



LAWS OF ALASKA

2007

Source
CCS HB 171

Chapter No.

AN ACT

Relating to the date and time for convening regular legislative sessions, certain procedures of the legislature, the date for organizing the Legislative Budget and Audit Committee, and deadlines for certain matters or reports to be filed or delivered to the legislature or a legislative committee; prohibiting bonuses for legislative employees; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

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1 Relating to the date and time for convening regular legislative sessions, certain procedures of
2 the legislature, the date for organizing the Legislative Budget and Audit Committee, and
3 deadlines for certain matters or reports to be filed or delivered to the legislature or a
4 legislative committee; prohibiting bonuses for legislative employees; and providing for an
5 effective date.

6 _____
7 * **Section 1.** AS 18.65.085(b) is amended to read:

8 (b) The commissioner of public safety shall prepare [, WITHIN 30 DAYS
9 FROM THE DATE THE LEGISLATURE CONVENES,] a report concerning the
10 activities of the narcotic drugs and alcohol enforcement unit. The commissioner shall
11 notify the legislature **on the first day of each regular session** that the report is
12 available. The report must include, but is not limited to, the number of arrests made,
13 the kind, amount, and value of narcotic drugs and alcoholic beverages seized, the

1 sentences received by narcotic drug and alcohol offenders, and an overall view of the
2 narcotic drug and illicit alcohol problem in the state.

3 * **Sec. 2.** AS 18.65.086(b) is amended to read:

4 (b) The commissioner of public safety shall prepare, [WITHIN 30 DAYS
5 FROM THE DATE THE LEGISLATURE CONVENES] in odd-numbered years, a
6 report concerning the activities of the special unit on repeated child sexual abuse and
7 the criminal exploitation of children. The commissioner shall notify the legislature **by**
8 **the first day of each regular session in an odd-numbered year** that the report is
9 available. The report must include, but is not limited to, the number of arrests made in
10 cases of repeated child sexual abuse and the criminal exploitation of children, the
11 number of investigations that result in the Department of Health and Social Services
12 taking temporary or permanent custody of the child, the sentences received by persons
13 convicted in the state of child sexual abuse or criminal exploitation of a child, and an
14 overall view of the problems of child sexual abuse and the criminal exploitation of
15 children in the state.

16 * **Sec. 3.** AS 24.05.090 is amended to read:

17 **Sec. 24.05.090. Duration of legislature; [REGULAR] sessions.** The
18 legislature shall convene at the capital each year on the [SECOND MONDAY IN
19 JANUARY AT 10:00 a.m.; HOWEVER, FOLLOWING A GUBERNATORIAL
20 ELECTION YEAR, THE LEGISLATURE SHALL CONVENE ON THE] third
21 Tuesday in January at **1:00 p.m. Each** [10:00 a.m. EXCEPT AS PROVIDED IN
22 THIS SECTION, EACH] legislature **has** [SHALL HAVE] a duration of two years and
23 **consists** [SHALL CONSIST] of a "First Regular Session [,]" **that meets** [WHICH
24 SHALL MEET] in the odd-numbered years, and a "Second Regular Session [,]" **that**
25 **meets** [WHICH SHALL MEET] in the even-numbered years, and any special session
26 [OR SESSIONS] that the governor or legislature **calls** [MAY FIND NECESSARY
27 TO CALL].

28 * **Sec. 4.** AS 24.08.035(a) is amended to read:

29 (a) Before a bill or resolution, except an appropriation bill, is reported from
30 the committee of first referral, there shall be attached to the bill a fiscal note
31 containing an estimate of the amount of the appropriation increase or decrease that

1 would result from enactment of the bill for the current fiscal year and five succeeding
2 fiscal years or, if the bill has no fiscal impact, a statement to that effect shall be
3 attached. The fiscal note or statement shall be prepared in conformity with the
4 requirements of this section by the department or departments affected and may be
5 reviewed by the office of management and budget. The fiscal note or statement shall
6 be delivered to the committee requesting it within **three** [FIVE] days of the request
7 [OR WITHIN TWO DAYS IF THE REQUEST IS MADE AFTER THE 90TH DAY
8 OF A REGULAR SESSION, OR DURING A SPECIAL SESSION OF THE
9 LEGISLATURE]. If the bill is presented by the governor for introduction in
10 accordance with AS 24.08.060(b) and the uniform rules of the legislature, the fiscal
11 note or statement shall be attached to the bill before the bill is introduced. An
12 amendment or a substitute bill proposed by a committee of referral that changes the
13 fiscal impact of a bill shall be explained in a revised fiscal note or statement attached
14 to the bill.

15 * **Sec. 5.** AS 24.10.220 is amended to read:

16 **Sec. 24.10.220. Bonuses for certain legislative employees.** An employee of
17 the legislature may not be awarded or paid a bonus that is in [IN] addition to
18 compensation authorized under AS 24.10.200 and 24.10.210 [, AN EMPLOYEE OF
19 THE LEGISLATURE MAY BE AWARDED AND PAID A BONUS TO REWARD
20 EXTRAORDINARY EFFORT, COMPETENCY, JOB PERFORMANCE, OR
21 UNCOMPENSATED OVERTIME. HOWEVER, AFTER JANUARY 1, 2005, THE
22 AUTHORITY TO AWARD AND PAY A BONUS UNDER THIS SECTION IS
23 TERMINATED, AND BONUSES MAY NOT BE AWARDED OR PAID AFTER
24 THAT DATE].

25 * **Sec. 6.** AS 24.20.140 is amended by adding a new subsection to read:

26 (b) In addition to transfers under (a) of this section, the council may direct the
27 executive director to transfer amounts from any appropriation to an office, agency, or
28 committee in the legislative branch to an appropriation for another office, agency, or
29 committee in the legislative branch. A transfer under this subsection may only be
30 made with the written approval of the head of the legislative office or agency or the
31 chair of the committee to which the appropriation was originally made, and the

1 amount transferred from that appropriation may not exceed the amount indicated in
2 the written approval.

3 * **Sec. 7.** AS 24.20.171(a) is amended to read:

4 (a) The committee shall be organized within **10** [15] days after the
5 organization of each legislature. Members serve for the duration of the legislature
6 during which they are appointed.

7 * **Sec. 8.** AS 24.20.206 is amended to read:

8 **Sec. 24.20.206. Duties.** The Legislative Budget and Audit Committee shall

9 (1) [REPEALED

10 (2)] annually review the long-range operating plans of all agencies of
11 the state that perform lending or investment functions;

12 **(2)** [(3)] review periodic reports from all agencies of the state that
13 perform lending or investment functions;

14 **(3)** [(4)] prepare a complete report of investment programs, plans,
15 performance, and policies of all agencies of the state that perform lending or
16 investment functions and notify the legislature **on or before the first day** [WITHIN
17 30 DAYS AFTER THE CONVENING] of each regular session that the report is
18 available;

19 **(4)** [(5)] in conjunction with the finance committee of each house,
20 recommend annually to the legislature the investment policy for the general fund
21 surplus and for the income from the permanent fund;

22 **(5)** [(6)] provide for an annual post audit and annual operational and
23 performance evaluation of the Alaska Permanent Fund Corporation investments and
24 investment programs;

25 **(6)** [(7)] provide for an annual operational and performance evaluation
26 of the Alaska Housing Finance Corporation and the Alaska Industrial Development
27 and Export Authority; the performance evaluation must include, but is not limited to, a
28 comparison of the effect on various sectors of the economy by public and private
29 lending, the effect on resident and nonresident employment, the effect on real wages,
30 and the effect on state and local operating and capital budgets of the programs of the
31 Alaska Housing Finance Corporation and the Alaska Industrial Development and

1 Export Authority;

2 (7) [(8)] provide assistance to the trustees of the trust established in
3 AS 37.14.400 - 37.14.450 in carrying out their duties under AS 37.14.415.

4 * **Sec. 9.** AS 24.20.311 is amended to read:

5 **Sec. 24.20.311. Reports.** The committee shall file copies of its approved audit
6 reports including any committee recommendations with the governor, the agency
7 concerned, and the legislature. An annual report summarizing the audit reports and
8 committee recommendations made during the year shall be filed with the governor and
9 with the legislature on or before [WITHIN] the first day [FIVE DAYS] of each
10 regular session of the legislature. Reports shall be approved by a majority of the
11 committee before their release and shall be open to public inspection after their release
12 to the legislature.

13 * **Sec. 10.** AS 24.45.041(e) is amended to read:

14 (e) Within 15 [45] days after the convening of each regular session of the
15 legislature, the commission shall publish a directory of registered lobbyists, containing
16 the information prescribed in (b) of this section for each lobbyist and the photograph,
17 if any, furnished by a lobbyist under (c) of this section. From time to time thereafter,
18 the commission shall publish those supplements to the directory that in the
19 commission's judgment may be necessary. The directory shall be made available to
20 public officials and to the public at the following locations: a public place adjacent to
21 the legislative chambers in the state capitol building, the office of the lieutenant
22 governor, the legislative reference library of the Legislative Affairs Agency, and the
23 commission's central office.

24 * **Sec. 11.** AS 37.07.040(7) is amended to read:

25 (7) provide the legislative finance division with an advance copy of the
26 governor's budget workbooks at least seven days before the legislature convenes in
27 a regular session [BY THE FIRST MONDAY IN JANUARY OF EACH YEAR,
28 EXCEPT THAT FOLLOWING A GUBERNATORIAL ELECTION YEAR THE
29 ADVANCE COPY SHALL BE PROVIDED BY THE SECOND MONDAY IN
30 JANUARY];

31 * **Sec. 12.** AS 37.07.070 is amended to read:

1 **Sec. 37.07.070. Legislative review.** The legislature shall consider the
2 governor's proposed comprehensive operating and capital improvements programs and
3 financial plans, evaluate alternatives to the plans, make program selections among the
4 various alternatives and determine, subject to available revenues, the level of funding
5 required to support authorized state services. The operating and capital budgets of
6 each agency shall be separately reviewed. During each regular session of the
7 legislature, legislative review of the governor's supplemental appropriation bills and
8 the governor's budget amendments shall be governed by the following time limits:

9 (1) requests by the governor for supplemental appropriations for state
10 agency operating and capital budgets for the current fiscal year may be introduced by
11 the rules committee only through the **15th** [30TH] legislative day;

12 (2) requests by the governor for budget amendments to state agency
13 budgets for the budget fiscal year may be received and reviewed by the finance
14 committees only through the **30th** [45TH] legislative day.

15 * **Sec. 13.** AS 37.10.050(c) is amended to read:

16 (c) Except as provided in AS 37.10.052(a), each state agency shall annually
17 review fees collected by the agency. By October 1, each state agency shall submit a
18 report to the office of management and budget regarding existing fee levels set by the
19 agency by regulation and adjustments made to fee levels by the agency during the
20 previous fiscal year, and recommended adjustments in fees set by statute that the
21 agency collects. Each year by December 15, the office of management and budget
22 shall submit a report to the Legislative Budget and Audit Committee summarizing the
23 reports and recommendations and the extent to which the fee adjustments have been
24 incorporated in the governor's budget. Within **five** [30] days after the convening of
25 each regular session of the legislature, the committee shall prepare a report on the
26 status of fee regulations and making recommendations for changes in regulations or
27 statutes as appropriate. The committee shall notify the legislature that the report is
28 available.

29 * **Sec. 14.** AS 38.04.022(b) is amended to read:

30 (b) Within **five** [30] days after the legislature convenes in regular session, the
31 Department of Natural Resources shall notify the legislature that a report reflecting all

1 money deposited in the fund established under (a) of this section during the prior fiscal
2 year is available.

3 * **Sec. 15.** AS 38.05.027(b) is amended to read:

4 (b) A summary of agreements entered into under this section shall be
5 submitted to the legislature within **five** [30] days of the beginning of each regular
6 session.

7 * **Sec. 16.** AS 39.05.080(1) is amended to read:

8 (1) Each governor shall present to the legislature the names of the
9 persons appointed by that governor; each governor may present the name of a person
10 appointed by a previous governor; only presentment that occurs during the time that
11 the legislature is in regular session constitutes presentment under this section. The
12 governor shall, within the first **15** [30] days after the legislature convenes in regular
13 session, present to the legislature for confirmation the names of the following persons:
14 (A) persons appointed to a position or membership who have not previously been
15 confirmed by the legislature, and (B) persons to be appointed to fill a position or
16 membership the term of which will expire on or before March 1 during that session of
17 the legislature. If an appointment is made after the first **15** [30] days **after** [OF] the
18 convening of the regular session but while the legislature is in regular session, the
19 governor shall immediately present to the legislature for confirmation the name of the
20 person appointed.

21 * **Sec. 17.** The uncoded law of the State of Alaska is amended by adding a new section to
22 read:

23 **REPORT ON 90-DAY REGULAR SESSION.** The Alaska Legislative Council shall
24 prepare and deliver a report to each house of the legislature considering issues related to the
25 duration of the regular session and making recommendations regarding the amendment or
26 repeal of any statutes or Uniform Rules implementing the 90-day regular session. The report
27 may be delivered at any time before the regular session is convened in 2010. By July 1, 2008,
28 the Alaska Legislative Council shall notify the chief clerk, the senate secretary, and each of
29 the presiding officers of the date the report will be delivered.

30 * **Sec. 18.** The uncoded law of the State of Alaska is amended by adding a new section to
31 read:

- 1 RETROACTIVITY. Section 6 of this Act is retroactive to January 1, 2007.
- 2 * **Sec. 19.** Sections 6 and 18 of this Act take effect immediately under AS 01.10.070(c).
- 3 * **Sec. 20.** Sections 1 - 5 and 7 - 17 of this Act take effect January 1, 2008.