

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 15, 2019

SUBJECT: Adoption of the 2019 *Manual of Legislative Drafting*

TO: Senator Gary Stevens
Chair of Legislative Council

FROM: Jean M. Mischel
Revisor of Statutes



Uniform Rule 10 provides that the Legislative Council shall adopt a drafting manual prepared by the enrolling secretary and the reviser of statutes. The draft of the 2019 *Manual of Legislative Drafting*, prepared by Lora Brown, the legal editor and enrolling secretary, and myself, is enclosed.

We have made a number of technical changes, including updating dates, correcting typographical errors, updating references to the Thirty-First rather than the Thirtieth Legislature, updating the lists of recipients of copies of resolutions to reflect new office holders, updating the appendices, and updating the table of contents, index, and table of cases.

In addition, we have made the following changes:

Page 4, following the first paragraph, we inserted the "Neutrality and Confidentiality" section that was previously on page 6.

Page 9, we updated the text of AS 24.08.060(b), which was amended during the Thirtieth Legislature to remove the reference to the Administrative Regulation Review Committee.

Page 32, after the example of a nonseverability clause in a bill, we added language that reads "For Alaska Supreme Court cases discussing and applying severability, see Lynden Transport, Inc. v. State, 532 P.2d 700 (Alaska 1975), McAlpine v. University of Alaska, 762 P.2d 81 (Alaska 1988), and Mallott v. Stand for Salmon, ____ P.3d ____ (Alaska 2018)."

Page 36, we changed the first example on the page to a contingency section instead of a conditional effect section for appropriation bills.

Page 36, in the first paragraph, following "Northern Lights Motel, Inc. v. Sweaney, 561

Senator Gary Stevens
February 15, 2019
Page 2

P.2d 1176 (Alaska 1977), we added "Kingery v. Chapple, 504 P.2d 831 (Alaska 1972)." Page 39, in the second to last paragraph, we removed the reference to "the Administrative Regulation Review Committee (AS 24.20.400)," which was repealed in the Thirtieth Alaska Legislature.

Page 54, after the reference to "State v. Ketchikan," we added ", and Wielechowski v. State, 403 P.3d 1141 (Alaska 2017) (permanent fund dividend fund not a dedicated fund)."

Page 107, under "Waiver of engrossment," we added language to read "See chapter 3 of this Part for 'Waiver of enrollment.'"

Page 121, under "Upon a bill's becoming law or following a veto, the following procedure is followed," we rearranged the existing text and made some additions to clarify the procedures to be followed when a bill is transferred from the Chief Clerk or Senate Secretary to the Office of the Governor and when a bill is transferred from the Office of the Governor to the Chief Clerk, Senate Secretary, and Legal Services. This was prompted by a request from the Chief Clerk to elaborate on the procedure for returning a bill vetoed in its entirety to the Governor. After adding language to clarify that portion, we rearranged the existing text to list the procedures to be followed for each of the following scenarios: when a bill becomes law and the bill is signed by the Governor, when a bill becomes law without the Governor's signature, when an appropriation bill has line item vetoes and the legislature is in session, and when an appropriation bill has line item vetoes and the legislature is not in session.

Page 125, we added "Waiver of Enrollment" following "Legislative citations." The new section adds language discussing the procedure followed when enrollment has been waived.

JMM:kwg
19-027.kwg

Attachment