
REPRESENTATIVE

DONNA MEARS

HCR 2

Questions for the Record 4/22/25

- Rep. Holland asked where to find language requiring that the vote on an abstention request happen without debate. Although that language is unchanged from current statute, it does appear in this bill starting on line 14, “the question of granting permission to abstain shall be taken without further debate”.
- Rep. Holland asked if the procedure under HCR2 would be required for committee votes as well as on the floor. The answer is mostly no. AS 24.60.030 (g) reads in part “a legislator shall declare a conflict of interest before voting on a question before a committee of the legislature, and shall request to be excused from voting on a question before a house of the legislature”. So, on the floor, members are required to request to abstain, but in committee, the requirement under law is only to declare the conflict. Legal also clarified that, despite the lack of any requirement, a member may request to abstain from voting in committee. In that case, this new rule 34(b) from HCR2 would dictate the procedure for that request.
- Rep. Vance and Chair Carrick were curious about the context surrounding the majority vote threshold. Of the 15 chambers across America that vote on conflicts of interest, 12 follow a majority threshold and 3—the New York State Senate and Kansas State House and Senate—use a 2/3 threshold. Prior to the adoption of the current rule in 1969, the legislature had voted on whether to excuse members. In the territorial legislature, the threshold to excuse a member from voting was a majority. In 1967, the House and Senate rules were modified to increase that threshold to two-thirds until today’s process began in 1969. Legislative Research was unable to find information about the reasoning behind those rule changes.
- Rep. Holland also requested information about other states’ requirements of written declarations of conflicts of interest. Attached is a report from Legislative Research, also included in the committee documents, which contains information from NCSL summarizing the abstention from voting procedures in all 50 states. States requiring such written declarations include Arizona, Florida, Idaho (optional), Kentucky, Minnesota, Missouri, Nebraska, New Hampshire, North Carolina, Pennsylvania, Rhode Island, South Carolina, Texas, Utah.

Room 112, State Capitol

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