

HB

76

Nancy Manly

To: Londi Ensor
Subject: electronic fiscal note for HB 76
Attachments: 05 HB76-LEG-COU-1-22-10.pdf

Hi Londi: HB 76 passed out of the House State Affairs Committee amended this morning. Attached is the electronic fiscal note.

Nancy Manly, Chief of Staff and
House State Affairs Committee Aide *for*
Representative Bob Lynn
House District 31
907-465-2794 Fax: 907-465-4316

CS FOR HOUSE BILL NO. 76(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GRUENBERG, BUCH, CISSNA, DOOGAN, GARDNER, GUTTENBERG, HOLMES, KAWASAKI, KERTTULA, PETERSEN, SALMON, AND TUCK, Crawford, Gara, Neal Foster

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the membership of the Alaska Legislative Council and the**
2 **membership of the Legislative Budget and Audit Committee."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 24.20.020 is amended to read:

5 **Sec. 24.20.020. Membership.** The legislative council is composed of the
6 president of the senate and six other senators appointed by the president, and the
7 speaker of the house of representatives and six other representatives appointed by the
8 speaker. The membership from each house shall meet the requirements of (b) of this
9 section [INCLUDE AT LEAST ONE MEMBER FROM EACH OF THE TWO
10 MAJOR POLITICAL PARTIES]. The appointing authority in each house shall make
11 and announce the appointment or reappointment of members of the council within 15
12 days after the convening of the first regular session of each legislature.

13 *** Sec. 2.** AS 24.20.020 is amended by adding a new subsection to read:

14 (b) The membership from each house must include at least one member from

1 each of the two major political parties. The membership from each house must also
 2 include the number of minority members that is proportional to the number of
 3 minority members in the house compared to the total house membership or to one seat,
 4 whichever is greater. In calculating the number of seats to which the minority is
 5 entitled, fractional numbers that represent the minority proportional entitlement to a
 6 seat shall be ignored. For purposes of this subsection, "minority" means a group of
 7 members who have organized and elected a minority leader and who constitute at least
 8 25 percent of the total house membership.

9 * **Sec. 3.** AS 24.20.040 is amended to read:

10 **Sec. 24.20.040. Vacancies.** When a vacancy occurs in the statutory or
 11 appointive membership of the council, the presiding officer of the house incurring the
 12 vacancy shall fill the vacancy within 30 days. If the office of the president of the
 13 senate or speaker of the house of representatives becomes vacant and a vacancy occurs
 14 among the appointed members of the council, the remaining council members from
 15 the house incurring the vacancy shall appoint a new member. After a vacancy is
 16 filled, the membership of the house that incurred the vacancy must meet the
 17 requirements of AS 24.20.020(b) [A LEGISLATOR APPOINTED TO FILL A
 18 VACANCY SHALL BE A MEMBER OF THE SAME POLITICAL PARTY AS
 19 THE MEMBER VACATING THE SEAT, WHEN POSSIBLE].

20 * **Sec. 4.** AS 24.20.161 is amended to read:

21 **Sec. 24.20.161. Membership.** The Legislative Budget and Audit Committee is
 22 composed of 10 members: the chairs [CHAIRMEN] of the senate and house finance
 23 committees; one member selected from each of the senate and house finance
 24 committees and appointed by the president of the senate and the speaker of the house,
 25 respectively; and three members appointed from each house by the respective
 26 presiding officer. The chair [CHAIRMAN] of the finance committee may choose not
 27 to serve on the committee. If this occurs, the presiding officer of the appropriate house
 28 shall appoint a replacement from the finance committee. The membership from each
 29 house shall meet the requirements of (b) of this section [INCLUDE AT LEAST
 30 ONE MEMBER FROM EACH OF THE TWO MAJOR POLITICAL PARTIES]. The
 31 committee shall select its own chair [CHAIRMAN].

1 * **Sec. 5.** AS 24.20.161 is amended by adding a new subsection to read:

2 (b) The membership from each house must include at least one member from
3 each of the two major political parties. The membership from each house must also
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10 25 percent of the total house membership.

11 * **Sec. 6.** AS 24.20.181 is amended to read:

12 **Sec. 24.20.181. Vacancies.** When a vacancy occurs in the statutory or
13 appointive membership of the committee, the presiding officer of the house incurring
14 the vacancy shall choose a successor. If the office of the president of the senate or
15 speaker of the house of representatives becomes vacant and a vacancy from the
16 affected house occurs among the membership of the committee, the remaining
17 committee members from the house incurring the vacancy shall appoint a new
18 member. **After a vacancy is filled, the membership of the house that incurred the**
19 **vacancy must meet the requirements of AS 24.20.161(b).**

20 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

22 **APPLICABILITY.** The amendments made in this Act shall first apply on the date the
23 First Regular Session of the Twenty-Seventh Alaska State Legislature first convenes and
24 apply thereafter. Before that date of convening, AS 24.20.020, 24.20.040, 24.20.161, and
25 24.20.181 shall apply as they read on the day before the effective date of this Act.

Alaska State Legislature



Chairman
State Affairs Committee

Member
Judiciary Committee
Labor & Commerce Committee
Health & Social Services Committee
Military & Veterans Affairs Committee

Finance Subcommittees
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

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To: Legal Services

Fax #: 465-2029

From: Nancy Manly 465-2794 *Nancy*
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Juneau, AK 99801-1182

of Pages (including cover): 1

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Fax: 907-465-4316

Re HB 76 26-LS0335\S

2/4/10

House State Affairs Committee passed out CS for HB 76 26-LS0335\S. Please draft a final CS.
Thank you!

26-LS0335S
Chenoweth/Cook
3/3/09

CS FOR HOUSE BILL NO. 76()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

*Already
Adopted
1-26-10
CS was adopted
by committee*

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GRUENBERG, BUCH, CISSNA, DOOGAN, GARDNER, GUTTENBERG, HOLMES, KAWASAKI, KERTTULA, PETERSEN, SALMON, AND TUCK, Crawford

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5334
4316

Committee Action on Legislation

HOUSE RECORDS COMMITTEE SECRETARY: LORI ROLAND

JANUARY 26, 2010

HOUSE STATE AFFAIRS STANDING COMMITTEE

PAGE 1 OF 1

#	SHORT TITLE	ACTION TAKEN ON LEGISLATION
		<input type="checkbox"/> Moved Out of Cmte
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		<input type="checkbox"/> Moved HCS () Out of Cmte
		<input checked="" type="checkbox"/> Heard and Held
		<input type="checkbox"/> Heard and Held; Assigned to Subcmte
		<input type="checkbox"/> Scheduled but not Heard
		<input type="checkbox"/> Failed to Move Out of Committee
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		<input type="checkbox"/> Scheduled but not Heard
		<input type="checkbox"/> Failed to Move Out of Committee
		<input type="checkbox"/> Waived Out of Committee

Committee Minutes

Mar 27, 2008

HB 412-LEGISLATIVE COUNCIL & LBA MEMBERSHIP

8:52:36 AM

CHAIR LYNN announced that the last order of business was HOUSE BILL NO. 412, "An Act relating to the membership of the Alaska Legislative Council and the membership of the Legislative Budget and Audit Committee."

8:52:44 AM

REPRESENTATIVE GRUENBERG introduced HB 412 as prime sponsor, on behalf of every member of the House Minority. He said the bill was introduced once before on behalf of every member of the House Minority in the Twenty-Third Alaska State Legislature. He stated that with one exception, HB 412 completes a concept that began back in approximately 1987 or 1988, in the Fifteenth Alaska State Legislature, when a member of the House Minority approached Representative Gruenberg, then the House Majority leader, asking for proportional representation on standing committees. At that time, he noted, "we were not in a coalition," and the members of the Democratic majority agreed to the concept of proportional representation on the standing committees and amended the Uniform Rules accordingly.

REPRESENTATIVE GRUENBERG said that for whatever reason, the membership of the Alaska Legislative Council and the Legislative Budget and Audit Committee was not made proportional at the same time. He noted that those two committees were created by statute and do not require a two-thirds vote, but rather follow a majority vote. He said the only committee that has not been included in HB 412 was the Joint Armed Services Committee, because "we just didn't feel that that was necessary."

8:55:22 AM

REPRESENTATIVE GRUENBERG said there are six sections to the bill which provide proportional representation on the Alaska Legislative Council and the Legislative Budget and Audit Committee. He said both the majority leader and the minority whip support the legislation, although neither one was able to attend today's meeting.

REPRESENTATIVE GRUENBERG, in response to a question from Chair Lynn, described the present make-up of the two committees and how the bill would change them. He said he would have the numbers written down for the chair by the next hearing of the bill.

8:57:10 AM

CHAIR LYNN announced that HB 412 was heard and held.

1988--Senate Journal...

I'd like to move—I'm trying to figure out how to do this, but I'd like to move that we rescind our action in passing CS for Duncan gives notice of reconsideration on HCR 42 rescind previous action in passing it.

Halford...has it been reconsidered? ... we have a question now, we've used the reconsideration...

yes, we've done it both ways.

Notice of reconsideration...noted by president

Duncan...wants ...

Faiks says, we're sending them immediately, need to retrieve the bill. it's in the mill So if you're thinking about it, it's not impossible.

D—thinking about it...Voted against it, will so it again

Want to layout a scenario of difficulty that I think was overlooked, and I think it's potentially very serious. And I hope the members will listen very closely.

Wants to talk about serious problem it raises...been in both m and M...always ended up there through the organizational process. And once that organizational process has been put together, I've always assumed for the most part that that's the organization that was going to be maintained and continue with those committee seats for the duration of the legislature. Let me give you an example of what could happen under this concurrent resolution and under this rule 25%. Let's say we have a majority of 15 and minority of 5, that's the 25%. On a 7 member finance committee, the requirement is 1 minority seat because you ignore the fraction and 25% of 7 is 1.7 something so you ignore the fraction. But let's say that Senator X who is the 5th member of the L&C Committee or some other committee and is in the majority isn't very happy. And so he says to himself, "I can have a seat on finance. All I have to do is quit the majority and join the minority. And according to this rule, because there are now 6 minority members, they have to give me a seat on Finance or one of the other minority members a seat on Finance. And what that means is, one of the majority members on finance has to leave. And what that means is, Madame President, the organizational commitment that was made when you organized is broken. And what that probably means, Madam President, is you've got a disrupted organization. And you've got serious problems. And I guess what I think we're setting ourselves up for by tying in a 25 % ratio is that organizations 1) may never go together—it would be very difficult, but secondly, once they go together they'll keep moving back and forth and you'll never have any stability in the organization because the example I gave you could happen, and I've been around long enough to know that it probably would happen, and they're'd be serious problems within the organization. So I think without further thought, this causes some serious, serious problems. And I look primarily at what could happen when you go from 5 to 6, because 5 is only 1 member on a 7 member committee; 6 is two members on a 7-member committee. And once you do that, you've got to give that proportional representation and you've just broken organizational commitments.

. Say ... quite the majority to get a seat...then..b/c now 6 minority members, they get another seat on finance and a majority member has to leave. organizational commitment is broken

Disrupted organization. Serious problems. Setting up for it with this 25% ratio---organizations may never go together, and then moving back and forth. No stability. Probably would happen. Causes serious serious problems. Especially from 5-6. With 7-member committees.

Breaking organization commitments.

Eliason—I'd just presume you'd increase size of committee

Halford—I think essentially, all of what Senator Duncan said is potentially true. And that is why we'd probably be more apt to organize on the basis of ideology than promise of position.

Coghill—I think that if you read the whole article, the whole rule E and its context, you'll find that the committee on committees makes the report. The C on C report is subject to approval of the majority of the whole membership. I think that the good senator from Juneau is reaching way out there. There's all kinds of possibilities but if we try to justify or to resolve every if in this process, why we'd never pass anything.

Hensley—I listened very very hard to the comments from the senator from Juneau but whether or not the organization is put together on the basis of ideology or position, still it all still comes down to whether or not the commitment is not only strong and clear.

Faiks—that's correct.

Duncan—I agree and those commitments always should be strong and clear and should go through the organization. And the moment you put this rule into effect, commitments will not mean that much anymore because the rule will override them. And if you move one member to Finance and move one member off, that's reorganization. If you expand the committee from 7 to 9 so that you don't have to move any majority member off, I think that also causes serious problems because we all know what that does: the 7 members on Finance want to be there because there's a little bit of, supposed to be, a little bit of influence there and they're one of seven. But if they become one of nine it doesn't mean as much. And if they become one of eleven it doesn't mean as much. I just think, madam president, that it is an admirable try, but it doesn't do anything but cause us some long, long term problems which I've got to tell you, we're going to regret someday down the line probably in another year or two once this rule goes into effect. I would just urge people to carefully consider it. It's the last day; we're rushing into something that we really haven't considered that carefully on this side. And the impact that that rule change will have on future legislatures and future organizations and being able to progress in an orderly fashion, I think is a mistake and would ask people to vote against it.

only will cause long long term problems. Rushing into something not that carefully considered on this side.

Question—shall...pass the Senate?

Roll—passed the Senate on reconsideration on a vote of 13-7.

(someone, maybe Halford) Madam President, I don't know if it's passed the Senate or not.

Faiks—OH! It needs 14 for 2/3rds, you're right, it failed 13-7.

Senator Eliasson--...305 Finance...

Faiks—will hold 305...and Sen. E, you need to make the motion to request this bill back from Hof R, it's gone. Cuz it's gone, this concurrent resolution. Would you make that motion.

E—madam president, us, too bad, it's gone.

Faiks—no you need to, we need to request it back from them, sir.

E—Do we really want to do that? (laughter) Madam Pres, I move and ask u consent that the Senate requests hcr 42 back from the House.

Halford—if it was not in the possession of the body, it was not available for reconsideration or rescinding.

Faiks—that's correct.

Halford—and the action in its passage is final.

Faiks—Senate will stand at ease.

E—I think we're going to have to void the last vote b/c we didn't have the resolution in our possession.

Faiks—the vote is void, sir. The resolution was not in our possession; it's back in the possession of the House of Representatives. A vote is not valid unless the vehicle is in our possession. So the vote on cs for hcr 42 jud on reconsideration is void.

And they move on toward adjournment sine die...

Passed on reconsideration 13-7. Oh, needs 14 so it failed. Eliason needs to ask for it back...from H.

Halford. if not in possession of body, then not available for reconsideration or recision...so vote is void.

Please bring your bill packet for
HB 76
previously scheduled but not heard on 3/12/09.

Attached are additional documents for the HB 76 bill packet:

- List of Committee Members for LB&A
- List of Committee Members for Legislative Council
- Memo from Legislative Research with background information on proportional representation (total 3 pages)

Committee Informational Display

LEGISLATIVE COUNCIL

NO TIME AVAILABLE

Joint Committee

CHAIR: Representative Harris
VICE-CHAIR: Senator Davis
MEMBER: Representative Chenault MEMBER: Senator Ellis
MEMBER: Representative Coghill MEMBER: Senator Elton
MEMBER: Representative Gatto MEMBER: Senator Hoffman
MEMBER: Representative Stoltze MEMBER: Senator Olson
MEMBER: Representative Wilson MEMBER: Senator Stedman
MEMBER: Representative Guttenberg MEMBER: Senator Stevens

Committee Informational Display

LEGISLATIVE BUDGET & AUDIT

NO TIME AVAILABLE

Joint Committee

CHAIR: Senator Meyer

VICE-CHAIR: Representative Dahlstrom

MEMBER: <u>Representative Hawker</u>	MEMBER: <u>Senator Hoffinan</u>
MEMBER: <u>Representative Neuman</u>	MEMBER: <u>Senator Huggins</u>
MEMBER: <u>Representative Thomas</u>	MEMBER: <u>Senator Menard</u>
MEMBER: <u>Representative Doogan</u>	MEMBER: <u>Senator Stedman</u>
ALTERNATE: <u>Representative Stoltze</u>	ALTERNATE: <u>Senator Olson</u>
ALTERNATE: <u>Representative Tuck</u>	



LEGISLATIVE RESEARCH SERVICES

Alaska State Legislature
Division of Legal and Research Services
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March 13, 2009

Memorandum

TO: Representative Max Gruenberg
FROM: Patricia Young, Manager
RE: Proportional Representation of Membership on Legislative Committees
LRS Report 09.207

You asked for background materials available on HCR 42 from the 15th Alaska Legislature (1987-1988), which passed as Legislative Resolve 109. You were particularly interested in materials that might explain why when lawmakers amended Uniform Rule 1(e) to require proportional representation of minority members on standing committees, they did not also change AS § 24.20.020 and AS § 24.20.161 to provide similar proportional representation on Legislative Council and Legislative Budget and Audit.

The Bill History for HCR 42 shows that the measure was heard by the House Judiciary Committee. Minutes from the meeting reflect almost no discussion, although Representative Fritz Pettyjohn, who sponsored the measure, remarked that the change would improve legislative operation since each committee would more easily establish a quorum. The Judiciary Committee bill file contains only the marked up text for the CS and a zero fiscal note. Once passed to the Senate, the measure went straight to Rules. Minutes from that hearing would more accurately be described as *seconds*, and there is no Senate Rules Committee bill file. We attach a copy of the minutes from both committees. No corresponding resolution was considered in the Senate.

We have requested that the State Archives prepare copies of the audio tapes from the floor sessions for both the House and Senate. Those tapes may be available later today, but it is more likely that they will not be available until next week. We will let you know as soon as possible if those recordings reveal anything useful for your purposes.

Perhaps the only thing we can tell you short of speculation is that in the House—with a Democratic majority of 24 to 16—the measure passed unanimously; in the Senate—with a Republican majority of 12 to 8—the measure passed 15 to 5. Four of those five votes against the measure came from Democrats in the minority.¹

It appears that no bills introduced would have affected the membership of Legislative Council or Legislative Budget and Audit until 2003, when Representative Ethan Berkowitz introduced HB 200, which was similar to your current HB 76. That bill—with every member of the House minority signed on—died without a hearing. As you will recall, you introduced a similar bill last year, HB 412. This bill, also supported by every member of the House minority, died in its first committee after one hearing.²

I hope this information is useful. If you have questions or need additional information, please let me know.

¹ Senators who voted against the measure were Republican John Binkley, and Democrats Jim Duncan, Jay Kertula, Pat Rodey, and Mike Szymanski.

² Because Representative Richard Foster votes with the Republican caucus, we have excluded him from our count of minority sponsorship for both bills.

House Judiciary Committee,

April 25, 1988

Chairman Sund called the meeting to order at 1:40 p.m. Present were Representative Ulmer, Representative Gruenberg and Representative Barnes. Representative Taylor arrived at 1:41 p.m., Representative Navarre arrived at 1:50 p.m., and Representative Cotten arrived at 2:20 p.m.

HCR 42

Chairman Sund announced that HCR 42 would be heard first and asked Representative Pettyjohn to address the committee.

Representative Fritz Pettyjohn, sponsor of HCR 42, stated that the bill defines what a minority is. There is a requirement that at least one member of a minority serve on every standing committee. The definition of a minority for purposes of that rule has been a subject of some disagreement. In the bill, a minority is defined as "a group of members who have organized and elected a minority leader and who constitute at least 25% of the total house membership." The 25% is there so there cannot be more than one minority. In addition, it says there shall be a proportionate representation on committees, but in calculating the number of seats a minority would be entitled to, fractional numbers would be ignored. He gave examples to explain how it would work. He felt it would be an improvement on how the legislature operates, it would assist committees in getting a quorum to function more efficiently.

Chairman Sund said there would be two committees in the House that would be changed, Finance and Resources.

Representative Pettyjohn commented that if the percentage of the minority changed, it would apply differently.

Representative Gruenberg verified that the language in line 20 would not preclude giving the minority more than two seats, it was just a minimum.

Representative Taylor moved for passage of HCR 42 with individual recommendations. Chairman Sund suggested adding "proportional" to the title. Representative Pettyjohn agreed. Chairman Sund moved to change to title to reflect that and there was no objection, so the motion was adopted.

As there was no objection to passing CSHCR 42(JUD) with the title change, it moved from committee.

Senate Rules Committee

May 6, 1988

HCR42

The Senate Rules Committee was called to order by Chairman Eliason at 4:05 p.m. The first item on the agenda was HCR 42 (Proposing an amendment to Rule 1(e) of the Uniform Rules of the Alaska State Legislature).

Representative Fritz Pettyjohn, prime sponsor of HCR 42, stated the resolution does two things. First, it defines what a minority is (a group of a house comprising at least 25% of its membership) and, second, it states that the minority is entitled to proportional representation on committees. Fractions of its membership do not count.

Representative Pettyjohn said he did not think it would be an impediment in the Senate with trying to figure out committee assignments. Further, he thought it would have an impact and be beneficial in the House as well.

Senator Eliason said the bill was in the Senate Rules Committee and would be calendared at a later date.

CS FOR HOUSE BILL NO. 76()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES GRUENBERG, BUCH, CISSNA, DOOGAN, GARDNER, GUTTENBERG, HOLMES, KAWASAKI, KERTTULA, PETERSEN, SALMON, AND TUCK, Crawford

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the membership of the Alaska Legislative Council and the**
2 **membership of the Legislative Budget and Audit Committee."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 24.20.020 is amended to read:

5 **Sec. 24.20.020. Membership.** The legislative council is composed of the
6 president of the senate and six other senators appointed by the president, and the
7 speaker of the house of representatives and six other representatives appointed by the
8 speaker. The membership from each house shall meet the requirements of (b) of this
9 section [INCLUDE AT LEAST ONE MEMBER FROM EACH OF THE TWO
10 MAJOR POLITICAL PARTIES]. The appointing authority in each house shall make
11 and announce the appointment or reappointment of members of the council within 15
12 days after the convening of the first regular session of each legislature.

13 *** Sec. 2.** AS 24.20.020 is amended by adding a new subsection to read:

14 (b) The membership from each house must include at least one member from

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each of the two major political parties. The membership from each house must also include the number of minority members that is proportional to the number of minority members in the house compared to the total house membership or to one seat, whichever is greater. In calculating the number of seats to which the minority is entitled, fractional numbers that represent the minority proportional entitlement to a seat shall be ignored. For purposes of this subsection, "minority" means a group of members who have organized and elected a minority leader and who constitute at least 25 percent of the total house membership.

* Sec. 3. AS 24.20.040 is amended to read:

Sec. 24.20.040. Vacancies. When a vacancy occurs in the statutory or appointive membership of the council, the presiding officer of the house incurring the vacancy shall fill the vacancy within 30 days. If the office of the president of the senate or speaker of the house of representatives becomes vacant and a vacancy occurs among the appointed members of the council, the remaining council members from the house incurring the vacancy shall appoint a new member. After a vacancy is filled, the membership of the house that incurred the vacancy must meet the requirements of AS 24.20.020(b) [A LEGISLATOR APPOINTED TO FILL A VACANCY SHALL BE A MEMBER OF THE SAME POLITICAL PARTY AS THE MEMBER VACATING THE SEAT, WHEN POSSIBLE].

* Sec. 4. AS 24.20.161 is amended to read:

Sec. 24.20.161. Membership. The Legislative Budget and Audit Committee is composed of 10 members: the chairs [CHAIRMEN] of the senate and house finance committees; one member selected from each of the senate and house finance committees and appointed by the president of the senate and the speaker of the house, respectively; and three members appointed from each house by the respective presiding officer. The chair [CHAIRMAN] of the finance committee may choose not to serve on the committee. If this occurs, the presiding officer of the appropriate house shall appoint a replacement from the finance committee. The membership from each house shall meet the requirements of (b) of this section [INCLUDE AT LEAST ONE MEMBER FROM EACH OF THE TWO MAJOR POLITICAL PARTIES]. The committee shall select its own chair [CHAIRMAN].

1 * Sec. 5. AS 24.20.161 is amended by adding a new subsection to read:

2 (b) The membership from each house must include at least one member from
3 each of the two major political parties. The membership from each house must also
4 include the number of minority members that is proportional to the number of
5 minority members in the house compared to the total house membership or to one seat,
6 whichever is greater. In calculating the number of seats to which the minority is
7 entitled, fractional numbers that represent the minority proportional entitlement to a
8 seat shall be ignored. For purposes of this subsection, "minority" means a group of
9 members who have organized and elected a minority leader and who constitute at least
10 25 percent of the total house membership.

11 * Sec. 6. AS 24.20.181 is amended to read:

12 **Sec. 24.20.181. Vacancies.** When a vacancy occurs in the statutory or
13 appointive membership of the committee, the presiding officer of the house incurring
14 the vacancy shall choose a successor. If the office of the president of the senate or
15 speaker of the house of representatives becomes vacant and a vacancy from the
16 affected house occurs among the membership of the committee, the remaining
17 committee members from the house incurring the vacancy shall appoint a new
18 member. **After a vacancy is filled, the membership of the house that incurred the**
19 **vacancy must meet the requirements of AS 24.20.161(b).**

20 * Sec. 7. The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

22 **APPLICABILITY.** The amendments made in this Act shall first apply on the date the
23 First Regular Session of the Twenty-Seventh Alaska State Legislature first convenes and
24 apply thereafter. Before that date of convening, AS 24.20.020, 24.20.040, 24.20.161, and
25 24.20.181 shall apply as they read on the day before the effective date of this Act.

Alaska State Legislature

House of Representatives



Representative Max F. Gruenberg, Jr.

House District 20

Anchorage (Mountain View, Russian Jack, East Anchorage)

House Minority Assistant Floor Leader

Member

Standing Committees:

Judiciary
State Affairs
Transportation

Finance Subcommittees:

Administration
Courts

Interim:

716 W 4th Avenue, Rm 350
Anchorage, Alaska 99501-2133
Phone: (907) 269-0123
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Session:

Alaska State Capitol, Rm 110
Juneau, Alaska 99801-1182
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Rep.Max.Gruenberg@legis.state.ak.us

HB 76 – LEGISLATIVE COUNCIL & LB&A MEMBERSHIP

"An Act relating to the membership of the Alaska Legislative Council and the membership of the Legislative Budget and Audit Committee."

Explanation of Changes in Sponsor CS:

The proposed CS for HB 76 (Work Draft 26-LS0355\S) adds a Section 7, which is an applicability section, to HB 76. Section 7 states that the amendments made in HB 76 shall apply on the date the First Regular Session of the Twenty-Seventh Alaska State Legislature first convenes.

Alaska State Legislature

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SPONSOR STATEMENT & SECTIONAL ANALYSIS HB 76 – LEGISLATIVE COUNCIL & LB&A MEMBERSHIP

“An Act relating to the membership of the Alaska Legislative Council and the membership of the Legislative Budget and Audit Committee.”

SPONSOR STATEMENT

HB 76 gives the minority proportional representation on the Legislative Council and the Legislative Budget and Audit Committee.

SECTIONAL ANALYSIS

Secs 1 and 2: Requires the membership of the Legislative Council from each house to include the number of minority members that is proportional to the number of minority members in the house compared to the total house membership. Uses the definition of “minority” that is used in the proportional representation requirement under Uniform Rule 1(e).

Sec. 3: Ensures that a vacancy in the legislative council is filled in a manner that preserves the proportional representation requirement.

Secs. 4 and 5: Applies a similar majority/minority proportional representation requirement to the Legislative Budget and Audit Committee membership from each house. Uses the definition of “minority” that is used in the proportional representation requirement under Uniform Rule 1(e).

Sec. 6: Ensures that a vacancy in the Legislative Budget and Audit Committee is filled in a manner that preserves the proportional representation requirement.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB76
() Publish Date: _____

Identifier (file name): HB76-LEG-COU-3-11-09 Dept. Affected: Legislature
Title: "An Act relating to the membership of the Alaska
Legislative Council and the membership of the..." RDU: Legislative Council
Sponsor: Representatives Gruenberg, Buch, Cissna, Doogan..." Component: Council and Subcommittees
Requester: House State Affairs Component Number: 783

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)
This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626
Division: Legislative Affairs Agency Date/Time 3/11/09 8:41 AM
Approved by: Pamela Varni, Executive Director Date 3/11/2009
Legislative Affairs Agency

MINIMUM MINORITY MEMBERSHIP

ON STANDING COMMITTEES

(Uniform Rule 1(e))

HOUSE

SIZE OF MINORITY	SIZE OF COMMITTEE				
	5	7	9	11	13
19 (.475)	2	3	4	5	6
18 (.45)	2	3	4	4	5
17 (.425)	2	2	3	4	5
16 (.4)	2	2	3	4	5
15 (.375)	1	2	3	4	4
14 (.35)	1	2	3	3	4
13 (.325)	1	2	2	3	4
12 (.3)	1	2	2	3	3
11 (.275)	1	1	2	3	3
10 (.25)	1	1	2	2	3

SENATE

SIZE OF MINORITY	SIZE OF COMMITTEE				
	5	7	9	11	13
9 (.45)	2	3	4	4	5
8 (.4)	2	2	3	4	5
7 (.35)	1	2	3	3	4
6 (.3)	1	2	2	3	3
5 (.25)	1	1	2	2	3

ORGANIZATION OF FIRST SESSION

Rule 1. Organization of First Session. (a) At the time for convening of the first regular session of a legislature the lieutenant governor calls each house to order separately and calls the roll of members whose election has been certified. The lieutenant governor then administers the oath of office to the new members and, pending the election of temporary presiding officers, preserves order and decorum in the house.

(b) When the house by a majority vote of the full membership of the house selects a temporary presiding officer, the temporary presiding officer assumes the chair and the lieutenant governor withdraws. The temporary presiding officer then calls for nominations for a permanent presiding officer and the nominee receiving a majority vote of the full membership of the house becomes the permanent presiding officer for the two-year duration of the legislature. If a permanent presiding officer is not elected by the seventh legislative day, on the eighth legislative day the temporary presiding officer shall call for nominations for a permanent presiding officer from the floor. A roll call vote shall be taken on the persons nominated. Election of a permanent presiding officer requires a majority vote of the full membership of the house.

(c) Pending the organization of the house a secretary assigned by the Legislative Council assists the lieutenant governor and the temporary and permanent presiding officers in the performance of their duties.

(d) The Uniform Rules of the Legislature of the previous regular session or any authorized revision of those rules are used as the temporary rules until the Rules Committee reports on and the legislature in joint session adopts permanent uniform rules.

(e) The presiding officer shall announce, not later than the day following election, the appointment of a Committee on Committees consisting of five members including the presiding officer. The presiding officer chairs the Committee on Committees. The committee is responsible for nominating the members of the standing committees as set out in Rule 20 and the member who is to chair each standing committee to serve for the two-year duration of the legislature. The membership of each committee shall total to an uneven number. On each standing committee the minority is entitled to the number of seats that is proportional to the number of minority members compared to the total house membership or to one seat, whichever is greater. In calculating the number of seats the minority is entitled to, fractional numbers that represent the minority proportional entitlement to a seat shall be ignored. The report of the Committee on Committees is subject to approval by a majority vote of the full membership of the house. For purposes of this subsection "minority" means a group of members who have organized and elected a minority leader and who constitute at least 25 percent of the total house membership.

**Alaska State Legislature
House of Representatives**



Representative Max F. Gruenberg, Jr.
House District 20
Anchorage (Mountain View, Russian Jack, East Anchorage)
House Minority Assistant Floor Leader

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Member
Standing Committees:
Judiciary
State Affairs
Transportation

Finance Subcommittees:
Administration
Courts
Law

TO: Representative Bob Lynn
FROM: Representative Max F. Gruenberg, Jr. *MFG*
DATE: February 26, 2009
RE: HB 76: Legislative Council and Legislative Budget and Audit Committee

Please consider this memorandum as a request for the House Judiciary Committee to schedule a hearing on HB76. Accompanying this memo are the following documents:

- HB76 – 26-LS0335\E
- Sponsor Statement & Sectional Analysis

Thank you for considering my request for a hearing on HB76.