

COMMITTEE REPORT

HOUSE

5/4

FURTHER: FINANCE

3/24/81

(5)

Date: _____

Mr. Speaker:

The Committee on STATE AFFAIRS has had HCR 14

Proposing an amendment to the uniform rules establishing a limitation on the authority of committees on conference to consider and report on bills on appropriations.

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

David C. ...
...
...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

<i>...</i>	<i>No Rec.</i>
<i>...</i>	<i>No Rec.</i>

Will

 CHAIRMAN

Introduced: 3/24/81
Referred: State Affairs and
Finance

BY CUDDY, ABOOD, ANDERSON,
BARNES, BEIRNE, BETTISWORTH,
HALFORD, HAYES, MARTIN, METCALFE
AND MONTGOMERY

1 IN THE HOUSE

2 HOUSE CONCURRENT RESOLUTION NO. 14
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the uniform
6 rules establishing a limitation on
7 the authority of committees on
8 conference to consider and report on
9 bills on appropriations.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. Rule 41(a) of the Uniform Rules of the Alaska State Legis-
12 lature is amended to read:

13 (a) If one house refuses to concur in the amendments of the other
14 it so notifies the amending house and requests that it recede from its
15 amendments. If the house refuses to recede, the presiding officer of
16 each house appoints three members to sit as a Committee on Conference.
17 The committee meets when mutually agreeable to its members and when
18 agreement on previously adopted amendments to a bill adopted by either
19 house is reached, the committee submits an identical report to each
20 house. If the report is adopted by both houses the bill is enrolled,
21 signed, and transmitted to the governor. Except as provided in (c) of
22 this rule, it [IT] is in order at any time to grant powers of free
23 conference to the Committee on Conference. Except as provided in (c)
24 of this rule, if [IF] the members of the Committee on Conference cannot
25 agree on amendments or one or both houses refuses to adopt its report,
26 it is then in order to appoint a Committee on Free Conference. The
27 vote on adoption of a conference committee report is taken by the
28 calling of the roll and the recording of the ayes and nays in the
29 journal. Adoption requires a majority of the membership of the house.

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2 is amended by adding a new subsection to read:

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4 committee on an appropriation bill the power

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ALASKA STATE LEGISLATURE

TWELFTH. Legislature FIRST... Session

HOUSE CONCURRENT RES. NO. ...14...

By .CUDDY,.ABOOD,.ANDERSON,...
BARNES, BEIRNE, BETTISWORTH,
HALFORD, HAYES, MARTIN, METCALFE
AND MONTGOMERY

Proposing an amendment to the uniform rules establishing a limitation on the authority of committees on conference to consider and report on bills on appropriations.

Amend. to uniform rules/
estab. authority of comm.
on conf./report on bills appro.

Introduced in the House 3/24....., 19..81

HISTORY IN THE HOUSE

19	31	Read first time and referred to Committee on																		
Mar	24	State Affairs and Finance Reported back with recommendation that																		
		Read second time and																		
		Read third time and																		
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HISTORY IN THE SENATE

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HISTORY IN THE HOUSE

19		Received from Senate
		Concurred in Senate amendment thus adopting: VOTE
		Failed to concur in Senate amendment; asked Senate to recede VOTE
		Senate receded from amendment VOTE
		Senate failed to recede from amendment VOTE
		CC appointed by House
		CC appointed by Senate
		CC adopted by House VOTE
		CC adopted by Senate VOTE
		To enrolling Reported correctly enrolled Sent to Governor by Governor
		Filed with Lt. Governor
		Chapter No.

Introduced: 3/24/81
Referred: State Affairs and
Finance

BY CUDDY, ABOOD, ANDERSON,
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STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
POUCH W — ALASKA OFFICE BUILDING

FINANCE DIVISION
POUCH WF — STATE CAPITOL

JUNEAU 99801

MEMORANDUM

DATE: January 21, 1982
TO: Representative David Cuddy
FROM: J. H. Hogan, Director
Legislative Finance Division
SUBJ: HCR 14

HCR 14, "Proposing an amendment to the uniform rules establishing a limitation on the authority of committees on conference to consider and report on bills on appropriations", was, of course, introduced last year prior to the Legislature's passage of a Senate committee substitute for a resolution that effectively rewrote the legislative rules dealing with conference and free conference committees. A copy of the existing and to be effective Rule 42 is enclosed.

In an effort to take your language from HCR 14 and incorporate it in the to be effective Rule 42, I submit the following:

(c) (Effective June 30, 1982) A Conference Committee with limited powers of free conference or a Free Conference Committee may not include in its report on an appropriation bill an allocation or appropriation item which was not included in a version of that appropriation bill adopted in third reading by a house and the amount contained in [appropriated-by] an allocation or appropriation item may not exceed the higher amount contained in [appropriated-by] that item in a version of the bill adopted in third reading by a house. [An-item-in-an-appropriation-bill-includes a-line-item,-an-allocation-and-an-appropriation.] A new allocation or appropriation item or an amount that exceeds the higher amount previously adopted may be included in a report on an appropriation bill with the prior approval of a majority vote of the full membership of each house.

attachment

JHH:bf

house receives the message accompanying the engrossed bill and reporting its passage, the bill shall be read by the clerk or secretary for the first time and then referred by the presiding officer to one or more committees for subsequent action by that house.

Rule 41. Amendments in Other House. (Effective Until June 30, 1982) When a bill, resolution, or citation passed in one house is amended in the other house, the bill, resolution, or citation with certified amendments is returned to the house of origin requesting concurrence. The vote on concurrence in amendments is taken by the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership in each house. If concurrence is had the clerk or secretary notes the concurrence in the journal, informs the other house of the concurrence, and proceeds to have the bill or resolution enrolled for certification and transmittal to the governor.

Rule 41. Amendments in Other House. (Effective June 30, 1982) (a) When a bill, resolution, or citation passed in one house is amended in the other house, the bill, resolution, or citation with certified amendments is returned to the house of origin requesting concurrence. The vote on concurrence in amendments is taken by the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership in each house. If concurrence is had the clerk or secretary notes the concurrence in the journal, informs the other house of the concurrence, and proceeds to have the bill or resolution enrolled for certification and transmittal to the governor.

(b) An amendment to a bill introduced in the other house is not in order if the amendment requires a change of the bill title other than a clerical or technical change.

Effect of amendments. — The 1981 (SCS CSHCR 3(RIs)), SLA 1981, effective amendment, Legislative Resolve No. 24 June 30, 1982, added subsection (b).

Rule 42. Conference and Free Conference Committees. (a) If one house refuses to concur in the amendments of the other it so notifies the amending house and requests that it recede from its amendments. The vote on receding from amendments is taken by the calling of the roll and the recording of the yeas and nays in the journal. A house recedes from its amendments only by a majority vote of the full membership of the house. If the house refuses to recede, the presiding officer of each house appoints three members to sit as a Conference Committee. The committee meets when mutually agreeable to its members. If the committee reaches agreement on previously adopted amendments to a bill adopted by either house, the committee then submits an identical report to each house. The report is not subject to

amendment in either house. If the report is adopted by each house the bill is enrolled, signed, and transmitted to the governor. If the members of the Conference Committee cannot agree on amendments, or if one or both houses refuses to adopt the committee report, the Conference Committee submits an identical written report to each house listing the specific points of disagreement for which the committee requests powers of free conference. The presiding officer of each house may then give limited powers of free conference only on the specific points listed. If the members of a Conference Committee with limited powers of free conference cannot agree on amendments, or one or both houses refuses to adopt the committee report, it is then in order to appoint a Free Conference Committee. A member who served on a Conference Committee or a Conference Committee with limited powers of free conference may not be appointed to a subsequent Conference Committee or Free Conference Committee concerning the same measure. The vote on adoption of a conference committee report is taken by the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership of each house.

(b) A Free Conference Committee is appointed in the same manner as a Conference Committee and may suggest in its report any new amendments clearly germane to the question. When a majority of the membership of the committee from each house agrees on amendments, the amendments are attached to the bill and reported back to each house in an identical report. The report is not subject to amendment in either house. If the report is adopted in each house the bill is then ordered enrolled by its house of origin. If the members of a Free Conference Committee fail to agree on amendments or one or both houses refuses to adopt the free conference report, a second Free Conference Committee may be appointed, but no member of the first committee may be reappointed. A free conference report may not be voted on by the house until at least 24 hours after the report is duplicated and delivered to the chief clerk or secretary of the house for distribution to each member. The chief clerk or secretary shall certify the time of delivery of the report for recording in the journal. The vote on adoption of a free conference committee report is taken by the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership of each house.

(c) (Effective June 30, 1982) A Conference Committee with limited powers of free conference or a Free Conference Committee may not include in its report on an appropriation bill an item which was not included in a version of that appropriation bill adopted in third reading by a house and the amount appropriated by an item may not exceed the higher amount appropriated by that item in a version of the bill adopted in third reading by a house. An item in an appropriation bill includes a line item, an allocation, and an appropriation.

(d) (Effective June 30, 1982) Notwithstanding the provisions of (c) of this rule, a Free Conference Committee may consider and include in its report on an appropriation bill appropriations as requested by attached fiscal notes on new legislation and resolutions that have been passed by both houses.

(e) (Effective June 30, 1982) A Conference Committee, a Conference Committee with limited powers of free conference, or a Free Conference Committee may not adopt a report that requires a change in the title of a bill other than a clerical or technical change.

Effect of amendments. — The 1981 (SCS CSHCR 3(R1a)), SLA 1981, effective amendment, Legislative Resolve No. 24 June 30, 1982, added subsections (c)—(e).

Rule 43. Enrollment. (a) When a bill has passed both houses the presiding officer of the house of origin directs that it be enrolled. The clerk or secretary transmits the engrossed bill to the enrolling secretary of the legislature, who, with the revisor of statutes, checks the bill before placement in final form according to the legislative drafting manual. The enrolling secretary is authorized to correct form and manifest errors which are clerical, typographical, or errors in spelling or errors by way of additions or omissions. The enrolling secretary is required to report errors by way of addition or omission and deficiencies when the bill is returned to the house of origin. When an error or deficiency has been reported, the clerk or secretary shall advise the presiding officers of both houses before the bill is signed and transmitted to the governor.

(b) Bills consisting of several pages need not be formally enrolled if the presiding officer announces that, for reasons of economy and time, formal enrollment is being waived. If enrollment is waived, and the presiding officer of the other house consents, the first page and signatory pages of the bill will be enrolled and then affixed to the engrossed bill along with any certified amendments and when signed by the officers of both houses will be transmitted to the governor with a letter noting that enrollment was waived. Engrossment of such bills may also be waived in the same manner.

Rule 44. Time Limit on Introduction. No bill or resolution other than one sponsored by a standing committee may be introduced after the thirty-fifth day of the second regular session of the legislature.

Rule 45. Vetoed Bills. The governor may veto a bill or by veto strike or reduce an item in an appropriation bill. The governor shall return the vetoed bill or the bill in which an appropriation item was stricken or reduced with a statement of objections to the house of origin. The receipt of the bill and veto statement are noted in the journal, and the other house is promptly requested to meet in joint session to reconsider passage of the vetoed bill or item. The vote on