

HOUSE BILL NO. 171

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE

Introduced: 3/1/07
Referred: State Affairs

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the terms of legislators, the date and time for convening regular
2 legislative sessions, adoption of uniform rules of the legislature and to certain of those
3 rules, the date for organizing the Legislative Budget and Audit Committee, and
4 deadlines for certain matters or reports to be delivered to the legislature or filed;
5 prohibiting bonuses for legislative employees; and providing for an effective date."

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

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 24.05.080 is amended to read:

17 **Sec. 24.05.080. Terms.** The term of each member of the legislature begins on
18 the second Monday in **February** [JANUARY FOLLOWING A PRESIDENTIAL
19 ELECTION YEAR; HOWEVER, FOLLOWING A GUBERNATORIAL ELECTION
20 YEAR, THE TERM OF EACH MEMBER BEGINS ON THE THIRD TUESDAY IN
21 JANUARY]. The term of representatives is two years, and the term of senators is four
22 years. One-half of the senators shall be elected every two years.

23 * **Sec. 4.** AS 24.05.090 is amended to read:

24 **Sec. 24.05.090. Regular sessions.** The legislature shall convene at the capital
25 each year on the second Monday in **February** [JANUARY] at **1:00 p.m. Each** [10:00
26 A.M.; HOWEVER, FOLLOWING A GUBERNATORIAL ELECTION YEAR, THE
27 LEGISLATURE SHALL CONVENE ON THE THIRD TUESDAY IN JANUARY
28 AT 10:00 a.m. EXCEPT AS PROVIDED IN THIS SECTION, EACH] legislature
29 shall have a duration of two years and **consists** [SHALL CONSIST] of a "First
30 Regular Session [,]" **that meets** [WHICH SHALL MEET] in the odd-numbered years,
31 [AND] a "Second Regular Session [,]" **that meets** [WHICH SHALL MEET] in the

1 even-numbered years, and any special session or sessions that the governor or
2 legislature may find necessary to call.

3 * **Sec. 5.** AS 24.05.120 is amended to read:

4 **Sec. 24.05.120. Rules.** At the beginning of each [THE FIRST] regular session
5 of the [EACH] legislature, both houses shall adopt uniform rules of procedure for
6 enacting bills into law and adopting resolutions. The rules in effect at the last regular
7 session of the immediately preceding legislature serve as the temporary rules of the
8 legislature until the adoption of permanent rules.

9 * **Sec. 6.** AS 24.08.035(a) is amended to read:

10 (a) Before a bill or resolution, except an appropriation bill, is reported from
11 the committee of first referral, there shall be attached to the bill a fiscal note
12 containing an estimate of the amount of the appropriation increase or decrease that
13 would result from enactment of the bill for the current fiscal year and five succeeding
14 fiscal years or, if the bill has no fiscal impact, a statement to that effect shall be
15 attached. The fiscal note or statement shall be prepared in conformity with the
16 requirements of this section by the department or departments affected and may be
17 reviewed by the office of management and budget. The fiscal note or statement shall
18 be delivered to the committee requesting it within three [FIVE] days of the request
19 [OR WITHIN TWO DAYS IF THE REQUEST IS MADE AFTER THE 90TH DAY
20 OF A REGULAR SESSION, OR DURING A SPECIAL SESSION OF THE
21 LEGISLATURE]. If the bill is presented by the governor for introduction in
22 accordance with AS 24.08.060(b) and the uniform rules of the legislature, the fiscal
23 note or statement shall be attached to the bill before the bill is introduced. An
24 amendment or a substitute bill proposed by a committee of referral that changes the
25 fiscal impact of a bill shall be explained in a revised fiscal note or statement attached
26 to the bill.

27 * **Sec. 7.** AS 24.08.050 is amended to read:

28 **Sec. 24.08.050. Prefiling of bills and resolutions.** Any member of the
29 legislature whose term extends into a forthcoming session or legislature, or a member-
30 elect may file a bill or resolution or a proposal for a bill or resolution with the
31 Legislative Affairs Agency at any time before February [JANUARY] 1. The agency

1 shall place a prefiled bill or resolution that [, WHICH] is approved by the sponsor [,]
 2 in proper form and deliver it to the chief clerk of the appropriate house on the day on
 3 which the next session convenes or is organized for business. Prefiled bills or
 4 resolutions shall be considered as introduced on the day of their delivery to each
 5 house.

6 * **Sec. 8.** AS 24.08.110 is amended to read:

7 **Sec. 24.08.110. Bills carry over.** A bill introduced [BUT NOT RECEIVING
 8 FINAL ACTION] in the first regular session of a legislature that is passed by the
 9 house in which it is introduced but that does not receive final action carries over in
 10 the same reading or status into the second regular session of the same legislature.

11 * **Sec. 9.** AS 24.10.220 is amended to read:

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

21 * **Sec. 10.** AS 24.20.171(a) is amended to read:

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

25 * **Sec. 11.** AS 24.20.206 is amended to read:

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

- 27 (1) [REPEALED
 28 (2)] annually review the long-range operating plans of all agencies of
 29 the state that perform lending or investment functions;
 30 (2) [(3)] review periodic reports from all agencies of the state that
 31 perform lending or investment functions;

1 **(3)** [(4)] prepare a complete report of investment programs, plans,
2 performance, and policies of all agencies of the state that perform lending or
3 investment functions and notify the legislature **on or before the first day** [WITHIN
4 30 DAYS AFTER THE CONVENING] of each regular session that the report is
5 available;

6 **(4)** [(5)] in conjunction with the finance committee of each house
7 recommend annually to the legislature the investment policy for the general fund
8 surplus and for the income from the permanent fund;

9 **(5)** [(6)] provide for an annual post audit and annual operational and
10 performance evaluation of the Alaska Permanent Fund Corporation investments and
11 investment programs;

12 **(6)** [(7)] provide for an annual operational and performance evaluation
13 of the Alaska Housing Finance Corporation and the Alaska Industrial Development
14 and Export Authority; the performance evaluation must include, but is not limited to, a
15 comparison of the effect on various sectors of the economy by public and private
16 lending, the effect on resident and nonresident employment, the effect on real wages,
17 and the effect on state and local operating and capital budgets of the programs of the
18 Alaska Housing Finance Corporation and the Alaska Industrial Development and
19 Export Authority;

20 **(7)** [(8)] provide assistance to the trustees of the trust established in
21 AS 37.14.400 - 37.14.450 in carrying out their duties under AS 37.14.415.

22 * **Sec. 12.** AS 24.20.311 is amended to read:

23 **Sec. 24.20.311. Reports.** The committee shall file copies of its approved audit
24 reports including any committee recommendations with the governor, the agency
25 concerned, and the legislature. An annual report summarizing the audit reports and
26 committee recommendations made during the year shall be filed with the governor and
27 with the legislature **on or before** [WITHIN] the first **day** [FIVE DAYS] of each
28 regular session of the legislature. Reports shall be approved by a majority of the
29 committee before their release and shall be open to public inspection after their release
30 to the legislature.

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

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

11 * **Sec. 14.** AS 24.45.116 is amended to read:

12 **Sec. 24.45.116. Disclosure of contributions.** A civic league or organization
13 shall report the total amount of contributions received for the reporting period and, for
14 any contribution over \$100, the name of the contributor and the amount contributed.
15 The civic league or organization may establish a separate fund to account for receipts
16 and expenditures arising out of activities to influence legislative action. Reports shall
17 be made on a form provided by the commission on [FEBRUARY 10,] April 25 [,] and
18 July 10 of each year, listing contributions received during the period that ended 10
19 days earlier. Upon request of the commission, information required under this section
20 shall be submitted electronically.

21 * **Sec. 15.** AS 37.07.020(a) is amended to read:

22 (a) The governor shall prepare a budget for the succeeding fiscal year that
23 must cover all estimated receipts, including all grants, loans, and money received from
24 the federal government and all proposed expenditures of the state government. The
25 budget shall be organized so that the proposed expenditures for each agency are
26 presented separately. The budget must be accompanied by the information required
27 under AS 37.07.050 and by the following separate bills: (1) an appropriation bill
28 authorizing the operating and capital expenditures of the state's integrated
29 comprehensive mental health program under AS 37.14.003(a); (2) an appropriation
30 bill authorizing state operating expenditures other than those included in the state's
31 integrated comprehensive mental health program; (3) an appropriation bill authorizing

1 capital expenditures other than those included in the state's integrated comprehensive
2 mental health program; and (4) a bill or bills covering recommendations, if any, in the
3 budget for new or additional revenue. The budget for the succeeding fiscal year and
4 each of the bills shall become public information on **January** [DECEMBER] 15 at
5 which time the governor shall submit copies to the legislature and make copies
6 available to the public. The bills, identical in content to the copies released on
7 **January** [DECEMBER] 15, shall be delivered to the rules committee of each house
8 before the fourth legislative day of the next regular session for introduction.

9 * **Sec. 16.** AS 37.07.040(7) is amended to read:

10 (7) provide the legislative finance division with an advance copy of the
11 governor's budget workbooks by the first Monday in **February** [JANUARY] of each
12 year [, EXCEPT THAT FOLLOWING A GUBERNATORIAL ELECTION YEAR
13 THE ADVANCE COPY SHALL BE PROVIDED BY THE SECOND MONDAY IN
14 JANUARY];

15 * **Sec. 17.** AS 37.07.070 is amended to read:

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

24 (1) requests by the governor for supplemental appropriations for state
25 agency operating and capital budgets for the current fiscal year may be introduced by
26 the rules committee only through the **fifth** [30TH] legislative day;

27 (2) requests by the governor for budget amendments to state agency
28 budgets for the budget fiscal year may be received and reviewed by the finance
29 committees only through the **15th** [45TH] legislative day.

30 * **Sec. 18.** AS 37.10.050(c) is amended to read:

31 (c) Except as provided in AS 37.10.052(a), each state agency shall annually

1 review fees collected by the agency. By October 1, each state agency shall submit a
2 report to the office of management and budget regarding existing fee levels set by the
3 agency by regulation and adjustments made to fee levels by the agency during the
4 previous fiscal year, and recommended adjustments in fees set by statute that the
5 agency collects. Each year by December 15, the office of management and budget
6 shall submit a report to the Legislative Budget and Audit Committee summarizing the
7 reports and recommendations and the extent to which the fee adjustments have been
8 incorporated in the governor's budget. Within **five** [30] days after the convening of
9 each regular session of the legislature, the committee shall prepare a report on the
10 status of fee regulations and making recommendations for changes in regulations or
11 statutes as appropriate. The committee shall notify the legislature that the report is
12 available.

13 * **Sec. 19.** AS 38.04.022(b) is amended to read:

14 (b) Within **five** [30] days after the legislature convenes in regular session, the
15 Department of Natural Resources shall notify the legislature that a report reflecting all
16 money deposited in the fund established under (a) of this section during the prior fiscal
17 year is available.

18 * **Sec. 20.** AS 38.05.027(b) is amended to read:

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

22 * **Sec. 21.** AS 39.05.080(1) is amended to read:

23 (1) Each governor shall present to the legislature the names of the
24 persons appointed by that governor; each governor may present the name of a person
25 appointed by a previous governor; only presentment that occurs during the time that
26 the legislature is in regular session constitutes presentment under this section. The
27 governor shall, within the first **15** [30] days after the legislature convenes in regular
28 session, present to the legislature for confirmation the names of the following persons:
29 (A) persons appointed to a position or membership who have not previously been
30 confirmed by the legislature, and (B) persons to be appointed to fill a position or
31 membership the term of which will expire on or before March 1 during that session of

1 the legislature. If an appointment is made after the first 15 [30] days of the convening
2 of the regular session but while the legislature is in regular session, the governor shall
3 immediately present to the legislature for confirmation the name of the person
4 appointed.

5 * **Sec. 22.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 APPLICATION. The beginning of the term of office under AS 24.05.080, as amended
8 by sec. 3 of this Act, first applies to legislators elected during 2008 and applies thereafter.

9 * **Sec. 23.** This Act takes effect January 1, 2008.