

**CS FOR SENATE BILL NO. 221(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 4/19/22**

**Referred: Finance**

**Sponsor(s): SENATOR WIELECHOWSKI**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to special sessions of the legislature; relating to appropriations of**  
2 **federal or other receipts; relating to an increase of an appropriation based on additional**  
3 **federal or other receipts; and providing for an effective date."**

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

5 \* **Section 1.** AS 24.05.100(a) is amended to read:

6 (a) The legislature may hold a special session not exceeding 30 calendar days  
7 in length. The special session shall be called in either of the following ways:

8 (1) The governor may call the legislature into special session by  
9 issuing a proclamation. At a special session called by the governor, legislation is  
10 limited to the subjects designated by the governor in the proclamation or to the  
11 subjects presented by the governor, and to reconsideration of legislation, if any, vetoed  
12 following a regular session of that legislature. To enable the legislators to make travel  
13 and other arrangements, a proclamation for a special session shall be issued at least 30  
14 days in advance of the convening date stated in the proclamation unless

1 (A) the proclamation is issued under AS 26.23.020(k);

2 (B) the special session is called to address a disaster; in this  
3 subparagraph, "disaster" has the meaning given in AS 26.23.900;

4 (C) the proclamation is issued while both houses are in regular  
5 or special session; [OR]

6 (D) the proclamation is issued within one hour after the second  
7 house has adjourned from a regular or special session; **or**

8 **(E) the proclamation is issued under AS 37.07.080(i).**

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

19 \* **Sec. 2.** AS 37.07.080(h) is amended to read:

20 (h) **The legislature may provide for a specific maximum increase of a**  
21 **funded appropriation item or a maximum funding amount for a new**  
22 **appropriation item in an appropriation bill based on potential additional federal**  
23 **or other receipts.** The **legislature may provide for the** increase **as a percentage** of  
24 **the funded** [AN] appropriation item. **Expenditures under this subsection** [BASED  
25 ON ADDITIONAL FEDERAL OR OTHER PROGRAM RECEIPTS NOT  
26 SPECIFICALLY APPROPRIATED BY THE FULL LEGISLATURE] may be **made**  
27 **only** [EXPENDED] in accordance with the following procedures:

28 (1) the governor shall submit a revised program to the Legislative  
29 Budget and Audit Committee for review;

30 (2) **the Legislative Budget and Audit Committee**

31 **(A) shall**

1 (i) review the revised program; and

2 (ii) notify the full legislature that the revised  
 3 program is available for review and comment by the full  
 4 legislature; and

5 (B) may recommend to the governor an alternative funding  
 6 amount for the specific maximum increase of the funded appropriation  
 7 item or the new appropriation item or alternative funding distributions  
 8 among multiple specific maximum increases of funded appropriation  
 9 items or new appropriation items in an applicable appropriation bill or  
 10 bills;

11 (3) the governor may submit a corrected or otherwise changed  
 12 revised program to the Legislative Budget and Audit Committee for review;

13 (4) when the governor has submitted a final revised program to  
 14 the Legislative Budget and Audit Committee for review, the Legislative Budget  
 15 and Audit Committee shall confirm the revised program does not exceed the  
 16 specific maximum increase of a funded appropriation item or the maximum  
 17 funding amount for a new appropriation item in the applicable appropriation  
 18 bill;

19 (5) 45 days shall elapse before commencement of expenditures under  
 20 the revised program confirmed by the Legislative Budget and Audit Committee  
 21 unless the Legislative Budget and Audit Committee earlier recommends that the state  
 22 take part in the federally or otherwise funded activity [;

23 (3) SHOULD THE LEGISLATIVE BUDGET AND AUDIT  
 24 COMMITTEE RECOMMEND WITHIN THE 45-DAY PERIOD THAT THE  
 25 STATE NOT INITIATE THE ADDITIONAL ACTIVITY, THE GOVERNOR  
 26 SHALL AGAIN REVIEW THE REVISED PROGRAM AND IF THE GOVERNOR  
 27 DETERMINES TO AUTHORIZE THE EXPENDITURE, THE GOVERNOR  
 28 SHALL PROVIDE THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE  
 29 WITH A STATEMENT OF THE GOVERNOR'S REASONS BEFORE  
 30 COMMENCEMENT OF EXPENDITURES UNDER THE REVISED PROGRAM].

31 \* **Sec. 3.** AS 37.07.080 is amended by adding a new subsection to read:

1 (i) When the legislature is not in session, the governor or the legislature may  
2 call a special session under AS 24.05.100(a) to appropriate additional federal or other  
3 receipts that exceed expenditures allowed under (h) of this section or to appropriate  
4 additional federal or other receipts for an item, program, or project not previously  
5 provided for in an appropriation bill.

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

8 APPLICABILITY. This Act does not apply to appropriations that were increased  
9 before the effective date of this Act based on compliance with AS 37.07.080(h), as that  
10 section read before the effective date of this Act.

11 \* **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).