

HCR

12

(File 1) 3-27-87



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

P. O. Box V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

HOUSE RULES COMMITTEE MEETING

FRIDAY, MARCH 27, 1987

7:00 A.M. - ROOM 208

HCR 12 - Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State Legislature relating to committee meetings.
(By the Rules Committee)

I N D E X

- I. MEMORANDUM - To House Rules Committee Members from Rep. Navarre
- II. HCR 12
- III. COMPARISON - CURRENT UNIFORM RULE 23 - PROPOSED UNIFORM RULE 23 AND ANALYSIS
- IV. FISCAL NOTE - HCR 12
- V. UNIFORM RULES ALASKA STATE LEGISLATURE



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MEMORANDUM

March 27, 1987

To: House Rules Committee Members

From: Rep. Mike Navarre^{MN}, Chairman
House Rules Committee

Subject: BACKGROUND INFORMATION ON UNIFORM RULE 23 - RELATING
TO THE WEEKLY COMMITTEE SCHEDULE PROVISION.

The two sentences which separate committee meeting notifications into a "5-day notice" and a "weekly committee schedule" requirement, create the largest problem area within the entire Uniform Rules. This proposed rules change would remove the current "weekly committee schedule" requirement and provide for a 5-day notice requirement.

It is extremely critical to note that no matter what day of the week the current weekly committee schedule would be maintained, it would cause the same situations which are outlined below.

The only current provision for adding a bill or a joint resolution which does not appear on this weekly schedule is by submitting a Concurrent Resolution suspending Rule 54 which allows for suspension of the Uniform Rules. (27 Vote Requirement for suspension of Rules for the House and 14 Vote Requirement for the Senate) This creates a tremendous amount of paperwork and must be passed with the bill or joint resolution on the Senate side also. In the final hours of adjournment, these resolutions become even more cumbersome and can get overlooked and separated from the bill they were originally passed with to the opposite body.

During the first session of each legislature in particular, a large turn-over of representatives in the House creates a lot of new staff members. A significant amount of time is lost within the committee process mainly attributed to these two separate notice requirements.

This proposal would allow bills to be scheduled for hearings from the first day of the session each year. Currently in order to legally comply with the Rules, a chairman would have to wait until Thursday to schedule their bills for hearings.

Under Rule 23(a), if a new bill is sent to a committee on a Friday, the chairman cannot give notice of a hearing on that bill until the following Thursday and could not hear the bill until the following Tuesday. This is a time frame of at least 12 days. A bill which has had a previous hearing in the same situation would require at least eleven days.

Senate Bills.....

The serious problems relating to Rule 23 occur when the 120-day session limit is close and the conference committee on the budget is not appointed (*by both bodies). We are unable to go into the 24-hour notice provision included within Uniform Rule 23(d). At this stage, Senate bills are impacted by the current version of Rule 23.

Senate bills which are referred to the House may require an 11-day time frame before they can be heard in a House committee. Because of this, house committees are not given adequate time to hear the senate bills.

RULE 23. COMMITTEE MEETINGS. (a) Written notice of the time, place and subject matter of all meetings of standing, special, and joint committees during a week shall be provided by the person who chairs the committee to the chief clerk or secretary by 4:00 p.m. on the preceding Thursday. The person who chairs the committee to which a bill or resolution is first referred shall provide to the chief clerk or secretary written notice of the time and place of the first public hearing on the bill or resolution at least five days before the hearing. However, this requirement may be waived by motion of the person who chairs the committee to which a bill or resolution is first referred if concurred in by majority vote of the full membership of the house. The chief clerk or secretary shall publish and distribute copies of the weekly schedule of committee meetings and of the five-day notice of hearing.

CURRENT VERSION

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
 9 * Section 1. Rule 23 of the Uniform Rules of the Alaska State Legisla-
 10 ture is amended to read:

11 RULE 23. COMMITTEE MEETINGS. (a) At least five days before the
 12 meeting, written [WRITTEN] notice of the time, place and subject
 13 [MATTER] of all meetings of standing, special, and joint committees
 14 [DURING A WEEK] shall be provided by the person who chairs the commit-
 15 tee. If the subject of the meeting includes consideration of a bill
 16 or resolution, the notice shall identify the bill or resolution by
 17 number. If the legislature is in session, notice shall be given to
 18 the chief clerk or secretary by 3:00 [4:00] p.m. If the legislature
 19 is not in session the notice shall be provided to a Legislative Infor-
 20 mation Office. The office to which the notice is provided shall
 21 distribute the notice to each other Legislative Information Office or
 22 Legislative Teleconference Center that is open during the interim [ON
 23 THE PRECEDING THURSDAY. THE PERSON WHO CHAIRS THE COMMITTEE TO WHICH
 24 A BILL OR RESOLUTION IS FIRST REFERRED SHALL PROVIDE TO THE CHIEF
 25 CLERK OR SECRETARY WRITTEN NOTICE OF THE TIME AND PLACE OF THE FIRST
 26 PUBLIC HEARING ON THE BILL OR RESOLUTION AT LEAST FIVE DAYS BEFORE THE
 27 HEARING].

PROPOSED VERSION

28 (b) The notice requirement of (a) of this rule [HOWEVER, THIS
 29 REQUIREMENT] may be waived by motion of the person who chairs the
 1 committee to which a bill or resolution is [FIRST] referred if con-
 2 curred in by majority vote of the full membership of the house.
 3 (c) The chief clerk or secretary shall publish and distribute
 4 each day the house is in session a [COPIES OF THE WEEKLY] schedule of
 5 committee meetings scheduled for the next seven days [AND OF THE
 6 FIVE-DAY NOTICE OF HEARING].

Section 1. Rule 23 of the Uniform Rules

This proposed resolution would break Rule 23(a) into three parts; (a), (b) and c.

ANALYSIS

Rule 23(a) proposes to eliminate the "weekly committee schedule" provision entirely and instead maintain a 5-day written notice on all legislation.

Added wording which clarifies currently understood policy; which is that if the subject of a meeting includes consideration of a bill or resolution, the notice must be identified by number.

Added to Rule 23(a) is a provision which would require that meeting notifications be distributed to the Legislative Information Offices or Legislative Teleconference Centers that are open during the interim.

Rule 23(b) - previously included in current version of Rule 23(a), relates to waiver requirements and states that notice requirements may be waived by a motion if concurred in by a majority vote of the full membership of the house. This provision previously related to bills of first referral only.

Rule 23(c) - previously included in current version of Rule 23(a) and required a once a week publication of the schedule; this version provides that the chief clerk or secretary publish and distribute each day the house is in session a schedule of committee meetings scheduled for the next seven days. We currently use this system, and have found it much more efficient. Notifications of cancellations, meetings which are continued within the week at another time, etc., may be added to the schedule throughout the week giving more adequate public notice.

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(b) The person who chairs a standing, special, or joint committee shall provide the chief clerk or secretary written notice of the change in the time, place or subject matter of a meeting. At the next daily legislative session, notice of the schedule change shall be announced by the chief clerk or secretary and published as a notice in the journal of the house.

CURRENT VERSION

7 (d) The place of a scheduled meeting of a standing, special, or
8 joint committee may be altered or the time or subject postponed at
9 any time. [(b)] The person who chairs the [A STANDING, SPECIAL, OR
10 JOINT] committee shall provide the chief clerk or secretary written
11 notice of the change. Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF
12 A MEETING. AT THE NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the
13 schedule change shall be [ANNOUNCED BY THE CHIEF CLERK OR SECRETARY
14 AND] published as a notice in the journal of the house and, if a
15 regular floor session occurs before the time of the changed meeting,
16 the schedule change shall be announced.

PROPOSED VERSION

Rule 23(d) previously 23(b), rewrites this section to comply with the proposed 5-day notice of meetings. Referring to meetings as altered or postponed and removing the language [changed], will eliminate the confusion which has been created by the word changed. [Changed] is continually interpreted to mean a committee could actually change (i.e., add new bills) to their schedule.

This section also requires that meetings altered or postponed must be announced on the floor if a regular floor session occurs before the time of the changed meeting. This strengthens current policy. Note: in order to alter a meeting, you must consider 23(a) which requires the five day notice requirement which may only be waived by a motion and concurred in by a majority vote of the full membership of the house.

(c) A scheduled meeting of a standing, special, or joint committee may be cancelled at any time. If possible, notice of the cancellation shall be given in the same manner as provided for notice of change in (b) of this rule.

CURRENT VERSION

17 (e) [(c)] A scheduled meeting of a standing, special, or joint
18 committee may be cancelled or consideration of a scheduled bill,
19 resolution, or other subject may be cancelled at any time. Notice [IF
20 POSSIBLE, NOTICE] of the cancellation shall be given in the same
21 manner as provided for notice of change in (d) [(b)] of this rule.

PROPOSED VERSION

Rule 23(e) - previously 23(c), defines actual intent of this section to currently understood policy. Previously, this section only allowed for a meeting to be cancelled; 23(e) adds provisions for cancellation or postponement of a single bill, resolution, or subject.

ANALYSIS

(d) The provisions of (a) and (b) of this rule do not apply to a standing, special, or joint committee meeting scheduled after the date a conference committee has been chosen to consider amendments to or differences between versions of the general appropriation act. However, a person who chairs a standing, special, or joint committee shall post written notice of the time, place and subject matter of a meeting at least 24 hours before the meeting.

CURRENT VERSION

22 (f) [(d)] The provisions of (a) - (d) [AND (b)] of this rule do
23 not apply to a standing, special, or joint committee meeting scheduled
24 after the date a conference committee has been chosen to consider
25 amendments to or differences between versions of the general appro-
26 priation act. However, a person who chairs a standing, special, or
27 joint committee shall post written notice of the time, place, and
28 subject [MATTER] of a meeting at least 24 hours before the meeting.
29 If the subject of the meeting includes consideration of a bill or
1 resolution, the notice shall identify the bill or resolution by num-
2 ber.

PROPOSED VERSION

Rule 23(f) - Reflects the breakdown of Rule 23(a) into (a), (b), and (c) into three separate sections and shows that the provisions now relate to (a) - (d). New language adds a provision which requires that the notice identify the bill or resolution by number.

ANALYSIS

(e) The provisions of (a) - (d) of this rule do not apply to meetings of

(1) the Rules Committee when it meets for the purpose of preparing the daily calendar;

CURRENT VERSION

(2) the Committee on Committees referred to in Rule 1(e); or

(3) standing, special, or joint committees when the committee meets during the interim between sessions.

3 (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
4 apply to meetings of
5 (1) the Rules Committee when it meets for the purpose of
6 preparing the daily calendar;
7 (2) the Committee on Committees referred to in Rule 1(e);
8 or
9 (3) standing, special, or joint committees during a special
10 session [WHEN THE COMMITTEE MEETS DURING THE INTERIM BETWEEN SES-
11 SIONS].

PROPOSED VERSION

Rule 23(g) - Reflects the breakdown of Rule 23(a) into 3 sections. The provisions of (a) - (d) now relate to (a) - (f). Rule 23(g) is changed to exempt special sessions from the provisions included within Rule 23(a) - (f), which would be impossible to comply with during special sessions.

ANALYSIS

Rule 23(g) - (3) originally stated that the provisions do not apply to a committee which meets during the interim. We have added the requirement of notification requirements during the interim into 23(a), which requires notification be distributed to the Legislative Information Offices and Legislative Teleconference Offices during interim.

(1) shall record its meetings electronically and prepare a log of the recording adequate to locate specific testimony;

CURRENT VERSION

(2) shall prepare minutes of each meeting of the committee on a standard form prescribed jointly by the Rules Committees of the house and the senate; the minutes shall include

(A) a list of the names of each member present during the meeting;

(B) a list of the name and affiliation of each witness testifying before the committee;

(C) a brief statement of the position of the witness on the subject testified upon; and

(D) each amendment formally considered by the committee, the name of the member moving adoption of the amendment, the action taken on the amendment, and the yeas and nays if a committee member has requested a roll call vote on adoption of an amendment;

(3) shall maintain a chronological file of minutes, copies of which shall be made available upon request to committee members and the public; committee minutes, tapes and other materials of research value shall be delivered by the committee at the end of each session or each legislature to the legislative reference library for appropriate disposition;

(4) may make available to the Legislative Affairs Agency a copy of all minutes of committee meetings during the session for entry of the minutes as a data base on the legislative computer system.

12 (h) [(f)] Each standing, special, and joint committee

13 (1) shall record its meetings electronically and prepare a
14 log of the recording adequate to locate specific testimony;

15 (2) shall prepare minutes of each meeting of the committee
16 on a standard form prescribed jointly by the Rules Committees of the
17 house and the senate; the minutes shall include

PROPOSED VERSION

18 (A) a list of the names of each member present during
19 the meeting;

20 (B) a list of the name and affiliation of each witness
21 testifying before the committee;

22 (C) a brief statement of the position of the witness
23 on the subject testified upon; and

24 (D) each amendment formally considered by the committee,
25 the name of the member moving adoption of the amendment, the
26 action taken on the amendment, and the yeas and nays if a committee member has requested a roll call vote on adoption of an
27 amendment;
28

29 (3) shall maintain a chronological file of minutes, copies
1 of which shall be made available upon request to committee members and
2 the public; committee minutes, tapes and other materials of research
3 value shall be delivered by the committee at the end of each session
4 or each legislature to the legislative reference library for appropriate
5 disposition;

6 (4) shall [MAY] make available to the Legislative Affairs
7 Agency a copy of all minutes of committee meetings during the session
8 for entry of the minutes as a data base on the legislative computer
9 system.

Rule 23(h) - changes from (f) to (h) to indicate previous changes. Rule 23(h) 4 amends current version to state that committees shall, rather than may, make their minutes available to Legislative Affairs Agency for entry into the state's computer system. This is consistent with present procedure.

ANALYSIS

10 (i) The provisions of (a) - (h) of this rule do not apply to
11 subcommittees of standing, special, or joint committees. However,
12 reasonable notice of the time, place, and subject of a subcommittee
13 meeting shall be provided. If the subject of the subcommittee meeting
14 includes consideration of a bill or resolution, the notice shall
15 identify the bill or resolution by number.

PROPOSED VERSION

Rule 23(i) - This is an entirely new section which has been added which exempts subcommittees from the requirements of committee meetings within the Uniform Rules, however, requires a "reasonable" notification (which relates to the definition of the open meetings law contained in the Statutes) of time, place and subject of a subcommittee meeting and specifically requires that if a subcommittee meeting list a number of a bill or resolution.

ANALYSIS

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

IV

REQUEST: _____
 Revision Date: _____
 Title: Propos. amend. to Uniform Rule 23
re: committee meetings
 Sponsor: Rules Committee
 Requestor: Rules Committee

Bill Version: HCR 12
 Publish Date: _____
 Agency Affected: none
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars) n/a

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS: n/a

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Rep. Mike Navarre, Chairman Phone: 465-3764
 Division: House Rules Committee Date: March 26, 1987

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

- ANALYSIS - ANALYSIS - ANALYSIS - ANALYSIS - ANALYSIS -

HOUSE CONCURRENT RESOLUTION 12
(BY THE RULES COMMITTEE)

Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State Legislature relating to committee meetings.

Section 1. Rule 23 of the Uniform Rules

This proposed resolution would break Rule 23(a) into three parts; (a), (b) and c.

Rule 23(a) proposes to eliminate the "weekly committee schedule" provision entirely and instead maintain a 5-day written notice on all legislation.

Added wording which clarifies currently understood policy; which is that if the subject of a meeting includes consideration of a bill or resolution, the notice must be identified by number.

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UNIFORM RULES

ALASKA

STATE LEGISLATURE

ADOPTED 1981

by the

TWELFTH LEGISLATURE - FIRST SESSION

AS AMENDED 1985

BY THE

FOURTEENTH LEGISLATURE - FIRST SESSION

Legislative Affairs Agency