

1-28-91

HCR

/



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

P. O. Box V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

MEMBERS:

REP. JOHNNY ELLIS, CHAIR
REP. CLIFF DAVIDSON
REP. GRUENBERG
REP. DONLEY
REP. GRUSSENDORF
REP. TAYLOR
REP. MARTIN

HOUSE RULES COMMITTEE MEETING
MONDAY, JANUARY 28, 1991
CAPITOL, ROOM 208
8:30 A.M.

I N D E X

- I. MEMO DATED JANUARY 23, 1991 FROM REP. NAVARRE
- II. PROPOSED RULES CS HCR 1 (REP. NAVARRE)
- III. ORIGINAL VERSION HCR 1
- IV. FISCAL NOTE/HCR 1

COMMITTEE NAME

DATE 1-28-91

JOINT Rules

TAPE # 1

JOINT _____

TIME CALLED TO ORDER 8:40 am/pm

TIME ADJOURNED _____

ROLL CALL:

PRES

ABST

TIME ARRVD

JOINT MEMBERS PRESENT:

ROLL CALL:	PRES	ABST	TIME ARRVD	JOINT MEMBERS PRESENT:
<u>Ellis</u>	<u>X</u>	<u> </u>	<u>8:25</u>	<u> </u>
<u>Davidson</u>	<u>X</u>	<u> </u>	<u>8:41</u>	<u> </u>
<u>Grossberg</u>	<u>X</u>	<u> </u>	<u>8:45</u>	<u> </u>
<u>Dandoy</u>	<u>X</u>	<u> </u>	<u>8:31</u>	<u> </u>
<u>Grossendorf</u>	<u>X</u>	<u> </u>	<u>8:25</u>	<u> </u>
<u>Taylor</u>	<u>X</u>	<u> </u>	<u>8:50</u>	<u> </u>
<u>Martin</u>	<u>X</u>	<u> </u>	<u>8:31</u>	<u> </u>
<u>Navarre</u>	<u>Y</u>	<u> </u>	<u>8:25</u>	<u> </u>

AGENDA:

BILL NO.

SHORT TITLE

ACTION TAKEN

BILL NO.	SHORT TITLE	ACTION TAKEN
<u>HCR1</u>	<u>Amends. to Rule 72</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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OTHER:

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SPECIAL ANNOUNCEMENTS:

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-2800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMFR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Rules 1-28-91 8:30 am

ALASKA STATE LEGISLATURE
REPRESENTATIVE MIKE NAVARRE

II
Co-Chair
House Finance Committee
P.O. Box V
Juneau, Alaska 99811
(907) 465-3779

January 23, 1991

MEMORANDUM

TO: Rep. Johnny Ellis, Chair
House Rules Committee

FROM: Rep. Mike Navarre

SUBJECT: HCR 1, proposing amendments to Rule 42 of the Uniform Rules.

As we have seen in the recent past, when the operating and capital budget bill has been reported out and brought to the floor for a vote, members of the legislature have often had virtually no time to examine the Conference Committee Substitute.

After some thought, I introduced HCR 1 as a mechanism of providing each member of the legislature suitable time, prior to a floor vote, to review an appropriation bill after it is reported out of Conference Committee. I believe a minimum of 24 hrs. will be adequate for this purpose.

I respectfully request the Rules Committee's favorable review of HCR 1.

I have included a draft CS for your consideration.

you have further questions, please don't hesitate to contact me.

Thank you for your assistance.



HOUSE CONCURRENT RESOLUTION NO. 1
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES NAVARRE, Ellis, Ulmer, Brown, Moyer, Gruenberg, Koponen

Introduced: 1/22/91

Referred: Rules

A RESOLUTION

1 Proposing amendments to Rule 42 of the Uniform Rules of the Alaska State Legislature
2 relating to Conference Committee reports on appropriation bills; and providing for an
3 effective date.

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

5 * Section 1. Rule 42(b) of the Uniform Rules of the Alaska State Legislature is amended to read:

6 (b) A Free Conference Committee is appointed in the same manner as a Conference
7 Committee and may suggest in its report any new amendments clearly germane to the question.
8 When a majority of the membership of the committee from each house agrees on amendments,
9 the amendments are attached to the bill and reported back to each house in an identical report.
10 The report is not subject to amendment in either house. If the report is adopted in each house,
11 the bill is then ordered enrolled by its house of origin. If the members of a Free Conference
12 Committee fail to agree on amendments or one or both houses refuses to adopt the free
13 conference report, a second Free Conference Committee may be appointed, but no member of
14 the first committee may be reappointed. A free conference report on a measure other than an
15 appropriation bill may not be voted on by the house until at least 24 hours after the report is
16 duplicated and delivered to the chief clerk or secretary of the house for distribution to each

1 member. The chief clerk or secretary shall certify the time of delivery of the report for recording
2 in the journal. The vote on adoption of a free conference committee report is taken by the
3 calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a
4 majority vote of the full membership of each house.

5 * Sec. 2. Rule 42(c) of the Uniform Rules of the Alaska State Legislature is amended to read:

6 (c) A Conference Committee with limited powers of free conference or a Free
7 Conference Committee may not include in its report on an appropriation bill an item which was
8 not included in a version of that appropriation bill adopted in third reading by a house and the
9 amount appropriated by an item may not exceed the higher amount appropriated by that item in
10 a version of the bill adopted in third reading by a house. An item in an appropriation bill
11 includes a line item, an allocation, and an appropriation. The report on an appropriation bill
12 of a Conference Committee, a Conference Committee with limited powers of free
13 conference, or a Free Conference Committee may not be voted on by the house until at least
14 48 hours after the report is duplicated and delivered to the chief clerk or secretary of the
15 house for distribution to each member. The chief clerk or secretary shall certify the time
16 of delivery of the report for recording in the journal.

17 * Sec. 3. The amendments proposed by this resolution take effect immediately.

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Introduced:
Referred:

Sponsor(s): REPRESENTATIVES NAVARRE, ELLIS, Ulmer, Brown, Moyer, Gruenberg, Koponen

A RESOLUTION

1 Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to
2 certain votes on appropriation bills; and providing for an effective date.

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

4 * Section 1. Rule 41 of the Uniform Rules of the Alaska State Legislature is amended by adding a
5 new subsection to read:

6 (c) The house of origin may not vote on concurrence in amendments to an appropriation
7 bill until at least 24 hours after the bill with amendments is delivered to that house. The chief
8 clerk or secretary shall certify the time of delivery for recording in the journal.

9 * Sec. 2. Rule 42(b) of the Uniform Rules of the Alaska State Legislature is amended to read:

10 (b) A Free Conference Committee is appointed in the same manner as a Conference
11 Committee and may suggest in its report any new amendments clearly germane to the question.
12 When a majority of the membership of the committee from each house agrees on amendments,
13 the amendments are attached to the bill and reported back to each house in an identical report.
14 The report is not subject to amendment in either house. If the report is adopted in each house,
15 the bill is then ordered enrolled by its house of origin. If the members of a Free Conference
16 Committee fail to agree on amendments or one or both houses refuses to adopt the free

1 conference report, a second Free Conference Committee may be appointed, but no member of
2 the first committee may be reappointed. A free conference report on a measure other than an
3 appropriation bill may not be voted on by the house until at least 24 hours after the report is
4 duplicated and delivered to the chief clerk or secretary of the house for distribution to each
5 member. The chief clerk or secretary shall certify the time of delivery of the report for recording
6 in the journal. The vote on adoption of a free conference committee report is taken by the
7 calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a
8 majority vote of the full membership of each house.

9 * Sec. 3. Rule 42(c) of the Uniform Rules of the Alaska State Legislature is amended to read:

10 (c) A Conference Committee with limited powers of free conference or a Free
11 Conference Committee may not include in its report on an appropriation bill an item which was
12 not included in a version of that appropriation bill adopted in third reading by a house and the
13 amount appropriated by an item may not exceed the higher amount appropriated by that item in
14 a version of the bill adopted in third reading by a house. An item in an appropriation bill
15 includes a line item, an allocation, and an appropriation. The report on an appropriation bill
16 of a Conference Committee, a Conference Committee with limited powers of free
17 conference, or a Free Conference Committee may not be voted on by the house until at least
18 24 hours after the report is duplicated and delivered to the chief clerk or secretary of the
19 house for distribution to each member. The chief clerk or secretary shall certify the time
20 of delivery of the report for recording in the journal.

21 * Sec. 4. The amendments proposed by this resolution take effect immediately.

FISCAL NOTE

IV

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HCR 1

Revision Date: _____ Department Affected: none
 Title: Proposing amendments/Rule 42 BRU: _____
Uniform Rules Component: _____
 Sponsor: Rep. Navarre
 Requestor: House Rules Cmte. COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS: N/A

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Rep. Johnny Ellis, Chairman Phone: 465-3764

Division: House Rules Committee Date: _____

Approved by Commissioner: _____

Agency: _____ Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

CS HCR 1(RULES)

CHANGES MADE TO ORIGINAL VERSION(HCR 1) IN THE HOUSE RULES COMMITTEE:

CHANGES TITLE:

PAGE 1, LINE 1-3

ORIGINAL TITLE:

Proposing amendments to Rule 42 of the Uniform Rules of the Alaska State Legislature relating to Conference Committee reports on appropriation bills; and providing for an effective date.

PAGE 1, LINE 1-3

NEW TITLE CHANGE:

Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to certain votes on appropriation bills; and providing for an effective date.

PAGE 1, LINES 4 THROUGH 8

ADDS A NEW SUBSECTION TO RULE 41:

+ (C) The house of origin may not vote on concurrence in amendments to an appropriation bill until at least 48 hours after the bill with amendments is delivered to that house. The chief clerk or secretary shall certify the time of delivery for recording in the journal.

IN ADDITION TO THESE CHANGES, BELOW ARE ADDITIONS TO THE CURRENT UNIFORM RULE 41 INCLUDED IN CS HCR 1 (RULES): *These were also included in original version HCR 1*

ON PAGE 2, LINES 2 & 3, AFTER WORD "REPORT" ADD:

ON A MEASURE OTHER THAN AN APPROPRIATION BILL

ON PAGE 2, LINES 15 THROUGH 20, AFTER WORD "APPROPRIATION." ADD:
THE REPORT ON APPROPRIATION BILL OF A CONFERENCE COMMITTEE, A CONFERENCE COMMITTEE WITH LIMITED POWERS OF FREE CONFERENCE, OR A FREE CONFERENCE COMMITTEE MAY NOT BE VOTED ON BY THE HOUSE UNTIL AT LEAST 48 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.

ON PAGE 2, LINE 21:

PROVIDES FOR AN IMMEDIATE EFFECTIVE DATE.

JEANNIE / *jeannie*

HOUSE AMENDMENT # 1

TO: CSHCL 1 (R1)

BY: Phillips

Page 2 Line 19

after house

delete "for", insert "and distribute".

**Submit original amendment to the Chief Clerk.
It will then be numbered and duplicated.**

Gruenberg's
Proposed
CS
not adopted

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1 ()

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Introduced:

Referred:

Sponsor(s): REPRESENTATIVES NAVARRE, Ellis, Ulmer, Brown, Moyer, Gruenberg

A RESOLUTION

1 Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to
2 introduction of measures, votes on appropriation bills, and implementation of the rules; and
3 providing for an effective date.

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

5 * Section 1. Rule 18 of the Uniform Rules of the Alaska State Legislature is amended to read:

6 RULE 18. DAILY CALENDAR. (a) The Rules Committee of each house is responsible
7 for the preparation of the daily calendar. Pending the printing of the calendar the contents of the
8 calendar shall be announced or posted on the day preceding the next legislative day. Changes to
9 a calendar or approval of a supplementary calendar may be authorized by a two-thirds vote of
10 the members present. No business shall be transacted nor any measure considered that is not on
11 the calendar.

12 (b) A measure [BILL] may not be withdrawn from the Rules Committee but the house
13 may order a measure [BILL] in the possession of the Rules Committee to be placed on the
14 calendar [FOR THE NEXT LEGISLATIVE DAY] by a majority vote of the full membership of
15 the house. A measure, other than an appropriation bill, placed on the calendar by vote,
16 shall be calendared for the next legislative day. An appropriation bill shall be calendared

1 for the second day after the vote is held.

2 * Sec. 2. Rule 18 of the Uniform Rules of the Alaska State Legislature is amended by adding a new
3 subsection to read:

4 (c) An appropriation bill may not be placed on the calendar for consideration in second
5 reading until at least 48 hours after it is reported from the last committee of referral and, if a
6 committee substitute is adopted by the committee, the committee substitute is duplicated and
7 delivered to the chief clerk or secretary of the house for distribution to each member. The chief
8 clerk or secretary shall certify the time of delivery of the report and committee substitute for
9 recording in the journal. If an appropriation bill is discharged or waived from the last committee
10 of referral, it may not be calendared for at least 48 hours.

11 * Sec. 3. Rule 37(a) of the Uniform Rules of the Alaska State Legislature is amended to read:

12 (a) Any member, group of members, standing, special, or joint committee of a house
13 may introduce a bill or resolution into that house, subject to the provisions of these Uniform
14 Rules. A measure introduced by a group of members must have one member designated
15 as prime sponsor. A member of the group not designated as prime sponsor is a co-sponsor.
16 With the approval of the prime sponsor, a member of the other house may be added as a
17 cross-sponsor when the measure is in possession of the other house. A measure [BILL] must
18 be introduced, in proper form as approved by the enrolling secretary of the legislature, with the
19 original and two carbon copies delivered to the chief clerk or secretary. The measure [BILL]
20 is then assigned a number which it retains through subsequent changes and substitutions. The
21 measure [BILL] is considered formally introduced when the clerk or secretary reads the heading
22 and title aloud in open session (first reading). Measures [BILLS] may be introduced through
23 the Rules Committees by the governor and the permanent interim committees pursuant to
24 provisions of law.

25 * Sec. 4. Rule 42(b) of the Uniform Rules of the Alaska State Legislature is amended to read:

26 (b) A Free Conference Committee is appointed in the same manner as a Conference
27 Committee and may suggest in its report any new amendments clearly germane to the question.
28 When a majority of the membership of the committee from each house agrees on amendments,
29 the amendments are attached to the bill and reported back to each house in an identical report.
30 The report is not subject to amendment in either house. If the report is adopted in each house,
31 the bill is then ordered enrolled by its house of origin. If the members of a Free Conference
32 Committee fail to agree on amendments or one or both houses refuses to adopt the free

1 conference report, a second Free Conference Committee may be appointed, but no member of
2 the first committee may be reappointed. A free conference report on a measure other than an
3 appropriation bill may not be voted on by the house until at least 24 hours after the report is
4 duplicated and delivered to the chief clerk or secretary of the house for distribution to each
5 member. The chief clerk or secretary shall certify the time of delivery of the report for recording
6 in the journal. The vote on adoption of a free conference committee report is taken by the
7 calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a
8 majority vote of the full membership of each house.

9 * Sec. 5. Rule 42(c) of the Uniform Rules of the Alaska State Legislature is amended to read:

10 (c) A Conference Committee with limited powers of free conference or a Free
11 Conference Committee may not include in its report on an appropriation bill an item which was
12 not included in a version of that appropriation bill adopted in third reading by a house and the
13 amount appropriated by an item may not exceed the higher amount appropriated by that item in
14 a version of the bill adopted in third reading by a house. An item in an appropriation bill
15 includes a line item, an allocation, and an appropriation. The report on an appropriation bill
16 of a Conference Committee, a Conference Committee with limited powers of free
17 conference, or a Free Conference Committee may not be voted on by the house until at least
18 48 hours after the report is duplicated and delivered to the chief clerk or secretary of the
19 house for distribution to each member. The chief clerk or secretary shall certify the time
20 of delivery of the report for recording in the journal.

21 * Sec. 6. Rule 55(a) of the Uniform Rules of the Alaska State Legislature is amended to read:

22 (a) The rules of parliamentary practice comprised in MASON'S MANUAL OF
23 LEGISLATIVE PROCEDURE, 1989 [1979] edition, implement and govern the Uniform Rules
24 of the Legislature in all cases not covered by these Uniform Rules.

25 * Sec. 7. The amendments proposed by this resolution take effect immediately.

Uniform Rule 42

CONFERENCE AND FREE CONFERENCE COMMITTEES

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) 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) 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) 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.