

**SENATE BILL NO. 224**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

**BY SENATOR SHOWER**

**Introduced: 2/24/20**

**Referred: Judiciary, State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1    **"An Act relating to the hiring of certain legislative employees."**

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

3       \* **Section 1.** AS 24.10.060(a) is repealed and reenacted to read:

4               (a) Except as otherwise provided by the Uniform Rules of the Alaska State  
5       Legislature, a legislator may hire a person for employment during a legislative session  
6       and may terminate that person's employment at will so long as the decision to hire or  
7       fire an employee is not for an unlawful reason and is consistent with this section.  
8       When a legislator proposes to hire a person under this section, the hiring may occur  
9       only if first authorized by the chief clerk of the house of representatives or the senate  
10      secretary, as appropriate. The chief clerk or senate secretary may withhold an  
11      authorization only for a reason based on applicable law, including AS 24.60  
12      (Legislative Ethics Act), and the prospective employee's past record of compliance  
13      with criminal and ethics laws in this or another jurisdiction. If the chief clerk or senate  
14      secretary withholds an authorization, the chief clerk or senate secretary, as  
15      appropriate, shall immediately notify the legislator, in writing, of the withheld

1 authorization and the reason for it. The legislator may request a review of a withheld  
 2 authorization under AS 24.20.050(b). Upon receiving a determination under  
 3 AS 24.20.050(b) or AS 24.20.060(10) that a withheld authorization for a proposed hire  
 4 was not justified, the chief clerk or senate secretary, as appropriate, shall authorize the  
 5 hiring.

6 \* **Sec. 2.** AS 24.20.050 is amended by adding a new subsection to read:

7 (b) When requested under AS 24.10.060(a), the executive director shall  
 8 promptly and confidentially review a withheld authorization of a proposed hire of a  
 9 house or senate employee and deliver a written determination either to the chief clerk  
 10 of the house of representatives or the senate secretary, as appropriate, for a finding that  
 11 the withheld authorization is not justified, and therefore the hiring must be authorized,  
 12 or to the chair of the legislative council for review by the legislative council under  
 13 AS 24.20.060(10). A determination under this subsection may be based only on

14 (1) applicable law, including AS 24.60 (Legislative Ethics Act); and

15 (2) the prospective employee's past record of compliance with criminal  
 16 and ethics laws in this or another jurisdiction.

17 \* **Sec. 3.** AS 24.20.060 is amended to read:

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

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

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

25 (3) to call on [UPON] all state officials, agencies, and institutions to  
 26 give full cooperation to the council and its executive director by collecting and  
 27 furnishing information, conducting studies, and making recommendations;

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

30 (A) to provide the technical staff assistance in research,  
 31 reporting, drafting, and counseling requested by standing, interim, and special

1 committees and spot research and drafting services for individual members in  
2 conformity with law and legislative rules;

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

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

8 (D) to operate and maintain the state legislative reference  
9 library;

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

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

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

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

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

28 (8) to establish a legislative internship program on a cooperative basis  
29 with the University of Alaska that will provide for the assignment of interns to  
30 standing committees of each house of the legislature during regular sessions of the  
31 legislature; [AND]

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

5                   (10) to review a determination by the executive director under  
6 AS 24.20.050(b) finding that a withheld authorization for a proposed hire  
7 requested by a legislator under AS 24.10.060 is justified, and to issue and deliver  
8 to the chief clerk or the senate secretary, as appropriate, a written determination  
9 either agreeing with the finding and approving the withheld authorization, or  
10 finding that the withheld authorization is not justified and approving the  
11 proposed hire.