

SENATE BILL NO. 135

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Introduced: 3/23/07

Referred: State Affairs, Finance

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, certain procedures of the legislature, the date for organizing the
3 Legislative Budget and Audit Committee, and deadlines for certain matters or reports to
4 be filed or delivered to the legislature or a legislative committee; prohibiting bonuses for
5 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 24.08.035(a) is amended to read:

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

21 * **Sec. 6.** AS 24.08.050 is amended to read:

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

31 * **Sec. 7.** AS 24.08.110 is amended to read:

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

5 * **Sec. 8.** AS 24.10.220 is amended to read:

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

15 * **Sec. 9.** AS 24.20.171(a) is amended to read:

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

19 * **Sec. 10.** AS 24.20.206 is amended to read:

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

21 (1) [REPEALED

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

24 **(2)** [(3)] review periodic reports from all agencies of the state that
25 perform lending or investment functions;

26 **(3)** [(4)] prepare a complete report of investment programs, plans,
27 performance, and policies of all agencies of the state that perform lending or
28 investment functions and notify the legislature **on or before the first day** [WITHIN
29 30 DAYS AFTER THE CONVENING] of each regular session that the report is
30 available;

31 **(4)** [(5)] in conjunction with the finance committee of each house

1 recommend annually to the legislature the investment policy for the general fund
2 surplus and for the income from the permanent fund;

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

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

14 (7) [(8)] provide assistance to the trustees of the trust established in
15 AS 37.14.400 - 37.14.450 in carrying out their duties under AS 37.14.415.

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

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

25 * **Sec. 12.** AS 24.45.041(e) is amended to read:

26 (e) Within 15 [45] days after the convening of each regular session of the
27 legislature, the commission shall publish a directory of registered lobbyists, containing
28 the information prescribed in (b) of this section for each lobbyist and the photograph,
29 if any, furnished by a lobbyist under (c) of this section. From time to time thereafter
30 the commission shall publish those supplements to the directory that in the
31 commission's judgment may be necessary. The directory shall be made available to

1 public officials and to the public at the following locations: a public place adjacent to
 2 the legislative chambers in the state capitol building, the office of the lieutenant
 3 governor, the legislative reference library of the Legislative Affairs Agency, and the
 4 commission's central office.

5 * **Sec. 13.** AS 37.07.020(a) is amended to read:

6 (a) The governor shall prepare a budget for the succeeding fiscal year that
 7 must cover all estimated receipts, including all grants, loans, and money received from
 8 the federal government and all proposed expenditures of the state government. The
 9 budget shall be organized so that the proposed expenditures for each agency are
 10 presented separately. The budget must be accompanied by the information required
 11 under AS 37.07.050 and by the following separate bills: (1) an appropriation bill
 12 authorizing the operating and capital expenditures of the state's integrated
 13 comprehensive mental health program under AS 37.14.003(a); (2) an appropriation
 14 bill authorizing state operating expenditures other than those included in the state's
 15 integrated comprehensive mental health program; (3) an appropriation bill authorizing
 16 capital expenditures other than those included in the state's integrated comprehensive
 17 mental health program; and (4) a bill or bills covering recommendations, if any, in the
 18 budget for new or additional revenue. The budget for the succeeding fiscal year and
 19 each of the bills shall become public information on **January** [DECEMBER] 15 at
 20 which time the governor shall submit copies to the legislature and make copies
 21 available to the public. The bills, identical in content to the copies released on
 22 **January** [DECEMBER] 15, shall be delivered to the rules committee of each house
 23 before the fourth legislative day of the next regular session for introduction.

24 * **Sec. 14.** 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 by the first Monday in **February** [JANUARY] of each
 27 year [, EXCEPT THAT FOLLOWING A GUBERNATORIAL ELECTION YEAR
 28 THE ADVANCE COPY SHALL BE PROVIDED BY THE SECOND MONDAY IN
 29 JANUARY];

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

31 **Sec. 37.07.070. Legislative review.** The legislature shall consider the

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

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

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

14 * **Sec. 16.** AS 37.10.050(c) is amended to read:

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

28 * **Sec. 17.** AS 38.04.022(b) is amended to read:

29 (b) Within five [30] days after the legislature convenes in regular session, the
 30 Department of Natural Resources shall notify the legislature that a report reflecting all
 31 money deposited in the fund established under (a) of this section during the prior fiscal

1 year is available.

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

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

6 * **Sec. 19.** AS 39.05.080(1) is amended to read:

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

20 * **Sec. 20.** The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

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

24 * **Sec. 21.** This Act takes effect January 1, 2008.