

Introduced: 1/19/87
Referred: State Affairs and
Finance

5-0067A

1 IN THE SENATE BY COGHILL

2 SENATE BILL NO. 5

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing procedures to be followed when
7 estimated state revenue will be insufficient to
8 provide for appropriations during a fiscal year."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 24.05.100(2) is amended to read:

11 (2) The legislature may call itself into special session
12 if two-thirds of the membership responds in the affirmative to a poll
13 conducted by the presiding officer of each house. Each presiding
14 officer may initiate a poll by their joint agreement, and each shall
15 initiate a poll as required under AS 37.07.105(d) or upon the request
16 of 25 percent of the membership of each house, expressed in writing
17 and signed by those members. When two-thirds of the membership to
18 which the legislature is entitled responds in the affirmative, the
19 president of the senate and speaker of the house shall jointly an-
20 nounce the result of the poll and a date for the convening of the
21 special session. If one of the presiding officers is deceased, has
22 resigned or is incapacitated, the presiding officer of the other house
23 may conduct the poll of the members of both houses.

24 * Sec. 2. AS 37.07.080(g) is amended to read:

25 (g) The governor may direct the withholding [OR REDUCTION] of
26 money appropriated [APPROPRIATIONS] to a state agency at any time
27 during the fiscal year only if the governor determines that

28 (1) the planned expenditure [EXPENDITURES] can no longer be
29 made due to factors outside the control of the state that [WHICH] make

1 the expenditure factually impossible; or

2 (2) estimated state revenue available for expenditure
3 during the fiscal year [RECEIPTS AND SURPLUSES] will be insufficient
4 to provide for appropriations already enacted; the withholding of
5 money under this paragraph is subject to AS 37.07.105.

6 * Sec. 3. AS 37.07 is amended by adding a new section to read:

7 Sec. 37.07.105. INSUFFICIENT STATE REVENUE. (a) The governor
8 may withhold money appropriated for operations of state agencies if
9 estimated state revenue available for expenditure during the fiscal
10 year is insufficient to provide for appropriations already enacted.
11 The percentage of money withheld from an agency may not exceed the
12 percentage

13 (1) by which state revenue is estimated to be insufficient
14 to provide for total appropriations; or

15 (2) withheld from any other state agency.

16 (b) The governor may withhold money under this section only by
17 executive order.

18 (c) The governor may not withhold under this section money
19 appropriated for a capital project or money appropriated to an agency
20 for payment of a grant to an entity that is not an agency.

21 (d) Money withheld under (a) of this section shall be released
22 in accordance with the appropriation on the 15th day of the first
23 regular session that occurs after the effective date of the executive
24 order under which the money was withheld.

25 (e) If the governor determines that estimated state revenue
26 available for expenditure during the fiscal year is insufficient to
27 provide for at least 90 percent of the money already appropriated, the
28 governor shall immediately inform the presiding officers of each house
29 of the legislature. If the legislature is not in session, within five

1 days after receipt of a message from the governor under this subsec-
2 tion, the presiding officer of each house shall conduct a poll to
3 determine whether the legislature shall call itself into special
4 session.