

HOUSE BILL NO. 304

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE GARA

Introduced: 2/17/14

Referred: Labor and Commerce, State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the procurement of leases for legislative office space."**

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

3 *** Section 1.** AS 24.20.060 is amended to read:

4 **Sec. 24.20.060. Powers.** The legislative council has the power

5 (1) to organize and adopt rules for the conduct of its business;

6 (2) to hold public hearings, administer oaths, issue subpoenas, compel
7 the attendance of witnesses and production of papers, books, accounts, documents, and
8 testimony, and to have the deposition of witnesses taken in a manner prescribed by
9 court rule or law for taking depositions in civil actions when consistent with the
10 powers and duties assigned to the council by AS 24.20.010 - 24.20.140;

11 (3) to call upon all state officials, agencies, and institutions to give full
12 cooperation to the council and its executive director by collecting and furnishing
13 information, conducting studies, and making recommendations;

14 (4) in addition to providing the administrative services required for the
15 operation of the legislative branch,

1 (A) to provide the technical staff assistance in research,
2 reporting, drafting, and counseling requested by standing, interim, and special
3 committees and spot research and drafting services for individual members in
4 conformity with law and legislative rules;

5 (B) to conduct a continuing program for the revision and
6 publication of the acts of the legislature;

7 (C) to execute a program for the oversight of the administration
8 and construction of laws by state agencies and the courts through regulations,
9 opinions, and rulings;

10 (D) to operate and maintain the state legislative reference
11 library;

12 (E) to do all things necessary to carry out legislative directives
13 and law, and the duties set out in the uniform rules of the legislature;

14 (F) to sue in the name of the legislature during the interim
15 between sessions if authorized by majority vote of the full membership of the
16 council;

17 (5) to exercise control and direction over all legislative space, supplies,
18 and equipment and permanent legislative help between legislative sessions; the
19 exercise of control over legislative space is subject to AS 36.30.080(c), (g), and (h) if
20 the exercise involves the rent or lease of facilities, and to AS 36.30.085 if the exercise
21 involves the acquisition of facilities by lease-purchase or lease-financing agreement;

22 (6) to produce, publish, distribute, and to contract for the printing of
23 reports, memoranda, and other materials it finds necessary to the accomplishment of
24 its work;

25 (7) to take appropriate action for the preconvening and post-session
26 work of each legislative session including the employment one week in advance of
27 each session of not more than 10 temporary legislative employees; the continuing
28 employment of the temporary legislative employees is subject to legislative approval
29 when the session convenes;

30 (8) to establish a legislative internship program on a cooperative basis
31 with the University of Alaska that will provide for the assignment of interns to

1 standing committees of each house of the legislature during regular sessions of the
2 legislature; and

3 (9) to establish reasonable fees for services and materials provided by
4 the Legislative Affairs Agency to entities outside of the legislative branch of state
5 government and charges for collecting the fees; all fees and charges collected under
6 this paragraph shall be deposited into the general fund.

7 * **Sec. 2.** AS 36.30.020 is amended to read:

8 **Sec. 36.30.020. Legislature.** The legislative council shall adopt and publish
9 procedures to govern the procurement of supplies, services, professional services, and
10 construction by the legislative branch. The procedures must be based on the
11 competitive principles consistent with this chapter and must be adapted to the special
12 needs of the legislative branch as determined by the legislative council. The
13 procedures must contain provisions for prohibiting procurement from a person that has
14 headquarters in a country listed in Tier 3 of the most recent Trafficking in Persons
15 Report published by the United States Secretary of State under 22 U.S.C.
16 7107(b)(1)(C). The procedures may contain provisions for restricting procurement
17 from a person that conducts business in but does not have headquarters in a country
18 listed in Tier 3 of the most recent Trafficking in Persons Report published by the
19 United States Secretary of State under 22 U.S.C. 7107(b)(1)(C). The procedures must
20 be consistent with the provisions of AS 36.30.080(c) - (e), (g), and (h) and 36.30.085.
21 Notwithstanding the other provisions of this section, the legislative agencies subject to
22 the legislative council's regulations shall comply with the five percent preference
23 under AS 36.30.321(a).

24 * **Sec. 3.** AS 36.30.080 is amended by adding new subsections to read:

25 (g) In addition to any other requirement under this chapter or under the
26 procedures adopted by the legislative council under AS 36.30.020 for the lease, if the
27 total lease payments are anticipated to exceed \$250,000 for the full term of the lease,
28 including renewal options provided under the lease, the legislature may not enter into
29 a new lease for office space for the legislature by using a noncompetitive method of
30 procurement to select the lessor, unless the legislature

31 (1) posts on the legislature's website, 14 days before the date of the

1 hearing required by (2) of this subsection, a notice describing the proposed lease and
 2 providing the time and date of the hearing;

3 (2) after notice has been provided under (1) of this subsection, holds a
 4 public hearing on the proposed lease; at the hearing, the legislature shall

5 (A) provide members of the public with information on the
 6 proposed lease, including details of the space to be provided, the terms of the
 7 lease, and the price to be paid by the legislature;

8 (B) allow members of the public to ask questions about the
 9 proposed lease and to testify on the proposed lease;

10 (3) provides for attendance by teleconference at the hearing held under
 11 (2) of this subsection at all legislative information offices with teleconferencing ability
 12 in the state; and

13 (4) allows members of the public to provide the legislature with
 14 comment on the proposed lease for at least 30 days after the public hearing held under
 15 (2) of this subsection.

16 (h) In (g) of this section, "legislature" includes a legislative committee,
 17 including the legislative council, and a legislative agency.

18 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 19 read:

20 **APPLICABILITY.** This Act applies to leases entered into by the legislature on or after
 21 the effective date of this Act. In this section, "legislature" has the meaning given in
 22 AS 36.30.080(h), enacted by sec. 3 of this Act.