

SENATE CS FOR CS FOR HOUSE BILL NO. 171(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/20/07

Referred: Rules

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.** The
18 legislature shall convene at the capital each year on the second Monday in **February**
19 [JANUARY] at **1:00 p.m. Each** [10:00 a.m.; HOWEVER, FOLLOWING A
20 GUBERNATORIAL ELECTION YEAR, THE LEGISLATURE SHALL CONVENE
21 ON THE THIRD TUESDAY IN JANUARY AT 10:00 a.m. EXCEPT AS
22 PROVIDED IN THIS SECTION, EACH] legislature **has** [SHALL HAVE] a duration
23 of two years and **consists** [SHALL CONSIST] of a "First Regular Session [,]" **that**
24 **meets** [WHICH SHALL MEET] in the odd-numbered years, and a "Second Regular
25 Session [,]" **that meets** [WHICH SHALL MEET] in the even-numbered years, and
26 any special session [OR SESSIONS] that the governor or legislature **calls** [MAY
27 FIND NECESSARY 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 24.08.050 is amended to read:

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

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

26 **Sec. 24.10.220. Bonuses for certain legislative employees. An employee of**
 27 **the legislature may not be awarded or paid a bonus that is in** [IN] addition to
 28 compensation authorized under AS 24.10.200 and 24.10.210 [, AN EMPLOYEE OF
 29 THE LEGISLATURE MAY BE AWARDED AND PAID A BONUS TO REWARD
 30 EXTRAORDINARY EFFORT, COMPETENCY, JOB PERFORMANCE, OR
 31 UNCOMPENSATED OVERTIME. HOWEVER, AFTER JANUARY 1, 2005, THE

1 AUTHORITY TO AWARD AND PAY A BONUS UNDER THIS SECTION IS
2 TERMINATED, AND BONUSES MAY NOT BE AWARDED OR PAID AFTER
3 THAT DATE].

4 * **Sec. 7.** AS 24.20.140 is amended by adding a new subsection to read:

5 (b) In addition to transfers under (a) of this section, the council may direct the
6 executive director to transfer amounts from any appropriation to an office, agency, or
7 committee in the legislative branch to an appropriation for another office, agency, or
8 committee in the legislative branch. A transfer under this subsection may only be
9 made with the written approval of the head of the legislative office or agency or the
10 chair of the committee to which the appropriation was originally made, and the
11 amount transferred from that appropriation may not exceed the amount indicated in
12 the written approval.

13 * **Sec. 8.** AS 24.20.171(a) is amended to read:

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

17 * **Sec. 9.** AS 24.20.206 is amended to read:

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

19 (1) [REPEALED

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

22 (2) [(3)] review periodic reports from all agencies of the state that
23 perform lending or investment functions;

24 (3) [(4)] prepare a complete report of investment programs, plans,
25 performance, and policies of all agencies of the state that perform lending or
26 investment functions and notify the legislature **on or before the first day** [WITHIN
27 30 DAYS AFTER THE CONVENING] of each regular session that the report is
28 available;

29 (4) [(5)] in conjunction with the finance committee of each house
30 recommend annually to the legislature the investment policy for the general fund
31 surplus and for the income from the permanent fund;

1 (5) [(6)] provide for an annual post audit and annual operational and
 2 performance evaluation of the Alaska Permanent Fund Corporation investments and
 3 investment programs;

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

12 (7) [(8)] provide assistance to the trustees of the trust established in
 13 AS 37.14.400 - 37.14.450 in carrying out their duties under AS 37.14.415.

14 * **Sec. 10.** AS 24.20.311 is amended to read:

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

23 * **Sec. 11.** AS 24.45.041(e) is amended to read:

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

1 governor, the legislative reference library of the Legislative Affairs Agency, and the
2 commission's central office.

3 * **Sec. 12.** AS 37.07.040(7) is amended to read:

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

10 * **Sec. 13.** AS 37.07.070 is amended to read:

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

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

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

25 * **Sec. 14.** AS 37.10.050(c) is amended to read:

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

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

8 * **Sec. 15.** AS 38.04.022(b) is amended to read:

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

13 * **Sec. 16.** AS 38.05.027(b) is amended to read:

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

17 * **Sec. 17.** AS 39.05.080(1) is amended to read:

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

31 * **Sec. 18.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 RETROACTIVITY. Section 7 of this Act is retroactive to January 1, 2007.

3 * **Sec. 19.** Sections 7 and 18 of this Act take effect immediately under AS 01.10.070(c).

4 * **Sec. 20.** Sections 1 - 6 and 8 - 17 of this Act take effect January 1, 2008.