.23.020(k);

(B) the special session is called to address a disaster; in this subparagraph, "disaster" has the meaning given in AS 26.23.900;

(C) the proclamation is issued while both houses are in regular or special session; [OR]

(D) the proclamation is issued within one hour after the second house has adjourned from a regular or special session; or

(E) the proclamation is issued under AS 37.07.080(i).

(2) The legislature may call itself into special session if two-thirds of the membership responds in the affirmative to a poll conducted by the presiding officer of each house. Each presiding officer may initiate a poll by their joint agreement, and each shall initiate a poll upon the request of 25 percent of the membership of each house, expressed in writing and signed by those members. When two-thirds of the membership to which the legislature is entitled responds in the affirmative, the president of the senate and speaker of the house shall jointly announce the result of the poll and a date for the convening of the special session. If one of the presiding officers is deceased, has resigned, or is incapacitated, the presiding officer of the other house may conduct the poll of the members of both houses.

* **Sec. 2.** AS 37.07.080(h) is amended to read:

(h) **The legislature may provide for a specific maximum increase of an appropriation item in an appropriation bill based on potential additional federal receipts.** The **legislature may provide for the** increase **as a percentage** of **the** [AN] appropriation item. **The increase of the appropriation item** [BASED ON ADDITIONAL FEDERAL OR OTHER PROGRAM RECEIPTS NOT SPECIFICALLY APPROPRIATED BY THE FULL LEGISLATURE] may be expended **only** in accordance with the following procedures:

(1) the governor shall submit a revised program to the Legislative Budget and Audit Committee for review;

(2) **the Legislative Budget and Audit Committee shall review the revised program and may recommend to the governor an alternative funding amount for the specific maximum increase of the appropriation item or may recommend alternative funding distributions among multiple specific maximum**

increases of appropriation items in an applicable appropriation bill or bills;

(3) the governor may submit a corrected or otherwise changed revised program to the Legislative Budget and Audit Committee for review;

(4) when the governor has submitted a final revised program to the Legislative Budget and Audit Committee for review, the Legislative Budget and Audit Committee shall confirm the revised program does not exceed the specific maximum increase of an appropriation item in the applicable appropriation bill;

(5) 45 days shall elapse before commencement of expenditures under the revised program **confirmed by the Legislative Budget and Audit Committee** unless the Legislative Budget and Audit Committee earlier recommends that the state take part in the federally [OR OTHERWISE] funded activity [;

(3) SHOULD THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE RECOMMEND WITHIN THE 45-DAY PERIOD THAT THE STATE NOT INITIATE THE ADDITIONAL ACTIVITY, THE GOVERNOR SHALL AGAIN REVIEW THE REVISED PROGRAM AND IF THE GOVERNOR DETERMINES TO AUTHORIZE THE EXPENDITURE, THE GOVERNOR SHALL PROVIDE THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE WITH A STATEMENT OF THE GOVERNOR'S REASONS BEFORE COMMENCEMENT OF EXPENDITURES UNDER THE REVISED PROGRAM].

* **Sec. 3.** AS 37.07.080 is amended by adding a new subsection to read:

(i) When the legislature is not in session, the governor or the legislature may call a special session under AS 24.05.100(a) to appropriate additional federal receipts that exceed a specific maximum increase allowed under (h) of this section or to appropriate additional federal receipts for an item, program, or project not previously provided for by a specific maximum increase in an appropriation bill.

* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. This Act does not apply to appropriations that were increased before the effective date of this Act based on compliance with AS 37.07.080(h), as that section read before the effective date of this Act.