

**ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE**

March 23, 2010

8:11 a.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Paul Seaton, Vice Chair
Representative Max Gruenberg
Representative Pete Petersen

MEMBERS ABSENT

Representative Carl Gatto
Representative Craig Johnson
Representative Peggy Wilson

COMMITTEE CALENDAR

HOUSE BILL NO. 53

"An Act relating to eligibility for membership on state boards, commissions, and authorities."

- HEARD & HELD

HOUSE CONCURRENT RESOLUTION NO. 8

Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to withdrawing measures, to sponsors of measures, to prefiling measures, and to the three readings of bills.

- HEARD & HELD

HOUSE BILL NO. 128

"An Act relating to introduction of measures and to fiscal notes for measures."

- HEARD & HELD

HOUSE BILL NO. 284

"An Act requiring the Department of Health and Social Services to accept federal prescription drug benefits or to provide comparable benefits for residents of the Alaska Pioneers' Home."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 53

SHORT TITLE: CANDIDATES INELIGIBLE FOR BDS/COMMISSIONS

SPONSOR(s): REPRESENTATIVE(s) DOOGAN

01/20/09	(H)	PREFILE RELEASED 1/9/09
01/20/09	(H)	READ THE FIRST TIME - REFERRALS
01/20/09	(H)	STA, JUD
01/28/10	(H)	STA AT 8:00 AM CAPITOL 106
01/28/10	(H)	Heard & Held
01/28/10	(H)	MINUTE(STA)
03/18/10	(H)	STA AT 8:00 AM CAPITOL 106
03/18/10	(H)	Heard & Held
03/18/10	(H)	MINUTE(STA)
03/23/10	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HCR 8

SHORT TITLE: UNIFORM RULES: MEASURE SPONSORS/READINGS

SPONSOR(s): REPRESENTATIVE(s) GRUENBERG

02/13/09	(H)	READ THE FIRST TIME - REFERRALS
02/13/09	(H)	STA
04/07/09	(H)	STA AT 8:00 AM CAPITOL 106
04/07/09	(H)	Scheduled But Not Heard
03/23/10	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HB 128

SHORT TITLE: INTRODUCTION OF MEASURES/FISCAL NOTES

SPONSOR(s): REPRESENTATIVE(s) GRUENBERG

02/13/09	(H)	READ THE FIRST TIME - REFERRALS
02/13/09	(H)	STA, FIN
04/07/09	(H)	STA AT 8:00 AM CAPITOL 106
04/07/09	(H)	Scheduled But Not Heard
03/23/10	(H)	STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

PRIYA KEANE, Staff
Representative Mike Doogan
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Reviewed the changes to HB 53 in Version E, on behalf of Representative Doogan, sponsor.

REPRESENTATIVE MIKE DOOGAN

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided comments as sponsor of HB 53.

TIM MADSEN, Staff
Representative Max Gruenberg
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Explained the proposed changes to HCR 8 that are in Version P, on behalf of Representative Gruenberg, sponsor.

TAM COOK, Director
Legislative Legal and Research Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HCR 8.

TIM MADSEN, Staff
Representative Max Gruenberg
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 128 on behalf of Representative Gruenberg, sponsor.

ACTION NARRATIVE

[8:11:48 AM](#)

CHAIR BOB LYNN called the House State Affairs Standing Committee meeting to order at 8:11 a.m. Representatives Seaton, Gruenberg, Petersen, and Lynn were present at the call to order.

HB 53-CANDIDATES INELIGIBLE FOR BDS/COMMISSIONS

[8:12:20 AM](#)

CHAIR LYNN announced that the first order of business was HOUSE BILL NO. 53, "An Act relating to eligibility for membership on state boards, commissions, and authorities."

[8:12:58 AM](#)

REPRESENTATIVE SEATON moved to adopt the committee substitute (CS) for HB 53, Version 26-LS0296\E, Bullard, 3/22/10, as a work draft.

[8:13:05 AM](#)

REPRESENTATIVE GRUENBERG objected for discussion purposes.

[8:13:09 AM](#)

PRIYA KEANE, Staff, Representative Mike Doogan, Alaska State Legislature, on behalf of Representative Doogan, sponsor, reviewed the changes to HB 53 made in Version E. The first change, she noted, was the insertion of "authorities" in the bill title, so that any time boards or commissions are mentioned, authorities also would be mentioned. The second change, she noted, was based on a recommendation from Representative Johnson, which was to add municipal candidates to the list of those candidates who would have to resign their positions and be ineligible for service for a year after running for office. Ms. Keane said the final change was the addition of paragraph (2), on page 2, lines 4-7, which read as follows:

(2) has filed a nominating petition, declaration of candidacy, or other required filing for elective municipal office, including a seat on a municipal school board, with a municipal clerk or other municipal official designated to receive filings for municipal office;

MS. KEANE, in response to Chair Lynn, said she did not contact anyone in the Municipal League; however, she said she did speak with Jason Hooley of the State Boards and Commissions, who said "they didn't have a problem with it."

[8:14:54 AM](#)

REPRESENTATIVE GRUENBERG removed his objection to the motion to adopt the committee substitute (CS) for HB 53, Version 26-LS0296\E, Bullard, 3/22/10, as a work draft. [There being no further objection, Version E was before the committee].

MS. KEANE noted that there is a typographical error that would require an amendment.

[8:15:30 AM](#)

REPRESENTATIVE GRUENBERG moved to adopt Amendment 1, as follows [original punctuation provided]:

page 1, line 11

Delete "service" and insert "serving"

REPRESENTATIVE SEATON objected. He said he does not see "service" on line 11.

MS. KEANE said, "It's on line 12."

REPRESENTATIVE GRUENBERG said, "So, I'll take that as a friendly amendment to the amendment." Therefore, Amendment 1, as amended, would read as follows:

page 1, line 12

Delete "service" and insert "serving"

CHAIR LYNN announced that there being no objection, the amendment to Amendment 1 was adopted.

REPRESENTATIVE SEATON removed his objection to Amendment 1, as amended. There being no further objection, Amendment 1, as amended, was adopted.

[8:17:04 AM](#)

REPRESENTATIVE SEATON expressed concern that the proposed bill would have a huge effect on rural Alaska. He explained that in areas with smaller populations, there are usually a limited number of people who step up to serve, and he said he thinks the bill would act as a detriment to people filing for office. If they did file for office and did not win, [the proposed waiting period of a year] would take away a number of the capable people in those communities. He opined that the problem that the sponsor purports to solve with HB 53 does not outweigh the detriment the proposed legislation would have on rural Alaska.

[8:18:16 AM](#)

REPRESENTATIVE SEATON, in response to Representative Gruenberg, said a majority of those present is necessary to move an amendment, but a majority of the total number of committee members present is necessary to move a bill from committee.

REPRESENTATIVE GRUENBERG expressed interest in getting a vote of the four committee members present to move the bill from

committee, with a commitment from the bill sponsor to address the problems in the bill.

[8:19:46 AM](#)

CHAIR LYNN opined that HB 53 is well constructed, but whether or not it is a good idea is a philosophical question.

[8:20:11 AM](#)

REPRESENTATIVE SEATON stated his position that this is not a financial problem, but an interrelationship between government and how government functions. That is an issue specific to the House State Affairs Standing Committee, not for the House Finance Committee. He reiterated that this bill would have a detrimental effect on Alaska and he opposes it.

[8:21:22 AM](#)

REPRESENTATIVE PETERSEN offered his belief that the intent of the bill is to avoid any appearance of a conflict of interest. He said there may be problems finding people from rural Alaska to serve on boards and commissions as a result of the proposed bill, but "sometimes you have to sacrifice one thing to solve another."

[8:22:26 AM](#)

CHAIR LYNN said the legislature can do the best it possibly can to rid conflict of interest, but there will always be appearances of it. He reviewed the rules of moving amendments and bills out of committee, noting that the chair has discretion in that regard. He said he would vote to move the proposed bill out of committee, but does not know what his recommendation would be in the bill report.

[8:25:06 AM](#)

REPRESENTATIVE MIKE DOOGAN, Alaska State Legislature, said although he does not share Representative Seaton's concern about the bill, he does not see any reason to "go to extraordinary lengths to move the bill on the twenty-seventh day out of its first committee."

[8:26:19 AM](#)

CHAIR LYNN announced that HB 53 was held over.

[8:26:40 AM](#)

REPRESENTATIVE SEATON expressed his appreciation of the bill sponsor and the indulgence of the chair. He warned that interpreting rules loosely can set a precedence to move a bill out of committee without a majority of its full membership.

The committee took an at-ease from [8:30:29 AM](#) to [8:30:53 AM](#).

HCR 8-UNIFORM RULES: MEASURE SPONSORS/READINGS

[Contains discussion of HB 128.]

[8:30:59 AM](#)

CHAIR LYNN announced that the next order to business was HOUSE CONCURRENT RESOLUTION NO. 8, Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to withdrawing measures, to sponsors of measures, to prefiling measures, and to the three readings of bills.

[8:31:31 AM](#)

REPRESENTATIVE SEATON moved to adopt the proposed committee substitute (CS), Version 26-LS0366\P, Cook, 1/29/10, as a work draft.

CHAIR LYNN objected for discussion purposes.

[8:33:09 AM](#)

TIM MADSEN, Staff, Representative Max Gruenberg, Alaska State Legislature, explained the proposed changes to HCR 8 that are in Version P. The first change, he related, occurs in Section 2(b), on page 2, lines 18-23, where the terms prefiled bills and bills have been changed to prefiled measures and measures, respectively. He noted the same change occurs on page 3, line 6.

[8:34:14 AM](#)

CHAIR LYNN removed his objection to the motion to adopt the proposed committee substitute (CS), Version 26-LS0366\P, Cook, 1/29/10, as work draft. There being no further objection, Version P was before the committee.

[8:34:52 AM](#)

REPRESENTATIVE GRUENBERG, sponsor, related that the intent of the bill is to provide a vehicle for legislators to put forth ideas regarding how to improve the way the legislature works. He said the structure of the legislature is found in statute and in Uniform Rules. The proposed resolution addresses the Uniform Rules. He reminded committee members that it takes a two-thirds vote in both the Senate and House to adopt a concurrent resolution. He said he is not in a rush to move HCR 8, and suggested that a forum could take place over the interim, at which time the members of the legislature could be polled to see what they would like to see in the resolution. Then, he said, the resolution could be brought back next year.

[8:37:15 AM](#)

REPRESENTATIVE GRUENBERG directed attention to a sectional analysis included in the committee packet. He said Section 1 concerns the withdrawing of measures and would amend Rule 27(b). He explained that a measure could be a bill or resolution. He offered his understanding that under current law, a measure can be withdrawn by its sponsor even after passing the other body, "if it comes back for concurrence." He said there are other options, such as voting the measure down, keeping it in the limbo file, assigning a conference committee, or refusing to concur, but he opined that it is unfair to be allowed to withdraw the measure at that late date, because that "divests the other house of any ability to, for example, recede from its amendment."

CHAIR LYNN asked if "this situation" has ever actually happened.

REPRESENTATIVE GRUENBERG answered that he does not know.

[8:40:45 AM](#)

TAM COOK, Director, Legislative Legal and Research Services, Legislative Affairs Agency, recalled that that type of motion has been made. In one or two cases, the House has declined to allow the sponsor to withdraw the bill, and in a couple of other cases negotiations were made so that someone else stepped forward and agreed to carry the bill. She said she cannot recollect a time when the bill was actually withdrawn, but she said it may have happened.

CHAIR LYNN asked Ms. Cook, "Is it feasible, could it be done, and would you think that'd be an appropriate thing to do or not?"

MS. COOK answered as follows:

I think it's probably appropriate that it be done. What ... this would do is prevent placing the body in the awkward circumstance of having to deal with a member who wishes to withdraw the bill.

MS. COOK said usually someone will withdraw sponsorship and someone else will step in as sponsor. She continued as follows:

The downside from the point of view of individual legislators, of course, is that some legislators may feel so unhappy with what the second house does to a bill, that they actually are trying to remove the bill as a vehicle. This ... approach that Representative Gruenberg is suggesting, would prevent that possibility.

CHAIR LYNN said a legislator can always choose to vote no on a concurrence vote.

MS. COOK affirmed that is true. She said in her experience, the House has been incredibly lenient about allowing people to withdraw as sponsors rather than withdrawing the bill.

CHAIR LYNN surmised that the debate is whether HCR 8 would be a better policy than current policy.

[8:43:59 AM](#)

REPRESENTATIVE SEATON said hypothetically there may be a bill that was totally stripped by the other body and filled with text with which the sponsor does not want to be associated. Under the proposed concurrent resolution, the sponsor would no longer have the option to withdraw the measure.

REPRESENTATIVE GRUENBERG said there would still be the option of asking the majority leader to keep the measure in the limbo file.

CHAIR LYNN remarked that that would be effective only if the majority leader thought it was a good idea. He said, "So, if that would happen to me, for example, ... I could totally

divorce myself from the bill and not have it go out in the public that I sponsored this bill that I'm totally opposed to."

REPRESENTATIVE GRUENBERG responded that is correct.

[8:45:26 AM](#)

REPRESENTATIVE PETERSEN proffered that the decision to be made is whether it is better to allow one member enough power to withdraw a bill that has been passed by both houses or to allow that member to take his/her name off a measure, while still allowing the measure an opportunity for concurrence or final passage.

REPRESENTATIVE GRUENBERG confirmed that is correct.

CHAIR LYNN indicated that the proposed legislation may be a good idea.

REPRESENTATIVE PETERSEN responded, "I think it probably is."

[8:46:14 AM](#)

REPRESENTATIVE SEATON said he thinks the proposed legislation merely clarifies what is already being done. Once a bill is out of one body and in another, the first body cannot withdraw it. He said the only time it could be withdrawn is when it returns to the original body, at which point members are afforded the opportunity to change sponsorship.

CHAIR LYNN said the proposed legislation would guarantee the courtesy.

REPRESENTATIVE SEATON said the proposed legislation does not mandate sponsorship removal, but he reiterated that that is a courtesy that has generally been extended.

CHAIR LYNN commented that sometimes courtesies might have to be enforced.

[8:48:16 AM](#)

REPRESENTATIVE GRUENBERG suggested expanding the proposed legislation from a "measure in possession of the house of origin" to a measure that has been voted on by the full body or passed by the full body.

[8:50:26 AM](#)

REPRESENTATIVE SEATON said he does not want to see that language expanded. He said a member does not get to withdraw a bill; he/she can make a motion to withdraw a bill, and then there must be consent through a vote of that house to withdraw the bill. He stated, "If the House doesn't want to void their vote, then they wouldn't withdraw the bill. So, I think the protections are already built into the language as it is."

[8:50:56 AM](#)

REPRESENTATIVE PETERSEN asked what current rules a legislator must follow if he/she no longer wishes to sponsor a bill.

[8:51:26 AM](#)

MS. COOK said this issue is only obliquely addressed in the Uniform Rules. She continued as follows:

However, it's been done very often - a change of sponsorship is what we call it - and it's been done by ... simple majority vote of the members present - the quorum being present. Now, we do have one reference to changing the sponsorship of a bill, and oddly enough, it is the one amendment that can be done in third reading, rather than it going back to second reading. Even in third reading, the body has the right to change, if it chooses to by majority vote, the sponsorship of a bill. Furthermore, we've got - in that strange little rule - a provision that before the bill is engrossed, it can be changed as to the sponsorship only. So, when it comes to sponsorship, by implication the Uniform Rules are very, very broad with respect to the ability of the body to elect to change a sponsor.

MS. COOK, in response to Chair Lynn, said there must be a bill sponsor; a bill cannot go forward without one. Often, a co-sponsor will step into the sponsorship role, when the sponsor drops out of it.

[8:53:33 AM](#)

MR. MADSEN directed attention to a proposed sentence in Section 3, on page 2, beginning on line 27, which read as follows:

Measures introduced by members must have at least one prime sponsor or more than one joint prime sponsor, and may have cosponsors.

MR. MADSEN indicated that the ensuing language in the section addresses the withdrawal of names from sponsorship of legislation.

[8:54:37 AM](#)

MS. COOK, in response to Representative Gruenberg, stated that it is clear that the Uniform Rules contemplate that sponsors may be changed and that a bill will have a sponsor. In response to a follow-up question, she said it may take her a minute to find the specific Uniform Rule.

REPRESENTATIVE GRUENBERG said he would like that in writing.

[8:55:44 AM](#)

REPRESENTATIVE GRUENBERG returned to Section 1, and he pointed to language [on page 1, lines 12-14], which specifies as follows:

Only the prime sponsor of the measure, a joint prime sponsor of the measure with agreement of all other joint prime sponsors, or the chair of the committee that introduced the measure may move to withdraw it.

[8:57:20 AM](#)

MR. MADSEN directed attention to Section 2, which is explained in the sectional analysis [included in the committee packet], as follows [original punctuation provided]:

Section 2 deals with the prefiling of measures and amends Rule 36. It amends the number of measures that a member or member-elect may prefile as either the sole prime sponsor or joint prime sponsor. According to the current rule a member may only be the prime or joint prime sponsor on a total of ten prefiled bills. Under the new rule a member may be the sole prime sponsor of ten prefiled measures, plus the joint prime sponsor of an additional 20 measures.

[8:58:36 AM](#)

REPRESENTATIVE GRUENBERG stated that when bills are prefiled, they are made available to the public and to other members of the legislature several days before session begins, and he said it would be a good idea to get more done in prefiling to get things going earlier in the session when there is "not a lot of substantive stuff going on."

9:00:39 AM

CHAIR LYNN proffered that prefiling allows the discussion to begin between the legislature and the public, which can expedite any amendments needed.

9:01:07 AM

REPRESENTATIVE PETERSEN questioned if this would adversely affect the workload of Legislative Legal and Research Services.

9:01:48 AM

REPRESENTATIVE SEATON said resolutions can be "signed right to the floor." He said he is questioning whether [Section 2] would be efficient or whether it would "interject a lot of emotional things instead of ... real policies into the prefiling time."

9:03:30 AM

REPRESENTATIVE GRUENBERG, regarding the question of Legislative Legal and Research Services' workload, said whether a measure is prefiled or goes "into the hopper" on the first day of session does not affect when the work is done, but allowing the proposed prefiling would "encourage them to spread the work out a little more" and allow committee chairs, who are generally named following the November election, to start planning their schedules.

REPRESENTATIVE GRUENBERG stated that currently there is no requirement that a House resolution be referred to a committee, and he said he thinks the committee should consider amending the rules to require even House resolutions to be referred to a standing committee.

9:06:56 AM

MR. MADSEN said Section 2 would allow members elect to request the prefiling of measures.

REPRESENTATIVE GRUENBERG, in response to Chair Lynn, said Section 2 would clarify that this would be allowed.

[9:08:08 AM](#)

REPRESENTATIVE SEATON offered his understanding that it has not been the policy that members, before being sworn in, can sponsor a measure.

CHAIR LYNN said he thinks he did so.

[9:08:37 AM](#)

REPRESENTATIVE PETERSEN recollected that he was a joint prime sponsor on a couple measures before being sworn in.

[9:09:31 AM](#)

MR. MADSEN said Section 2 would allow a member or a member-elect to be the sole prime sponsor of no more than 10 measures and joint prime sponsor of an additional 20 measures for prefiling.

REPRESENTATIVE GRUENBERG explained that currently a legislator can have his/her name on only 10 pre-filed measures.

CHAIR LYNN asked what the reason is for limiting joint-prime sponsorship.

REPRESENTATIVE SEATON indicated that limits are necessary so that the legislature is not inundated with bills. He opined that 10 prefiled bills is quite a few for one legislator.

CHAIR LYNN remarked that even with prefiling, legislators still file bills during session up until almost the end of session.

[9:13:20 AM](#)

REPRESENTATIVE PETERSEN said he believes the reason for the limit on the number of bills that a legislator can bring forth as prime sponsor is that it takes so much time to adequately carry a bill through the process. However, he said he does not understand what benefit there would be in limiting the number of measures for which legislator may be a joint prime sponsor.

CHAIR LYNN said typically the joint prime sponsors "don't do that much."

[9:14:32 AM](#)

REPRESENTATIVE SEATON opined the problem is that the joint prime sponsors legally own the bill on which their names are attached; if they are not doing the work, they should not be joint prime sponsors. He indicated that he has an issue with encouraging legislators to attach their names to numerous bills by title during pre-filing, rather than signing on to "the active bill itself." He recollected that Representative Doogan had previously stated that he wants to ensure there is not too much political process. Representative Seaton warned that without a limit on the number of bills, there could be a situation in which a lot of bills are filed for constituents by request and the legislator is not focusing on the most important issues.

[9:16:06 AM](#)

CHAIR LYNN asked if there are specific rules regarding legislation requested by constituents.

REPRESENTATIVE GRUENBERG said he would find out. He mentioned a former legislator who, during a single term, submitted 75 bills. He said legislators could still submit that many, but not as pre-filed measures. He questioned why the ability to be a joint prime sponsor is limited to pre-filed measures.

CHAIR LYNN said he would like the committee to consider that.

REPRESENTATIVE GRUENBERG said being a prime sponsor, joint prime sponsor, or co-sponsor indicates a legislator's level of involvement.

CHAIR LYNN noted that there are also measures sponsored by committees, and either the chair or "one very active member of the committee" could use a committee bill to put a measure through if he/she does not want his/her name attached for some reason or it is past the cut-off date for submitting personal bills.

REPRESENTATIVE GRUENBERG indicated that he encourages legislators to seek out joint prime sponsorship.

[9:19:24 AM](#)

CHAIR LYNN said there has been some discussion related to having a limit on the number of bills that a legislator can file. He said he is philosophically opposed to that, because he

represents his constituents and wants to bring forth measures when needed.

REPRESENTATIVE GRUENBERG concurred.

[9:19:54 AM](#)

MR. MADSEN directed attention to Section 3, which he said addresses the issue of sponsorship of legislation and would amend Uniform Rule 37(a). He highlighted the proposed new language on page 2 line 27, through page 3, line 2, which read as follows:

Measures introduced by members must have at least one prime sponsor or more than one joint prime sponsor, and may have cosponsors. After introduction, when the measure is in the possession of the house of origin and with approval of the prime sponsor or of all joint prime sponsors, additional members may be added as joint prime sponsors or as cosponsors. When the measure is in the possession of the second house, a member of that house may be added as cross cosponsor with the approval of the prime sponsor or of all joint prime sponsors.

[9:20:49 AM](#)

REPRESENTATIVE SEATON observed that the proposed language would mean that no one could sign up to cosponsor a measure without the approval of the prime sponsor or all the joint prime sponsors.

CHAIR LYNN questioned what the purpose of that would be.

[9:21:50 AM](#)

REPRESENTATIVE GRUENBERG responded that there is a related amendment prepared for [HB 128], which would give the committee a choice as to whether or not it should be necessary to get the approval of all the [joint] prime sponsors. He suggested that that amendment could be used for HCR 8, as well.

CHAIR LYNN recollected that he had had experience being told he could not sign onto a bill as a cosponsor. He said he could not recollect what the ruling on that was.

[9:23:16 AM](#)

REPRESENTATIVE SEATON said currently in order to sign up during prefiling as a [joint prime sponsor], a legislator must have the okay of the prime sponsor or joint prime sponsors already signed on to the measure. Traditionally, legislators have been allowed to sign up as cosponsors after the measure has been introduced. He offered his understanding that under the proposed language, a legislator would not be allowed to sign up as a cosponsor of a measure already introduced without the permission of the prime sponsor or joint prime sponsor of the legislation.

[9:24:22 AM](#)

REPRESENTATIVE GRUENBERG said he wants to flag this language for consideration.

[9:24:54 AM](#)

REPRESENTATIVE GRUENBERG directed attention to further language that would be added to Section 3, on page 3, lines 10-12, which read as follows:

A member may move to withdraw the member's name as sponsor of a measure when it is in possession of the house in which it was introduced.

MR. MADSEN, in response to Representative Gruenberg, explained that Rule 27 addresses the withdrawal of measures, while [the aforementioned language] address the withdrawal of sponsorship of measures.

[9:25:58 AM](#)

MR. MADSEN directed attention to Section 4, page 3, lines 13-24, which addresses first reading of a measure.

[9:26:25 AM](#)

REPRESENTATIVE SEATON noted that there is a requirement [in Section 1] that a measure may be withdrawn [before transmittal to the other body] if consent is given by "a majority vote of the full membership". He said the language in Section 3, page 3, lines 10-12 [text provided previously], addresses withdrawing a sponsor, and he observed that this language does not indicate whether approval of a majority of the applicable body would be necessary.

REPRESENTATIVE GRUENBERG responded that a motion would be required to withdraw a sponsor's name.

REPRESENTATIVE SEATON opined that the intent should be clearly stated.

[9:28:04 AM](#)

REPRESENTATIVE GRUENBERG said a motion requires "a majority of those present."

[9:28:46 AM](#)

REPRESENTATIVE GRUENBERG said Sections 4 and 5 have engendered some debate, and he just wanted to introduce them today. He said the Constitution of the State of Alaska mandates that a bill be read three times, which has been interpreted in the Rules to require the title. He said the purpose of these provisions is "so that things are not rushed through and people know what's before the body." He said bill titles are sometimes very long, and the clerk has to read the whole title. He said [Section 4] would allow the presiding officer to truncate the bill title when appropriate. He said he does not think that would be unconstitutional.

CHAIR LYNN said that may lead to some problems.

[9:31:45 AM](#)

REPRESENTATIVE SEATON suggested that Representative Gruenberg's proposal be considered for only the third reading.

REPRESENTATIVE GRUENBERG asked, "Would the members like me to strike that section or limit it to the first or just leave it?"

[9:32:23 AM](#)

REPRESENTATIVE PETERSEN concurred with Representative Seaton regarding the importance of reading the full title at least at first reading.

[9:33:02 AM](#)

MR. MADSEN related that current rules allow for "the second reading to occur in the same manner as the first reading"; therefore, if the first reading was the full title, then the second would be also.

REPRESENTAIVE GRUENBERG reiterated that Section 4 [of HCR 8] could be deleted.

CHAIR LYNN suggested that a subcommittee could work on the issue.

[9:34:40 AM](#)

REPRESENTATIVE GRUENBERG moved to adopt Amendment 1, to delete Section 4. There being no objection, Amendment 1 was adopted.

[9:35:14 AM](#)

REPRESENTATIVE GRUENBERG moved to adopt Amendment 2, which read as follows [original punctuation provided]:

Page 3 line 11

After "sponsor" insert

","joint prime sponsor or cosponsor"

After "in" insert

"the"

Page 3 line 12

After "introduced." Insert

A member may move to withdraw the member's name as a cross-co-sponsor of a measure when it is in the possession of the second house.

[9:35:29 AM](#)

MR. MADSEN said Amendment 2 would clarify that a member could move to withdraw a member's name, whether or not the member is a sponsor, joint prime sponsor, or cosponsor. It would also include the term "**cross-co-sponsor**".

CHAIR LYNN asked if there was any objection to Amendment 2. There being none, it was so ordered.

[9:36:17 AM](#)

REPRESENTATIVE GRUENBERG brought up the question of how many members it takes to move a bill out of committee.

CHAIR LYNN suggested Representative Gruenberg work on that issue.

[9:36:55 AM](#)

CHAIR LYNN reiterated that a subcommittee may be formed to work on this issue over the interim.

[9:37:21 AM](#)

REPRESENTATIVE SEATON said if [HCR 8] is heard again, he would have an amendment prepared that would "remove the extra 20" co-prime sponsors.

REPRESENTATIVE GRUENBERG questioned why that could not be done forthwith.

CHAIR LYNN said he would rather not address an amendment on an issue worthy of discussion when so many committee members are absent.

REPRESENTATIVE GRUENBERG asked permission to have a committee substitute prepared "with the two amendments in it."

CHAIR LYNN said yes.

[9:38:05 AM](#)

CHAIR LYNN announced that HCR 8 was held over.

HB 128-INTRODUCTION OF MEASURES/FISCAL NOTES

[Contains discussion of HCR 8.]

[9:38:14 AM](#)

CHAIR LYNN announced that the last order of business was HOUSE BILL NO. 128, "An Act relating to introduction of measures and to fiscal notes for measures."

[9:38:28 AM](#)

TIM MADSEN, Staff, Representative Max Gruenberg, Alaska State Legislature, presented HB 128 on behalf of Representative Gruenberg, sponsor. He directed attention to Section 1, which would permit sponsors and joint prime sponsors to act together to submit fiscal notes. Currently, he said, only sponsors are allowed to introduce fiscal notes on bills and resolutions.

[9:39:11 AM](#)

REPRESENTATIVE SEATON interpreted that under HB 128, a sponsor of a bill that was not prefiled could no longer [submit] a fiscal note.

REPRESENTATIVE GRUENBERG, as sponsor of HB 128, suggested that an amendment could be made to change the language to "the sponsor or a joint prime" [sponsor].

[9:41:16 AM](#)

MR. MADSEN directed attention to Section 2, beginning on page 1, line 9, which would require the names of the prime sponsors and joint prime sponsors to appear on the fiscal notes. Furthermore, it would require the name, e-mail address, and telephone number of the person who prepares the fiscal note. Currently, he noted, the e-mail address is not required.

MR. MADSEN moved on to Section 3, which begins on page 2, line 17. He said it would require that in addition to the current requirement that a copy of the fiscal note is sent to the prime sponsor, copies would also be sent to each of the joint prime sponsors. He directed attention to Section 4, which begins on page 2, line 22, and would permit a member or member-elect of the legislature to prefile. Section 5, beginning on page 3, line 3, would permit the governor to introduce resolutions as well as bills, he noted.

REPRESENTATIVE GRUENBERG related that there have been times when the legislature has called upon U.S. Congress "to do certain things." He opined that the governor should have the power to file a resolution.

[9:43:54 AM](#)

REPRESENTATIVE SEATON directed attention to page 3, line 5, which adds "a group of members" to those who may introduce a bill or resolution. He surmised this means the bill sponsor wants to allow "prime sponsors throughout the legislative session instead of being on prefiled bills."

REPRESENTATIVE GRUENBERG confirmed that is correct. He explained, "That is concurrent with what we did in the resolution; this marries them up."

CHAIR LYNN remarked that he has found it irritating when he has not been able to get [joint] prime sponsors for legislation he wants to introduce midway through session.

9:44:32 AM

CHAIR LYNN announced that HB 128 was held over.

9:46:17 AM

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 9:46 a.m.