

CS FOR HOUSE BILL NO. 171(STA) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Amended: 4/3/07

Offered: 3/30/07

Sponsor(s): HOUSE RULES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the date and time for convening regular legislative sessions, certain**
2 **procedures of the legislature, the date for organizing the Legislative Budget and Audit**
3 **Committee, and deadlines for certain matters or reports to be filed or delivered to the**
4 **legislature or a legislative committee; prohibiting bonuses for legislative employees; and**
5 **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 24.05.090 is amended to read:

17 **Sec. 24.05.090. Duration of legislature; [REGULAR] sessions. Each**
18 **legislature has a duration of approximately two years, and sessions consist of a**
19 **"First Regular Session" that meets in the odd-numbered years, a "Second**
20 **Regular Session" that meets in the even-numbered years, and any special session**
21 **that the governor or the legislature calls.** The legislature shall convene at the capital
22 **for the First Regular Session** [EACH YEAR] on the second Monday in January at
23 **1:00 p.m.** [10:00 A.M.]; however, following a gubernatorial election year, the
24 legislature shall convene on the third Tuesday in January at **1:00 p.m. The legislature**
25 **shall convene at the capital for the Second Regular Session on the second**
26 **Monday in February at 1:00 p.m.** [10:00 A.M. EXCEPT AS PROVIDED IN THIS
27 SECTION, EACH LEGISLATURE SHALL HAVE A DURATION OF TWO
28 YEARS AND SHALL CONSIST OF A "FIRST REGULAR SESSION," WHICH
29 SHALL MEET IN THE ODD-NUMBERED YEARS, AND A "SECOND
30 REGULAR SESSION," WHICH SHALL MEET IN THE EVEN-NUMBERED
31 YEARS, AND ANY SPECIAL SESSION OR SESSIONS THAT THE GOVERNOR

1 OR LEGISLATURE MAY FIND NECESSARY TO CALL].

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

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

20 * **Sec. 5.** AS 24.08.050 is amended to read:

21 **Sec. 24.08.050. Prefiling of bills and resolutions.** Any member of the
 22 legislature whose term extends into a forthcoming session or legislature, or a member-
 23 elect may file a bill or resolution or a proposal for a bill or resolution with the
 24 Legislative Affairs Agency at any time before January 1 **preceding a First Regular**
 25 **Session or at any time before February 1 preceding a Second Regular Session.**
 26 The agency shall place a prefiled bill or resolution **that** [, WHICH] is approved by the
 27 sponsor [,] in proper form and deliver it to the chief clerk of the appropriate house on
 28 the day on which the next session convenes or is organized for business. Prefiled bills
 29 or resolutions shall be considered as introduced on the day of their delivery to each
 30 house.

31 * **Sec. 6.** AS 24.10.220 is amended to read:

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

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

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

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

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

16 (1) [REPEALED

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

19 **(2)** [(3)] review periodic reports from all agencies of the state that
 20 perform lending or investment functions;

21 **(3)** [(4)] prepare a complete report of investment programs, plans,
 22 performance, and policies of all agencies of the state that perform lending or
 23 investment functions and notify the legislature **on or before the first day** [WITHIN
 24 30 DAYS AFTER THE CONVENING] of each regular session that the report is
 25 available;

26 **(4)** [(5)] in conjunction with the finance committee of each house
 27 recommend annually to the legislature the investment policy for the general fund
 28 surplus and for the income from the permanent fund;

29 **(5)** [(6)] provide for an annual post audit and annual operational and
 30 performance evaluation of the Alaska Permanent Fund Corporation investments and
 31 investment programs;

1 (6) [(7)] provide for an annual operational and performance evaluation
 2 of the Alaska Housing Finance Corporation and the Alaska Industrial Development
 3 and Export Authority; the performance evaluation must include, but is not limited to, a
 4 comparison of the effect on various sectors of the economy by public and private
 5 lending, the effect on resident and nonresident employment, the effect on real wages,
 6 and the effect on state and local operating and capital budgets of the programs of the
 7 Alaska Housing Finance Corporation and the Alaska Industrial Development and
 8 Export Authority;

9 (7) [(8)] provide assistance to the trustees of the trust established in
 10 AS 37.14.400 - 37.14.450 in carrying out their duties under AS 37.14.415.

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

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

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

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

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

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

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

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

16 (1) requests by the governor for supplemental appropriations for state
 17 agency operating and capital budgets for the current fiscal year may be introduced by
 18 the rules committee only through the 30th legislative day **in odd-numbered years**
 19 **and through the fifth legislative day in even-numbered years;**

20 (2) requests by the governor for budget amendments to state agency
 21 budgets for the budget fiscal year may be received and reviewed by the finance
 22 committees only through the **30th legislative day in odd-numbered years and**
 23 **through the 15th** [45TH] legislative day **in even-numbered years.**

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

25 (c) Except as provided in AS 37.10.052(a), each state agency shall annually
 26 review fees collected by the agency. By October 1, each state agency shall submit a
 27 report to the office of management and budget regarding existing fee levels set by the
 28 agency by regulation and adjustments made to fee levels by the agency during the
 29 previous fiscal year, and recommended adjustments in fees set by statute that the
 30 agency collects. Each year by December 15, the office of management and budget
 31 shall submit a report to the Legislative Budget and Audit Committee summarizing the

1 reports and recommendations and the extent to which the fee adjustments have been
 2 incorporated in the governor's budget. Within **five** [30] days after the convening of
 3 each regular session of the legislature, the committee shall prepare a report on the
 4 status of fee regulations and making recommendations for changes in regulations or
 5 statutes as appropriate. The committee shall notify the legislature that the report is
 6 available.

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

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

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

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

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

17 (1) Each governor shall present to the legislature the names of the
 18 persons appointed by that governor; each governor may present the name of a person
 19 appointed by a previous governor; only presentment that occurs during the time that
 20 the legislature is in regular session constitutes presentment under this section. The
 21 governor shall, within the first **15** [30] days after the legislature convenes in regular
 22 session, **or, following a gubernatorial election year, within the first 30 days after**
 23 **the legislature convenes in regular session,** present to the legislature for
 24 confirmation the names of the following persons: (A) persons appointed to a position
 25 or membership who have not previously been confirmed by the legislature, and (B)
 26 persons to be appointed to fill a position or membership the term of which will expire
 27 on or before March 1 during that session of the legislature. If an appointment is made
 28 after the first **presentment deadline** [30 DAYS OF THE CONVENING OF THE
 29 REGULAR SESSION] but while the legislature is in regular session, the governor
 30 shall immediately present to the legislature for confirmation the name of the person
 31 appointed.

1 * **Sec. 17.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

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

10 * **Sec. 18.** This Act takes effect January 1, 2008.