

HJR

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"Amending the Constitution of the State of Alaska to provide for consideration of vetoed bills during special sessions of the legislature."

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### COMMITTEE REPORT

2/28/75

HOUSE

Mr. Speaker:

Date 4/7/75

The Committee on JUDICIARY has had HJR 11

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HJR 11 AND THAT

CS FOR HJR 11 DO PASS

( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

James B. ... \_\_\_\_\_

... \_\_\_\_\_

... \_\_\_\_\_

... \_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

James B. ... Chairman

Introduced: 2/13/75  
Referred: State Affairs and  
Finance

BY URION, BOWMAN, BRADNER,  
ELIASON, FINK, FREEMAN, MILLER,  
PARKER AND WALLIS

1 IN THE HOUSE

2 HOUSE BILL NO. 164 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to consideration of vetoed bills  
7 during special sessions; and providing for an effective  
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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

11 (1) The governor may call the legislature into special  
12 session by issuing a proclamation at least 15 days in advance of the  
13 convening date stated in the proclamation. At a special session called  
14 by the governor, legislation is limited to the subjects designated by  
15 the governor in his proclamation or to the subjects presented by him.  
16 This provision does not curtail the duty of the legislature to con-  
17 sider a bill that has been vetoed following adjournment of the last  
18 regular session of that legislature.

19 \* Sec. 2. AS 24.30.100 is amended to read:

20 Sec. 24.30.100. ACTION UPON VETO. When the governor vetoes a  
21 bill or by veto strikes or reduces an item in an appropriation bill,  
22 during a regular session of the legislature, the legislature shall  
23 proceed to act in accordance with sec. 16, art. II, of the state  
24 constitution as it is implemented by the rules of the legislature.  
25 A bill vetoed after adjournment of a regular session shall be recon-  
26 sidered by the full membership of the legislature sitting as one body  
27 no later than the fifth day of the next regular or special session  
28 convened during that legislature.

29 \* Sec. 2. EFFECTIVE DATE. This Act takes effect immediately upon the date

House Judiciary Committee  
March 4, 1975

The meeting was called to order at 1:20 p.m. by Chairman Gardiner. All members were present except Mr. Brown.

The committee agreed that a public hearing should be scheduled on medical malpractice and that representatives of the medical, law and insurance professions be invited.

HJR 11 Special Session Veto

The following possible amendments were discussed:

page 2 line 2 insert regular or special session/ change the title to eliminate reference to special session.

Mandate a veto session to take place 30 days after the regular second session for a maximum number of days.

The committee decided to consider this bill further at a later time.

HB 27 School Bus Drivers

Mr. Fink moved the bill out of committee with the HESS amendment. There being no objection, the bill was passed out.

HB 48 Transfer of Interest in Realty

Mr. Bradley moved that in line 11 after no person ADD other than a natural person. This amendment was meant to disinclude individuals but not corporate persons. Amendment 1 passed.

Mr. Bradley moved that in 19 the following be added (language to be worked on) The Commilssioner of the Department of Commerce may exempt federal agencies if he finds that they will stop activities in Alaska as a result of the bill. Amendment 2 passed but the committee requested that the language drawn up to accomplish this amendment be approved by Commissioner Motley.

Mr. Fink requested that a letter of intent be drawn up by committee staff to state that there are lending institutions in the state following the practice prohibited by this bill, to explain what a natural person is, and to explain why certain agencies may be exempted.

Mr. Fink moved the bill out of committee as CS HB 48. There being no objection, the bill was passed out of committee.

House Judiciary Committee  
April 3, 1975

The meeting was called to order at 7:20 p.m. by Chairman Gardiner, and was ruled a continuance of the afternoon meeting.

HB 191 Transportation Tariff

Commissioner Motley testified that the ATC would like to give 45 days notice, but this creates problems in administration. It would be theoretically possible to have two different rates in effect at the same time. He felt that this problem could be worked out, possibly by giving the federal notice earlier than required.

Mr. Specking suggested making the language similar to that of the ICC. He questioned whether the commission or the shipper was required to notify the public.

Mr. Bradley moved HB 191 out of committee and asked unanimous consent. Mr. Parr objected. Mr. Bradley withdrew his motion. Mr. Parr requested that the ATC be notified for one final time and requested to present justification as to why they oppose the 45 days notice.

HJR 11 Veto, special session

The following amendments were adopted:

page 1, line 7: in the title -- after "bills" insert a period and delete the rest of the title.

page 2, line 2: delete the underlined language in lines 2 and 3 and insert: "than the fifth day of the next regular or special session of that legislature."

CS HJR 11 was moved out of committee.

HJR 4 Governor's term

Mr. Gardiner turned the chair over to Mr. Bradley. Mr. Gardiner, sponsor of the bill, testified that the adverse effects of an election in the middle of a governor's possible term must be weighed against the public accountability that the election provides. He said that work in an election year is just as important as any other time and should not be sacrificed to political ambition. He suggested that language be put in the bill to state that a governor having a 4 year term previous to election to a six year term would be allowed to serve the full six year term. This would hold true not only for transitional periods but could also be incorporated to cover a lt. governor who serves more than 4 years of a governor's term -- who would then not be eligible to run, but who serves less than four years -- would be eligible for a six year term of his own.

It was decided that proposed amendments would be drawn up.