

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 80/2

3609 HRLS HB 627 - HCR 26

485



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

9/5/89
Date

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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

May, 1988

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

Mary Van Nimwegen

House Rules 4-7-86 8:33am

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

4/10
4/11/86

Revision Date : 4/08/86

REQUEST Page 1 of 3
 Bill/Resolution No. : CSHB 647 (Fin)
 Title : "An Act establishing requirements for warning placards and for municipal reporting programs for hazardous materials..."
 Sponsor : Representative Hurley
 Requestor : House Finance
 Date of Request : 4/08/86

FISCAL DETAIL
 Agency Affected : Public Safety
 BRU : Fire Prevention
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		23.7	24.9	26.1	27.4	28.8
SUPPLIES		9.9	10.4	10.9	11.5	12.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		33.6	35.3	37.0	38.9	40.8

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		50.0	50.0	50.0	50.0	50.0
---------	--	------	------	------	------	------

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER		33.6	35.3	37.0	38.9	40.8
TOTAL		33.6	35.3	37.0	38.9	40.8

POSITIONS :

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

K. V. [unclear]

Prepared by : Gordon E. Brunton
 Division : Fire Prevention

Phone : 465-4331
 Date : 4/08/86

Approved by Commissioner : [Signature]
 Agency : Public Safety

Date : 4/13/86

Distribution (by Agency preparing fiscal note):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill Resolution No. DRAFT CSHB 647 (Fin)

Page 2 of 3

ASSUMPTIONS

The magnitude of the hazardous materials and wastes handled in Alaska is unknown, but estimated to be in the thousands.

The Department of Environmental Conservation estimates that there are between 5,000 and 10,000 hazardous waste producers.

The program will be in position to start up on January 1, 1987.

Persons requesting placards will be charged \$10.00 each, in order to recover costs associated with the program.

A 5% inflation factor was used for succeeding years.

CONTRACTUAL

73322	Telephones \$100/month	1.2
73381	Postage, mailing lists, forms, placards	4.0
73540	Advertising: hearing notices, public awareness messages	2.6
73560	Printing:	
	Typesetting placards, lists, forms	1.5
	Print 20,000 summary lists, 1 page ea.	1.0
	Print 2,000 comprehensive lists, 100 pages ea.	5.3
	Print 10,000 initial inventory forms (3 pt carbon)	0.6
	Print 5,000 continuation inventory forms (3 pt carbon)	0.3
	Print 5,000 placards	2.9
73563	Subscriptions	
	Trade Journals	0.3
	Safety Sheets on Micro Fiche	4.0

Total Contractual \$23.7

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. DRAFT CSHB 647 (Fin)

Page 3 of 3

SUPPLIES

74220	Educational/Instructional training materials, pamphlets, books, guides	2.0
74229	Stationery & office supplies	0.4
	Mailing tubes for placards 5K X \$1.00	5.0
74609	Audio Visual training supplies, films, videos, 5 ea X \$500	2.5
	Total Supplies	<hr/> 9.9

REVENUE

5,000 placards per year X \$10.00	50.0
-----------------------------------	------



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

HOUSE RULES STANDING COMMITTEE MEETING

MONDAY, APRIL 7, 1986

8:30 A.M. - CAPITOL, ROOM 208

HB 627 - "An Act relating to the use of water."
(Rep. Mike W. Miller)

I N D E X

- I. Memo dated April 7, 1986 regarding HB 627, with applicable statutes attached.
- II. Proposed version CSHB 627(RULES)
- III. CSHB 627(RESOURCES)
- IV. Memo dated 4/5/86 re: Analysis of CSHB 627(RULES)
- V. Memo dated 3/12/86 re: Current statutory and regulatory references allowing the small scale use of water.
- VI. Fiscal note



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules


Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

I

MEMORANDUM

DATE: APRIL 7, 1986

To: House Rules Committee Members
From: Rep. Mike W. Miller, Chairman 
Subject: HB 627 - "An Act relating to the use of water."

THE PROPOSED CSHB 627(RULES) WE HAVE MADE THE FOLLOWING CHANGES TO THE CSHB 627(RESOURCES) VERSION:

**ON PAGE 1, LINE 11:

AFTER THE WORD DETERMINES, ADDED: under AS 46.15.080(b)

(IN REFERRING TO THE attached ALASKA STATUTE Sec. 46.15.080(b) - this requires the commissioner to take into consideration (8) specified criteria in determining public interest.

**ON PAGE 1, LINE 12, AFTER THE WORD WATER:

**ON PAGE 1, LINE 14, BEFORE THE WORD ACQUIRES:

ADDED: without a permit

(this clarifies that we are talking about the insignificant use of water without a permit - as opposed to an insignificant use of water for which a permit has been received.)

**ON PAGE 1, LINE 24:

ADDED: except that the commissioner shall notify the Department of Fish and Game of each application to appropriate water from a stream designated under AS 16.05.870.

(IN REFERRING TO THE attached ALASKA STATUTE Sec. 16.05.080, this directs the Commissioner of DNR to notify Dept. of Fish and Game of all applications to appropriate water from anadromous fish streams. (Streams where fish go up to spawn.)

ATTACHMENT

Sec. 46.15.080. Criteria for issuance of permit. (a) The commissioner shall issue a permit if he finds that

- (1) rights of a prior appropriator will not be unduly affected;
- (2) the proposed means of diversion or construction are adequate;
- (3) the proposed use of water is beneficial; and
- (4) the proposed appropriation is in the public interest.

(b) In determining the public interest, the commissioner shall consider

(1) the benefit to the applicant resulting from the proposed appropriation;

(2) the effect of the economic activity resulting from the proposed appropriation;

(3) the effect on fish and game resources and on public recreational opportunities;

(4) the effect on public health;

(5) the effect of loss of alternate uses of water that might be made within a reasonable time if not precluded or hindered by the proposed appropriation;

(6) harm to other persons resulting from the proposed appropriation;

(7) the intent and ability of the applicant to complete the appropriation; and

(8) the effect upon access to navigable or public waters. (§ 1 ch 50 SLA 1966)

Sec. 16.05.870. Protection of fish and game. (a) The commissioner shall, in accordance with the Administrative Procedure Act (AS 44.62), specify the various rivers, lakes and streams or parts of them that are important for the spawning, rearing or migration of anadromous fish.

II

WORK DRAFT

WORK DRAFT

WORK DRAFT

Bradley
4/4/86

Original sponsor: M.W.Miller by request

1 IN THE HOUSE BY THE RULES COMMITTEE
 2 CS FOR HOUSE BILL NO. 627 (Rules)
 3 IN THE LEGISLATURE OF THE STATE OF ALASKA
 4 FOURTEENTH LEGISLATURE - SECOND SESSION
 5 A BILL

6 For an Act entitled: "An Act relating to the use of water."

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

8 * Section 1. AS 46.15 is amended by adding a new section to read:

9 Sec. 46.15.045. SMALL SCALE USE OF WATER. A person may use less
 10 than a significant amount of water without a permit unless the commis-
 11 sioner determines ^{add:} under AS 46.15.080(b) that the use of less than a
 12 significant amount of water ^{add:} without a permit is not in the public
 13 interest. A person using less than a significant amount of water
 14 ^{add:} without a permit acquires no water right or priority unless an appli-
 15 cation is filed and a permit or certificate is issued under AS 46.15.-
 16 030 - 46.15.185.

17 * Sec. 2. AS 46.15.133(f) is amended to read:

18 (f) The commissioner may, by regulation, designate additional
 19 types of appropriations that [WHICH] are exempt from this section and
 20 provide simplified procedures for ruling on the applications.

21 * Sec. 3. AS 46.15.133 is amended by adding a new subsection to read:

22 (g) An application to appropriate not more than 1,000 gallons of
 23 water a day is exempt from the notice provisions of this section
 24 ^{add:} except that the commissioner shall notify the Department of Fish and
 25 Game of each application to appropriate water from a stream designated
 26 under AS 16.05.870. Notwithstanding this subsection, the commissioner
 27 may require public notice under this section

28 (1) on a determination that the total amount of water
 29 available in an area is limited considering the number of potential

1 users from the source of the water; or

2 (2) on request of the municipality in which the area is
3 located.

4 * Sec. 4. AS 46.15.260 is amended to read:

5 Sec. 46.15.260. DEFINITIONS. In this chapter, unless the
6 context otherwise requires,

7 (1) "appropriate" means

8 (A) to divert, impound, or withdraw a quantity of
9 water from a source of water, for a beneficial use; or

10 (B) to reserve water under [IN ACCORDANCE WITH]
11 AS 46.15.145;

12 (2) "appropriation" means

13 (A) the diversion, impounding, or withdrawal of a
14 quantity of water from a source of water for a beneficial use; or

15 (B) the reservation of water under [IN ACCORDANCE
16 WITH] AS 46.15.145;

17 (3) "beneficial use" means a use of water for the benefit
18 of the appropriator, other persons or the public, that is reasonable
19 and consistent with the public interest, including, but not limited
20 to, domestic, agricultural, irrigation, industrial, manufacturing,
21 fish and shellfish processing, navigation and transportation, mining,
22 power, public, sanitary, fish and wildlife, recreational uses, and
23 maintenance of water quality;

24 (4) "source of water" means a substantial quantity of water
25 capable of being put to beneficial use;

26 (5) "water" means all water of the state, surface and
27 subsurface, occurring in a natural state, except mineral and medicinal
28 water;

29 (6) "commissioner" means the commissioner of natural

1 resources;

2 (7) "director" means the director of land and water manage-
3 ment [THE DIVISION OF LANDS], Department of Natural Resources;

4 (8) "person" includes an individual, partnership, asso-
5 ciation, public or private corporation, state agency, municipality
6 [POLITICAL SUBDIVISION] of the state, and the United States; [.]

7 (9) "mineral and medicinal water" means

8 (A) water of a hot spring or spring with curative
9 properties that [WHICH] has been reserved by the federal govern-
10 ment under Public Land Order No. 399; and

11 (B) geothermal fluid, as [THE TERM IS] defined in
12 AS 41.06.060;

13 (10) "significant amount of water" means

14 (A) a use of more than 5,000 gallons of water in a
15 single day from a single source; or

16 (B) the regular daily or recurring seasonal use of
17 more than 500 gallons of water a day for 10 days or more a year
18 from a single source; or

19 (C) a water use that may adversely affect the water
20 rights of another appropriator or the public interest.

Offered: 3/21/86
Referred: Health, Education &
Social Services

III

Original sponsor: M.W.Miller by request

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 627 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the use of water."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 46.15 is amended by adding a new section to read:

9 Sec. 46.15.045. SMALL SCALE USE OF WATER. A person may use less
10 than a significant amount of water without a permit unless the commis-
11 sioner determines ^{add: UNDER AS 46.15.080(B)} that the use of less than a significant amount of
12 water ^{add: WITHOUT A PERMIT} is not in the public interest. A person using less than a
13 significant amount of water ^{add: WITHOUT A PERMIT} acquires no water right or priority unless
14 an application is filed and a permit or certificate is issued under
15 AS 46.15.030 - 46.15.185.

16 * Sec. 2. AS 46.15.133(f) is amended to read:

17 (f) The commissioner may, by regulation, designate additional
18 types of appropriations that [WHICH] are exempt from this section and
19 provide simplified procedures for ruling on the applications.

20 * Sec. 3. AS 46.15.133 is amended by adding a new subsection to read:

21 (g) An application to appropriate not more than 1,000 gallons of
22 water a day is exempt from the notice provisions of this section. ^{add}
23 Notwithstanding this subsection, the commissioner may require public ^{SEE BELOW}
24 notice under this section

25 (1) on a determination that the total amount of water
26 available in an area is limited considering the number of potential
27 users from the source of the water; or

28 (2) on request of the municipality in which the area is
29 located.

EXCEPT THAT THE COMMISSIONER SHALL NOTIFY THE DEPT. OF
FISH AND GAME OF EACH APPLICATION TO APPROPRIATE WATER
FROM A STREAM DESIGNATED UNDER AS 16.05.870

1 * Sec. 4. AS 46.15.260 is amended to read:

2 Sec. 46.15.260. DEFINITIONS. In this chapter, unless the
3 context otherwise requires,

4 (1) "appropriate" means

5 (A) to divert, impound, or withdraw a quantity of
6 water from a source of water, for a beneficial use; or

7 (B) to reserve water under [IN ACCORDANCE WITH]
8 AS 46.15.145;

9 (2) "appropriation" means

10 (A) the diversion, impounding, or withdrawal of a
11 quantity of water from a source of water for a beneficial use; or

12 (B) the reservation of water under [IN ACCORDANCE
13 WITH] AS 46.15.145;

14 (3) "beneficial use" means a use of water for the benefit
15 of the appropriator, other persons or the public, that is reasonable
16 and consistent with the public interest, including, but not limited
17 to, domestic, agricultural, irrigation, industrial, manufacturing,
18 fish and shellfish processing, navigation and transportation, mining,
19 power, public, sanitary, fish and wildlife, recreational uses, and
20 maintenance of water quality;

21 (4) "source of water" means a substantial quantity of water
22 capable of being put to beneficial use;

23 (5) "water" means all water of the state, surface and
24 subsurface, occurring in a natural state, except mineral and medicinal
25 water;

26 (6) "commissioner" means the commissioner of natural re-
27 sources;

28 (7) "director" means the director of land and water
29 management [THE DIVISION OF LANDS], Department of Natural Resources;

1 (8) "person" includes an individual, partnership, asso-
2 ciation, public or private corporation, state agency, municipality
3 [POLITICAL SUBDIVISION] of the state, and the United States; [.]

4 (9) "mineral and medicinal water" means

5 (A) water of a hot spring or spring with curative
6 properties that [WHICH] has been reserved by the federal govern-
7 ment under Public Land Order No. 399; and

8 (B) geothermal fluid, as [THE TERM IS] defined in
9 AS 41.06.060;

10 (10) "significant amount of water" means

11 (A) a use of more than 5,000 gallons of water in a
12 single day from a single source; or

13 (B) the regular daily or recurring seasonal use of
14 more than 500 gallons of water a day for 10 days or more a year
15 from a single source; or

16 (C) a water use that may adversely affect the water
17 rights of another appropriator or the public interest.

MEMORANDUM

TO: Representative Mike W. Miller

FROM: Staff *Jene*

DATE: 4/5/86

RE: Analysis of CSHB 627 (RULES)

Section 1

amends the Water Use Act (AS 46.15) by stating that a water use permit is not necessary for an individual who wishes to use an insignificant amount of water unless, such a use is against the public interest as determined by the Commissioner of DNR. A person using less than a significant amount of water, without a water use permit, who decides not to apply for a permit for the use, does not acquire a right or priority to the water resource.

Section 2

allows the Commissioner of DNR to promulgate regulations to exempt public notice of applications for water rights in addition to the exemption outlined in Section 3 of this bill.

Section 3

allows the Commissioner of DNR to issue a water use permit for up to 1000 gallons of water per day without providing public notice as outlined in AS 46.15.133. However, notice is given to DF&G of all applications to appropriate water from anadromous fish streams. The Commissioner of DNR may disregard this subsection if:

- (1) he or she determines the total amount of water available to an area is limited for the total number of possible users; or,
- (2) the application being filed is for an area that lies within the boundary of a municipality that has requested notification of all water appropriation within its boundaries.

Section 4

(I) rewrites the current statutory language of AS 46.15.260. definitions (1)-(9) to make technical language modifications as requested by the Division of Legal Services. These changes do not alter the affect of the current statutory language.

(II) adds an additional definition number 10 which defines "significant amount of water" as:

- a) a use of more than 5,000 gallons of water in one day from a single source; or,
- b) the recurring daily use of more than 500 gallons of water for 10 or more days, in a year, from a single source; or,
- c) a use that may adversely affect the water rights of others users or the public interest.

MEMORANDUM

TO: Representative Mike W. Miller

FROM: Staff

DATE: 3/12/86

RE: Current statutory and regulatory references allowing the small scale use of water

The current statutory references pertaining to the use of water are found in Title 46 of the Alaska Statutes and Title 11 of the Alaska Administrative Code.

AS 46.15.040. Right to appropriate. (a) A right to appropriate water can be acquired only as provided in this chapter. No right to use of water either appropriated or unappropriated shall be acquired by adverse use or possession.

(b) A right to appropriate water shall be obtained by first making application to the commissioner for a permit to appropriate. The commissioner shall by regulation prescribe the form and contents of the application and the procedure for filing the application. If a permit is granted and the means of appropriation is constructed, a certificate of appropriation may be obtained.

The Alaska Administrative Codes speak to the appropriation of water in 11 AAC 93.

11 AAC 93.040. APPLICATION FOR A PERMIT TO APPROPRIATE WATER.

(a) Unless exempted by sec. 920 of this chapter, no person may lawfully appropriate water of the state without first obtaining a permit under the provisions of secs. 40-120, 210-220, or 260 of this chapter.

11 AAC 93.920. EXEMPTIONS. Any person using less than a significant amount of water as defined in sec. 970 of this chapter is not guilty of a misdemeanor for appropriating water without a permit. However, any person using less than a significant amount of water acquires no water right or priority unless an application is filed and a permit or certificate is issued in accordance with secs. 40-140 of this chapter. Water used without a permit or certificate is subject to appropriation by others and the use of water without a water right is subject to curtailment in order to supply water to lawful appropriators of record.

11 AAC 93.970. DEFINITIONS. Unless the context indicates otherwise, in this chapter

(14) "significant amount of water" means any use of 5,000 or more gallons of water in a single day from a single source, or the regular daily or recurring seasonal use of 500 or more gallons of water per day for 10 days or more per year from a single source, or any water

use that may adversely affect the water rights of other appropriators or the public interest.

With regard to the public notice requirements when a person applies for a water use permit, 11 AAC 93.100 allows the following exemption for individuals applying for water rights for domestic use.

11 AAC 93.100 EXEMPTIONS TO NOTICE. An application to appropriate no more than 1000 gallons of water per day for single family domestic purposes is exempt from the notice provisions of sec. 80 of this chapter. However, in areas where the total amount of water available appears to the department to be limited with respect to the number of potential users of the same source, or upon the request of a municipality as defined by AS 29, the commissioner will, in his discretion, require public notice as provided by sec, 80 of this chapter.

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 627
Title : Use of Water Without Appropriation

Sponsor : M.W. Miller
Requestor House Resources
Date of Request : 3-18-86

FISCAL DETAIL

Agency Affected : Natural Resources
BRU : Minerals Management, Land & Water Mgmt.

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Gary Johnson Phone : 762-4346
Division : Land & Water Management Date : 03-18-86

Approved by Commissioner : Neil Folan Date : 03-18-86
Agency : Natural Resources

Distribution (by Agency preparing fiscal note) :

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



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

9/5/89
Date

HCR

15

4/18/85

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1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Rules Committee, 4/18/85 8:30 am

COMMITTEE REPORT

HOUSE

(7)

4/8/85

FURTHER:

Date: APRIL 18, 1985

The Committee on RULES has had HCR 15

Relating to the control of wolf predation.

under consideration and recommends:

do pass do not pass

do pass with attached amendments(s)

replace with CS for HCR 15 (Rules) same title new title

and recommends _____

AND attaches a "Letter of Intent" New Fiscal Note

reports it back without recommendation Zero Fiscal Note Attached

referred to the _____ Committee

MEMBERS SIGNING DO PASS

Miller

M.W. Miller

Wallis

F. Kay Wallis

MEMBERS HAVING OTHER RECOMMENDATIONS:

Fuller

Jan Fuller

Grussendorf

Len Grussendorf

Davis

Mike Davis NO REC.

Pignatelli

Mike Pignatelli NO REC.

Martin

Terry Martin No Rec.

M.W. Miller

CHAIRMAN

CALL MEETING TO ORDER:

HOUSE RULES STANDING COMMITTEE

THURSDAY, APRIL 18, 1985

T I M E: _____

INDICATE MEMBERS PRESENT AND ABSENT:

Cmte. Members Chairman M.W. Miller
Speaker Grussendorf
Rep. Fuller
Rep. Martin
Rep. Davis
Rep. Pignalberi

THE COMMITTEE CALENDAR TODAY IS: HCR 15 - by Rep. Shultz - Relating to
the control of wolf predation.

Request motion to adopt CS HCR 15 (Rules) and bring it before the committee
for discussion.

Rules CS makes one change to original resolution:

On Page 2, Lines 12 and 13, DELETE: EQUAL IN SCALE TO THOSE NOW BEING
SPONSORED BY WOLF PROTECTIONIST GROUPS:

Into the deleted section, insert: and the need for wolf management

This section will read: FURTHER RESOLVED that the legislature urges the
Governor to direct the commissioner of fish and game to implement a
public education program on wolf behavior and the need for wolf manage-
ment;

OPEN FOR DISCUSSION

(DAVE STANCLIFF OR REP. SHULTZ WILL BE AVAILABLE IF THERE ARE ANY
QUESTIONS.)

REQUEST APPROVAL OF THE MOTION TO PASS CS HCR 15 (RULES) FROM COMMITTEE
WITH INDIVIDUAL RECOMMENDATIONS.



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

RULES COMMITTEE MEETING
THURSDAY, APRIL 18, 1985

A G E N D A

HCR 15 - Relating to the control of wolf predation.
(by Rep. Shultz)

I N D E X

- I. Proposed CS HCR 15 (RULES)
- II. Original Version HCR 15

Hein
4/15/85

Original sponsor: Shultz

1 IN THE HOUSE BY THE RULES COMMITTEE
 2
 3 CS FOR HOUSE CONCURRENT RESOLUTION NO. 15 (Rules)
 4 IN THE LEGISLATURE OF THE STATE OF ALASKA
 5 FOURTEENTH LEGISLATURE - FIRST SESSION

6 Relating to the control of wolf preda-
 7 tion.

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

9 WHEREAS sound management of fish and game is critical to those state
 10 residents who are most dependent on subsistence resources; and

11 WHEREAS wolf predation has a direct affect on ungulate populations
 12 such as moose, caribou, and sheep; and

13 WHEREAS many of the animals that state residents customarily and
 14 traditionally depend on for subsistence are preyed upon by wolves; and

15 WHEREAS wolf protectionist groups have distributed a great deal of
 16 information to the public concerning wolf behavior; and

17 WHEREAS professional wildlife managers in the Department of Fish and
 18 Game are knowledgeable on wolf behavior; and

19 WHEREAS state residents should be able to rely heavily upon the
 20 expertise of state wildlife managers for information; and

21 WHEREAS state residents need reliable, accurate, unemotional informa-
 22 tion on which to base a decision concerning wolf control; and

23 WHEREAS state residents who are incorrectly informed or emotionally
 24 sensitized may oppose wolf control to the detriment of the moose, caribou,
 25 and sheep populations; and

26 WHEREAS the destruction of moose, caribou, and sheep resulting from
 27 lack of management of wolves may severely jeopardize subsistence ^{and sport hunting} hunting
 28 opportunities for local area residents; and

29 WHEREAS Article VIII, sec. 4, Constitution of the State of Alaska,
 mandates that our game resources be managed on a "sustained yield basis,

1 subject to preferences among beneficial uses"; and

2 WHEREAS state subsistence laws state that subsistence use of game
3 animals is the highest and best use; and

4 WHEREAS state residents depend more heavily on moose, caribou, and
5 sheep than on wolves for subsistence;

6 BE IT RESOLVED that the Alaska State Legislature urges the Governor to
7 direct the commissioner of fish and game and the Board of Game to manage
8 moose, caribou, and sheep stocks so that customary and traditional subsis-
9 tence activities ^{7 sports hunting activities.} are not diminished due to wolf predation; and be it

10 FURTHER RESOLVED that the legislature urges the Governor to direct the
11 commissioner of fish and game to implement a public education program on
12 wolf behavior ^{add:} ~~and the need for wolf management;~~ ^{del: [equal in scale to those now being} and be it

13 FURTHER RESOLVED that the legislature, ^{sponsored by wolf protection groups]} in recognition of the harmful
14 effects that wolves may have on subsistence lifestyles, ^{7 sports hunting activities} encourages members
15 of local rural communities to work together to help solve wolf control
16 problems in their areas.

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Introduced: 3/1/85
Referred: Resources

1 IN THE HOUSE

BY SHULTZ

2

HOUSE CONCURRENT RESOLUTION NO. 15

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Relating to the control of wolf preda-

6

tion.

7

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

8

WHEREAS sound management of fish and game is critical to those state residents who are most dependent on subsistence resources; and

10

WHEREAS wolf predation has a direct affect on ungulate populations such as moose, caribou, and sheep; and

12

WHEREAS many of the animals that state residents customarily and traditionally depend on for subsistence are preyed upon by wolves; and

14

WHEREAS wolf protectionist groups have distributed a great deal of information to the public concerning wolf behavior; and

16

WHEREAS professional wildlife managers in the Department of Fish and Game are knowledgeable on wolf behavior; and

18

WHEREAS state residents should be able to rely heavily upon the expertise of state wildlife managers for information; and

20

WHEREAS state residents need reliable, accurate, unemotional information on which to base a decision concerning wolf control; and

22

WHEREAS state residents who are incorrectly informed or emotionally sensitized may oppose wolf control to the detriment of the moose, caribou, and sheep populations; and

25

WHEREAS the destruction of moose, caribou, and sheep resulting from lack of management of wolves may severely jeopardize subsistence hunting opportunities for local area residents; and

28

WHEREAS Article VIII, sec. 4, Constitution of the State of Alaska, mandates that our game resources be managed on a "sustained yield basis,

29

1 subject to preferences among beneficial uses"; and

2 WHEREAS state subsistence laws state that subsistence use of game
3 animals is the highest and best use; and

4 WHEREAS state residents depend more heavily on moose, caribou, and
5 sheep than on wolves for subsistence;

6 BE IT RESOLVED that the Alaska State Legislature urges the Governor to
7 direct the commissioner of fish and game and the Board of Game to manage
8 moose, caribou, and sheep stocks so that customary and traditional subsis-
9 tence activities are not diminished due to wolf predation; and be it

10 FURTHER RESOLVED that the legislature urges the Governor to direct the
11 commissioner of fish and game to implement a public education program on
12 wolf behavior, ^{delete:} equal in scale to those now being sponsored by wolf protec-
13 tionist groups; ^{add: and the need for wolf management} and be it

14 FURTHER RESOLVED that the legislature, in recognition of the harmful
15 effects that wolves may have on subsistence lifestyles, encourages members
16 of local rural communities to work together to help solve wolf control
17 problems in their areas.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

HCR

26

4/11/85

HCR 26 - see 5/02/85



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

2nd CS HCR 26 (Rules)

CURRENT VERSION
RULE 23(a)

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.

PROPOSED VERSION

* Section 1. Rule 23 of the Uniform Rules of the Alaska State Legislature is amended to read:

* Section 1. Rule 23 of the Uniform Rules of the Alaska State Legislature is amended to read:

RULE 23. COMMITTEE MEETINGS. (a) At least five days before the meeting, written [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 3:00 [4:00] p.m. on the day notice is given if the legislature is in session. If the legislature is not in session the notice shall be provided to a Legislative Information Office. The office to which the notice is provided shall distribute the notice to each other Legislative Information Office or Legislative Teleconference Center that is open during the interim [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].

(b) The notice requirement of (a) of this section [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.

(c) The chief clerk or secretary shall publish and distribute each day the house is in session a [COPIES OF THE WEEKLY] schedule of committee meetings scheduled for the next seven days [AND OF THE FIVE-DAY NOTICE OF HEARING].

Section 1

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" entirely and instead maintain a 5-day written notice on all legislation.

Rule 23(a) is amended to require that the daily notice be supplied to the Chief Clerk by 3:00 p.m. This makes it more workable for the print shop and Chief Clerk's Office.

Rule 23(a) is amended in the 2nd CS HCR 26 (RULES) and requires that standing, special and joint committees shall provide 5-day notification to a Legislative Information Offices when the legislature is not in session. The Legislative Information Offices will then notify each other Leg. Info. Office and Leg. Teleconference Center 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), 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.

ANALYSIS

CURRENT VERSION
RULE 23(b)

(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.

PROPOSED VERSION

6 (d) If the time or place of a committee meeting is changed from
7 that shown in the schedule of committee meetings, the [(b) THE
8 person who chairs a standing, special, or joint committee shall
9 provide the chief clerk or secretary written notice of the change.
10 Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE
11 NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall
12 be announced if a regular floor session occurs between the time the
13 meeting was scheduled and the time of the changed meeting [BY THE
14 CHIEF CLERK OR SECRETARY] and published as a notice in the journal of
15 the house.

ANALYSIS

Rule 23(d) previously 23(b), rewrites this section to comply with the proposed 5-day notice of meetings. This requires that changes in time or place of committee meetings shall be announced if a regular floor session occurs between the time the meeting was scheduled and the time of the changed meeting. This change strengthens current policy. The requirement of announcing changes of subject matter has been deleted from this provision.

(LEGAL OPINIONS ON THIS INDICATE THAT TO FULLY INTERPRET THIS PROVISION, IT MUST BE READ TOGETHER WITH RULE 23(a). THEREFORE, INTRODUCTION OF A NEW SUBJECT MATTER WOULD DEFEAT NOTICE REQUIREMENTS IN RULE 23(a). LEGAL SERVICES DID NOT FEEL THAT IT WAS THE ORIGINAL INTENT OF THE CURRENT WORDING TO ALLOW ADDITION OF A NEW SUBJECT MATTER.)

CURRENT VERSION
RULE 23(c)

(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.

PROPOSED VERSION

16 (e) [(c)] A scheduled meeting of a standing, special, or joint
17 committee may be cancelled or consideration of the scheduled subject
18 matter may be postponed or cancelled at any time. If possible, notice
19 of the cancellation shall be given in the same manner as provided for
20 notice of change in (d) [(b)] of this rule.

ANALYSIS

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 subject.

(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
RULE 23(d)

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

PROPOSED VERSION

Rule 23(f) - Reflects the breakdown of Rule 23(a) into (a), (b) (c) into three separate sections and shows that the provisions now relate to (a) - (d).

ANALYSIS

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

CURRENT VERSION
RULE 23(e)

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

(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.

28 (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
29 apply to meetings of

PROPOSED VERSION

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

3 (2) the Committee on Committees referred to in Rule 1(e):
4 or

5 (3) standing, special, or joint committees during a special
6 session [WHEN THE COMMITTEE MEETS DURING THE INTERIM BETWEEN SES-
7 SIONS].

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 show that the provisions of 23(a) to 23(f) do not apply to special sessions which in reality could make it impossible to comply with the previous and proposed notice requirements.

ANALYSIS

Rule 23(g) - (3) originally stated that the provisions in (a) - (f) of the original version of HCR 26 would not apply to standing, special, or joint committees during the interim between sessions. In the proposed CS HCR 26(RULES), we have created a new policy contained in Rule 23(a) to require that these committees must meet the notice requirements, however, they shall provide notice to a Legislative Information Office.

CURRENT VERSION
RULE 23(f)

(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.

(f) Each standing, special, and joint committee

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

(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

PROPOSED VERSION

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

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

(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) shall [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.

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

ANALYSIS

RULE 23(i) - PROVIDES FOR AN EFFECTIVE DATE: THE CONVENING OF THE SECOND SESSION OF THE 14th ALASKA STATE LEGISLATURE.

+EFFECTIVE DATE

Alaska State Legislature
House of Representatives

Pouch V
Juneau, Alaska 99811

Phone:
(907) 485-3764
465-3765

Committee on Rules

2nd CS HCR 26(Rules)



Official Business

CURRENT VERSION
RULE 23(a)

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.

PROPOSED VERSION

* Section 1. Rule 23 of the Uniform Rules of the Alaska State Legislature is amended to read:

RULE 23. COMMITTEE MEETINGS. (a) At least five days before the meeting, written [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 3:00 [4:00] p.m. on the day notice is given if the legislature is in session. If the legislature is not in session the notice shall be provided to a Legislative Information Office. The office to which the notice is provided shall distribute the notice to each other Legislative Information Office that is open ^{delete} [full-time] during the interim [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].

add: " or Legislative
teleconference Center

(b) The notice requirement of (a) of this section [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.

(c) The chief clerk or secretary shall publish and distribute each day the house is in session a [COPIES OF THE WEEKLY] schedule of committee meetings scheduled for the next seven days [AND OF THE FIVE-DAY NOTICE OF HEARING].

Section 1
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" entirely and instead maintain a 5-day written notice on all legislation.

Rule 23(a) is amended to require that the daily notice be supplied to the Chief Clerk by 3:00 p.m. This makes it more workable for the print shop and Chief Clerk's Office.

Rule 23(a) is amended in the CS HCR 26(RULES) and requires that standing, special and joint committees shall provide 5-day notification to a Legislative Information Offices when the legislature is not in session. The Legislative Information Offices will then notify each other Legislative Information Office open full-time 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), 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.

ANALYSIS

(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
RULE 23(b)

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(d) If the time or place of a committee meeting is changed from that shown in the schedule of committee meetings, the ((b) THE person who chairs a standing, special, or joint committee shall provide the chief clerk or secretary written notice of the change. Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall be announced if a regular floor session occurs between the time the meeting was scheduled and the time of the changed meeting [BY THE CHIEF CLERK OR SECRETARY] and published as a notice in the journal of the house.

PROPOSED VERSION

Rule 23(d) previously 23(b), rewrites this section to comply with the proposed 5-day notice of meetings. This requires that changes in time or place of committee meetings shall be announced if a regular floor session occurs between the time the meeting was scheduled and the time of the changed meeting. This change strengthens current policy. The requirement of announcing changes of subject matter has been deleted from this provision.

ANALYSIS

(LEGAL OPINIONS ON THIS INDICATE THAT TO FULLY INTERPRET THIS PROVISION, IT MUST BE READ TOGETHER WITH RULE 23(a). THEREFORE, INTRODUCTION OF A NEW SUBJECT MATTER WOULD DEFEAT NOTICE REQUIREMENTS IN RULE 23(a). LEGAL SERVICES DID NOT FEEL THAT IT WAS THE ORIGINAL INTENT OF THE CURRENT WORDING TO ALLOW ADDITION OF A NEW SUBJECT MATTER.)

(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
RULE 23(c)

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(e) ((c) A scheduled meeting of a standing, special, or joint committee may be cancelled or consideration of the scheduled subject matter may be postponed or cancelled at any time. If possible, notice of the cancellation shall be given in the same 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 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
RULE 23(d)

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

PROPOSED VERSION

Rule 23(f) - Reflects the breakdown of Rule 23(a) into (a), (b) (c) into three separate sections and shows that the provisions now relate to (a) - (d).

ANALYSIS

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

CURRENT VERSION
RULE 23(e)

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

(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.

28 (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
29 apply to meetings of

PROPOSED VERSION

1 (1) the Rules Committee when it meets for the purpose of
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3 (2) the Committee on Committees referred to in Rule 1(e);
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5 (3) standing, special, or joint committees during a special
6 session [WHEN THE COMMITTEE MEETS DURING THE INTERIM BETWEEN SES-
7 SIONS].

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 show that the provisions of 23(a) to 23(f) do not apply to special sessions which in reality could make it impossible to comply with the previous and proposed notice requirements.

ANALYSIS

Rule 23(g) - (3) originally stated that the provisions in (a) - (f) of the original version of HCR 26 would not apply to standing, special, or joint committees during the interim between sessions. In the proposed CS HCR 26(RULES), we have created a new policy contained in Rule 23(a) to require that these committees must meet the notice requirements, however, they shall provide notice to a Legislative Information Office.

(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.

(f) Each standing, special, and joint committee

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

(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

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

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(4) shall [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.

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

RULE 23(i) - PROVIDES FOR AN EFFECTIVE DATE: THE CONVENING OF THE SECOND SESSION OF THE 14th ALASKA STATE LEGISLATURE.



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
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465-3765

2nd CS HCR 26 (Rules)

CURRENT VERSION
RULE 23(a)

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.

11 * Section 1. Rule 23 of the Uniform Rules of the Alaska State Legisla-
12 ture is amended to read:

13 10 * Section 1. Rule 23 of the Uniform Rules of the Alaska State Legisla-
14 11 ture is amended to read:
15 12 RULE 23. COMMITTEE MEETINGS. (a) At least five days before the
16 13 meeting, written [WRITTEN] notice of the time, place and subject
17 14 matter of all meetings of standing, special, and joint committees
18 15 [DURING A WEEK] shall be provided by the person who chairs the commit-
19 16 tee to the chief clerk or secretary by 3:00 [4:00] p.m. on the day
20 17 notice is given if the legislature is in session. If the legislature
21 18 is not in session the notice shall be provided to a Legislative
22 19 Information Office. The office to which the notice is provided shall
23 20 distribute the notice to each other Legislative Information Office or
24 21 Legislative Teleconference Center that is open during the interim
25 22 [PRECEDING THURSDAY. THE PERSON WHO CHAIRS THE COMMITTEE TO WHICH A
26 23 BILL OR RESOLUTION IS FIRST REFERRED SHALL PROVIDE TO THE CHIEF CLERK
27 24 OR SECRETARY WRITTEN NOTICE OF THE TIME AND PLACE OF THE FIRST PUBLIC
28 25 HEARING ON THE BILL OR RESOLUTION AT LEAST FIVE DAYS BEFORE THE HEAR-
29 26 ING].

27 (b) The notice requirement of (a) of this section [HOWEVER, THIS
28 REQUIREMENT] may be waived by motion of the person who chairs the
29 committee to which a bill or resolution is [FIRST] referred if con-
curred in by majority vote of the full membership of the house.

1 (c) The chief clerk or secretary shall publish and distribute
2 each day the house is in session a [COPIES OF THE WEEKLY] schedule of
3 committee meetings scheduled for the next seven days [AND OF THE
4 FIVE-DAY NOTICE OF HEARING].

Section 1
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" entirely and instead maintain a 5-day written notice on all legislation.

Rule 23(a) is amended to require that the daily notice be supplied to the Chief Clerk by 3:00 p.m. This makes it more workable for the print shop and Chief Clerk's Office. ^{2nd}

Rule 23(a) is amended in the 2nd CS HCR 26 (RULES) and requires that standing, special and joint committees shall provide 5-day notification to a Legislative Information Offices when the legislature is not in session. The Legislative Information Offices will then notify each other Leg. Info. Office and Leg. Teleconference Center 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), 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.

PROPOSED VERSION

ANALYSIS

CURRENT VERSION
RULE 23(b)

(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.

PROPOSED VERSION

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(d) If the time or place of a committee meeting is changed from that shown in the schedule of committee meetings, the [(b) THE] person who chairs a standing, special, or joint committee shall provide the chief clerk or secretary written notice of the change. Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall be announced if a regular floor session occurs between the time the meeting was scheduled and the time of the changed meeting [BY THE CHIEF CLERK OR SECRETARY] and published as a notice in the journal of the house.

ANALYSIS

Rule 23(d) previously 23(b), rewrites this section to comply with the proposed 5-day notice of meetings. This requires that changes in time or place of committee meetings shall be announced if a regular floor session occurs between the time the meeting was scheduled and the time of the changed meeting. This change strengthens current policy. The requirement of announcing changes of subject matter has been deleted from this provision.

(LEGAL OPINIONS ON THIS INDICATE THAT TO FULLY INTERPRET THIS PROVISION, IT MUST BE READ TOGETHER WITH RULE 23(a). THEREFORE, INTRODUCTION OF A NEW SUBJECT MATTER WOULD DEFEAT NOTICE REQUIREMENTS IN RULE 23(a). LEGAL SERVICES DID NOT FEEL THAT IT WAS THE ORIGINAL INTENT OF THE CURRENT WORDING TO ALLOW ADDITION OF A NEW SUBJECT MATTER.)

CURRENT VERSION
RULE 23(c)

(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.

PROPOSED VERSION

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

ANALYSIS

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 subject.

(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
RULE 23(d)

21 | (f) [(d)] The provisions of (a) - (d) [AND (b)] of this rule do
22 | not apply to a standing, special, or joint committee meeting scheduled
23 | after the date a conference committee has been chosen to consider
24 | amendments to or differences between versions of the general appro-
25 | priation act. However, a person who chairs a standing, special, or
26 | joint committee shall post written notice of the time, place and
27 | subject matter of a meeting at least 24 hours before the meeting.

PROPOSED VERSION

Rule 23(f) - Reflects the breakdown of Rule 23(a) into (a), (b) (c) into three separate sections and shows that the provisions now relate to (a) - (d).

ANALYSIS

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

CURRENT VERSION
RULE 23(e)

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

(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.

28 | (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
29 | apply to meetings of

PROPOSED VERSION

1 | (1) the Rules Committee when i meets for the purpose of
2 | preparing the daily calendar;

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

5 | (3) standing, special, or joint committees during a special
6 | session [WHEN THE COMMITTEE MEETS DURING THE INTERIM BETWEEN SES-
7 | SIONS].

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 show that the provisions of 23(a) to 23(f) do not apply to special sessions which in reality could make it impossible to comply with the previous and proposed notice requirements.

ANALYSIS

Rule 23(g) - (3) originally stated that the provisions in (a) - (f) of the original version of HCR 26 would not apply to standing, special, or joint committees during the interim between sessions. In the proposed CS HCR 26(RULES), we have created a new policy contained in Rule 23(a) to require that these committees must meet the notice requirements, however, they shall provide notice to a Legislative Information Office.

CURRENT VERSION
RULE 23(f)

(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.

(f) Each standing, special, and joint committee

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

(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

PROPOSED VERSION

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

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

(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) shall [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.

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

ANALYSIS

RULE 23(i) - PROVIDES FOR AN EFFECTIVE DATE: THE CONVENING OF THE SECOND SESSION OF THE 14th ALASKA STATE LEGISLATURE.

+EFFECTIVE DATE



Alaska State Legislature
House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

CS HCR 26 (Rules)

CURRENT VERSION
RULE 23(a)

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.

PROPOSED VERSION

* Section 1. Rule 23 of the Uniform Rules of the Alaska State Legislature is amended to read:

RULE 23. COMMITTEE MEETINGS. (a) At least five days before the meeting, written [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 3:00 [4:00] p.m. on the day notice is given if the legislature is in session. If the legislature is not in session the notice shall be provided to a Legislative Information Office. The office to which the notice is provided shall distribute the notice to each other Legislative Information Office that is open full-time during the interim [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].

(b) The notice requirement of (a) of this section [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.

(c) The chief clerk or secretary shall publish and distribute each day the house is in session a [COPIES OF THE WEEKLY] schedule of committee meetings scheduled for the next seven days [AND OF THE FIVE-DAY NOTICE OF HEARING].

Section 1
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" entirely and instead maintain a 5-day written notice on all legislation.

Rule 23(a) is amended to require that the daily notice be supplied to the Chief Clerk by 3:00 p.m. This makes it more workable for the print shop and Chief Clerk's Office.

Rule 23(a) is amended in the CS HCR 26(RULES) and requires that standing, special and joint committees shall provide 5-day notification to a Legislative Information Offices when the legislature is not in session. The Legislative Information Offices will then notify each other Legislative Information Office open full-time 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), 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.

(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
RULE 23(b)

5 (d) If the time or place of a committee meeting is changed from
7 that shown in the schedule of committee meetings, the [(b) THE]
8 person who chairs a standing, special, or joint committee shall
9 provide the chief clerk or secretary written notice of the change.
10 Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE
11 NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall
12 be announced if a regular floor session occurs between the time the
13 meeting was scheduled and the time of the changed meeting [BY THE
14 CHIEF CLERK OR SECRETARY] and published as a notice in the journal of
15 the house.

PROPOSED VERSION

Rule 23(d) previously 23(b), rewrites this section to comply with the proposed 5-day notice of meetings. This requires that changes in time or place of committee meetings shall be announced if a regular floor session occurs between the time the meeting was scheduled and the time of the changed meeting. This change strengthens current policy. The requirement of announcing changes of subject matter has been deleted from this provision.

ANALYSIS

(LEGAL OPINIONS ON THIS INDICATE THAT TO FULLY INTERPRET THIS PROVISION, IT MUST BE READ TOGETHER WITH RULE 23(a). THEREFORE, INTRODUCTION OF A NEW SUBJECT MATTER WOULD DEFEAT NOTICE REQUIREMENTS IN RULE 23(a). LEGAL SERVICES DID NOT FEEL THAT IT WAS THE ORIGINAL INTENT OF THE CURRENT WORDING TO ALLOW ADDITION OF A NEW SUBJECT MATTER.)

(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
RULE 23(c)

16 (e) [(c)] A scheduled meeting of a standing, special, or joint
17 committee may be cancelled or consideration of the scheduled subject
18 matter may be postponed or cancelled at any time. If possible, notice
19 of the cancellation shall be given in the same manner as provided for
20 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 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
RULE 23(d)

21 | (f) [(d)] The provisions of (a) - (d) [AND (b)] of this rule do
22 | not apply to a standing, special, or joint committee meeting scheduled
23 | after the date a conference committee has been chosen to consider
24 | amendments to or differences between versions of the general appro-
25 | priation act. However, a person who chairs a standing, special, or
26 | joint committee shall post written notice of the time, place and
27 | subject matter of a meeting at least 24 hours before the meeting.

PROPOSED VERSION

Rule 23(f) - Reflects the breakdown of Rule 23(a) into (a), (b) (c) into three separate sections and shows that the provisions now relate to (a) - (d).

ANALYSIS

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

CURRENT VERSION
RULE 23(e)

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

28 | (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
29 | apply to meetings of

PROPOSED VERSION

- (1) the Rules Committee when it meets for the purpose of preparing the daily calendar;
 - (2) the Committee on Committees referred to in Rule 1(e);
- or
- (3) standing, special, or joint committees during a special session [WHEN THE COMMITTEE MEETS DURING THE INTERIM BETWEEN SESSIONS].

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 show that the provisions of 23(a) to 23(f) do not apply to special sessions which in reality could make it impossible to comply with the previous and proposed notice requirements.

ANALYSIS

Rule 23(g) - (3) originally stated that the provisions in (a) - (f) of the original version of HCR 26 would not apply to standing, special, or joint committees during the interim between sessions. In the proposed CS HCR 26 (RULES), we have created a new policy contained in Rule 23(a) to require that these committees must meet the notice requirements, however, they shall provide notice to a Legislative Information Office.

CURRENT VERSION
RULE 23(f)

(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.

(f) Each standing, special, and joint committee

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

(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

PROPOSED VERSION

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

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

(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) shall [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.

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

ANALYSIS

RULE 23(i) - PROVIDES FOR AN EFFECTIVE DATE: THE CONVENING OF THE SECOND SESSION OF THE 14th ALASKA STATE LEGISLATURE.

+EFFECTIVE DATE



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

April 19, 1985

TO: Majority Members

FROM: Mike W. Miller, Chairman
House Rules Committee

SUBJ: HCR 26

Attached is an analysis of HCR 26 by Rules; "Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State Legislature relating to committee meetings; and providing for an effective date", which appears on the House Calendar for Monday, April 22.

If you have any questions, please do not hesitate to contact my office and ask for Jeannie at 3764-3765.

Thank you.

COMMITTEE REPORT

HOUSE

FURTHER:

Date: 4/11/85

The Committee on Rules has had HCR 26
Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State
Legislature relating to committee meetings; and providing for an effective date.

under consideration and recommends:

- do pass do not pass
 do pass with attached amendments(s)
 replace with CS for HCR 26 (Rules) same title
 new title
and recommends Do Pass
 AND attaches a "Letter of Intent" New Fiscal Note
 reports it back without recommendation Zero Fiscal Note Attached
 referred to the _____ Committee

MEMBERS SIGNING DO PASS

Fuller John Fuller
Grussendorf Ben Grussendorf
Davis Michael Davis
Miller M.W. Miller
Wallis F. Kay Wallis

MEMBERS HAVING OTHER RECOMMENDATIONS:

Meisig no rec. *Signalbe*
Terry Martin - Will be a good *Martin*
for one year experiment.

M.W. Miller
CHAIRMAN

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

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

Mary Van Nimwegen

House Rules 4-11-85 8:30am
~~4-11-85~~

HOUSE CALENDAR: Monday April 22, 1985

BILL HCR0026
 PAGE 00800
 DATE 04/03/85
 CHAMBER HOUSE
 TEXT HOUSE CONCURRENT RESOLUTION NO. 26 by the Rules Committee:
 Proposing amendments to Rule 23 of the
 Uniform Rules of the Alaska State
 Legislature relating to committee
 meetings; and providing for an effective
 date.

was read the first time and referred to the Rules Com-
 mittee.

HCR0026
 00881
 04/11/85
 HOUSE

The Rules Committee has considered HOUSE CONCURRENT
 RESOLUTION NO. 26 (proposing amendments to Rule 23 of the
 Uniform Rules of the Alaska State Legislature relating to
 committee meetings; effective date), recommends it be
 replaced with COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT
 RESOLUTION NO. 26 (Rules) (same title) and reports it back
 as follows: M.W. Miller (Chairman), Fuller, Grussendorf,
 Davis and Wallis recommend do pass; Pignalberi has no
 recommendation; Martin signed "Will be good for a one year
 experiment."

HCR 26 was returned to the Rules Committee for placement on
 the calendar.

Committee
Meetings
 (Unif. Rules
 changes)

HOUSE CONCURRENT RESOLUTION-NO.-26, by the Rules Committee.

Would require that at least five days before the meeting,
 written notice of the time, place and subject matter of all
 committee meetings be provided by the committee chair to the
 chief clerk or senate secretary by 3 p.m. the day the notice is
 given (currently written notice of the time, place and subject
 matter of all committee meetings must be given to the chief clerk
 or secretary by 4 p.m. on the preceding Thursday, but the five day
 notice requirement only applies to the first public hearing of a
 bill or resolution).

Would require the clerk and secretary to publish a weekly committee
 schedule. If the time or place of a meeting is changed the
 committee chair is required to provide written notice of the
 change. Would require announcement of the change if a regular floor
 session occurs between the time the meeting was scheduled and the
 time of the changed meeting and that it be published as a notice in
 the journal of the house. Consideration of the scheduled subject
 matter may be postponed or cancelled at any time. Meeting notice
 provisions would not apply during a special session.

Would require each standing, special and joint committee to make
 all committee meeting minutes available to the Legislative Affairs
 Agency (currently not required - changes "may" to "shall").

The proposed amendments would take effect on convening of the
 second session of the Fourteenth Alaska Legislature (January 1986).

Introduced April 3 and referred to Rules.

HOUSE CONCURRENT RESOLUTION NO. 26, (see page 567). Reported back to the House April 11 by Rules recommending it be replaced with a substitute and that it do pass. Concurring: M. W. Miller (Chair), Fuller, Grussendorf, Davis and Wallis. Not concurring: Pignalberi has no recommendation. Martin signed "will be good for a one year experiment." To Rules.

The Rules substitute would require five day written notice of all committee meetings be given to the clerk or secretary by 3 p.m. of the day notice is given, as did the original version, but adds "if the legislature is in session. If the legislature is not in session the notice shall be provided to a Legislative Information Office. The office to which the notice is provided shall distribute the notice to each other Legislative Information Office that is open full-time during the interim."

The meeting notice requirements would not apply to committee meetings during a special session. Deletes requirement currently in the Rules that exempts meetings of committees during the interim from notice requirements.

COMMITTEE REPORT

HOUSE

FURTHER:

Date: 4/11/85

The Committee on Rules has had HCR 26 Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State Legislature relating to committee meetings; and providing for an effective date.

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HCR 26 (Rules) same title and recommends Do Pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING DO PASS

Fuller *Quinn-Jackson*

Grussendorf *Grussendorf*

Davis *Davis*

Miller *M.W. Miller*

Wallis *Wallis*

MEMBERS HAVING OTHER RECOMMENDATIONS:

McGinnis - no rec.

Leary - Martin - will be good for one year experiment

Pignalberi

M.W. Miller CHAIRMAN

Offered: 5/2/85
Referred: Rules

Original sponsor: Rules Committee

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 2d CS FOR HOUSE CONCURRENT RESOLUTION NO. 26 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to Rule 23 of the
6 Uniform Rules of the Alaska State Legis-
7 lature relating to committee meetings;
8 and providing for an effective date.

① took out
pledge allegiance
amendment

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

10 * Section 1. Rule 23 of the Uniform Rules of the Alaska State Legisla-
11 ture is amended to read:

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

27 (b) The notice requirement of (a) of this section [HOWEVER, THIS
28 REQUIREMENT] may be waived by motion of the person who chairs the
29 committee to which a bill or resolution is [FIRST] referred if

1 concurred in by majority vote of the full membership of the house.

2 (c) The chief clerk or secretary shall publish and distribute
3 each day the house is in session a [COPIES OF THE WEEKLY] schedule of
4 committee meetings scheduled for the next seven days [AND OF THE
5 FIVE-DAY NOTICE OF HEARING].

6 (d) If the time or place of a committee meeting is changed from
7 that shown in the schedule of committee meetings, the [(b) THE]
8 person who chairs a standing, special, or joint committee shall
9 provide the chief clerk or secretary written notice of the change.
10 Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE
11 NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall
12 be announced if a regular floor session occurs between the time the
13 meeting was scheduled and the time of the changed meeting [BY THE
14 CHIEF CLERK OR SECRETARY] and published as a notice in the journal of
15 the house.

16 (e) [(c)] A scheduled meeting of a standing, special, or joint
17 committee may be cancelled or consideration of the scheduled subject
18 matter may be postponed or cancelled at any time. If possible, notice
19 of the cancellation shall be given in the same manner as provided for
20 notice of change in (d) [(b)] of this rule.

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

28 (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
29 apply to meetings of

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

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

5 (3) standing, special, or joint committees during a special
6 session [WHEN THE COMMITTEE MEETS DURING THE INTERIM BETWEEN SES-
7 SIONS].

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

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

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

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

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

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

20 (D) each amendment formally considered by the commit-
21 tee, the name of the member moving adoption of the amendment, the
22 action taken on the amendment, and the yeas and nays if a com-
23 mittee member has requested a roll call vote on adoption of an
24 amendment;

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

1 appropriate disposition;

2
3 (4) shall [MAY] make available to the Legislative Affairs
4 Agency a copy of all minutes of committee meetings during the session
5 for entry of the minutes as a data base on the legislative computer
6 system.

7 * Sec. 2. The amendments proposed by this resolution take effect on
8 convening of the Second Session of the Fourteenth Alaska Legislature.
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Offered: 4/11/85
Referred: Rules

Original sponsor: Rules Committee

1 IN THE HOUSE BY THE RULES COMMITTEE
2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 26 (Rules)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 Proposing amendments to Rule 23 of the
6 Uniform Rules of the Alaska State Legis-
7 lature relating to committee meetings;
8 and providing for an effective date.
9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. Rule 23 of the Uniform Rules of the Alaska State Legisla-
11 ture is amended to read:
12 RULE 23. COMMITTEE MEETINGS. (a) At least five days before the
13 meeting, written [WRITTEN] notice of the time, place and subject
14 matter of all meetings of standing, special, and joint committees
15 [DURING A WEEK] shall be provided by the person who chairs the commit-
16 tee to the chief clerk or secretary by 3:00 [4:00] p.m. on the day
17 notice is given if the legislature is in session. If the legislature
18 is not in session the notice shall be provided to a Legislative
19 Information Office. The office to which the notice is provided shall
20 distribute the notice to each other Legislative Information Office
21 that is open full time during the interim [PRECEDING THURSDAY. THE
22 PERSON WHO CHAIRS THE COMMITTEE TO WHICH A BILL OR RESOLUTION IS FIRST
23 REFERRED SHALL PROVIDE TO THE CHIEF CLERK OR SECRETARY WRITTEN NOTICE
24 OF THE TIME AND PLACE OF THE FIRST PUBLIC HEARING ON THE BILL OR
25 RESOLUTION AT LEAST FIVE DAYS BEFORE THE HEARING].
26 (b) The notice requirement of (a) of this section [HOWEVER, THIS
27 REQUIREMENT] may be waived by motion of the person who chairs the
28 committee to which a bill or resolution is [FIRST] referred if con-
29 curred in by majority vote of the full membership of the house.

1 (c) The chief clerk or secretary shall publish and distribute
2 each day the house is in session a [COPIES OF THE WEEKLY] schedule of
3 committee meetings scheduled for the next seven days [AND OF THE
4 FIVE-DAY NOTICE OF HEARING].

5 (d) If the time or place of a committee meeting is changed from
6 that shown in the schedule of committee meetings, the [(b) THE]
7 person who chairs a standing, special, or joint committee shall
8 provide the chief clerk or secretary written notice of the change.
9 Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE
10 NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall
11 be announced if a regular floor session occurs between the time the
12 meeting was scheduled and the time of the changed meeting [BY THE
13 CHIEF CLERK OR SECRETARY] and published as a notice in the journal of
14 the house.

15 (e) [(c)] A scheduled meeting of a standing, special, or joint
16 committee may be cancelled or consideration of the scheduled subject
17 matter may be postponed or cancelled at any time. If possible, notice
18 of the cancellation shall be given in the same manner as provided for
19 notice of change in (d) [(b)] of this rule.

20 (f) [(d)] The provisions of (a) - (d) [AND (b)] of this rule do
21 not apply to a standing, special, or joint committee meeting scheduled
22 after the date a conference committee has been chosen to consider
23 amendments to or differences between versions of the general appro-
24 priation act. However, a person who chairs a standing, special, or
25 joint committee shall post written notice of the time, place and
26 subject matter of a meeting at least 24 hours before the meeting.

27 (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
28 apply to meetings of

29 (1) the Rules Committee when it meets for the purpose of

1 preparing the daily calendar;

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

4 (3) standing, special, or joint committees during a special
5 session [WHEN THE COMMITTEE MEETS DURING THE INTERIM BETWEEN SES-
6 SIONS].

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

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

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

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

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

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

19 (D) each amendment formally considered by the commit-
20 tee, the name of the member moving adoption of the amendment, the
21 action taken on the amendment, and the yeas and nays if a com-
22 mittee member has requested a roll call vote on adoption of an
23 amendment;

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

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

5 * Sec. 2. The amendments proposed by this resolution take effect on
6 convening of the Second Session of the Fourteenth Alaska Legislature.

Introduced: 4/3/85
Referred: Rules

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

HOUSE CONCURRENT RESOLUTION NO. HCR 26

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Proposing amendments to Rule 23 of the

6

Uniform Rules of the Alaska State Legis-

7

lature relating to committee meetings;

8

and providing for an effective date.

9

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

10

* Section 1. Rule 23 of the Uniform Rules of the Alaska State Legisla-

11

ture is amended to read:

12

RULE 23. COMMITTEE MEETINGS. (a) At least five days before the

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meeting, written [WRITTEN] notice of the time, place and subject

14

matter of all meetings of standing, special, and joint committees

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[DURING A WEEK] shall be provided by the person who chairs the commit-

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tee to the chief clerk or secretary by 3:00 [4:00] p.m. on the day

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notice is given [PRECEDING THURSDAY. THE PERSON WHO CHAIRS THE

18

COMMITTEE TO WHICH A BILL OR RESOLUTION IS FIRST REFERRED SHALL

19

PROVIDE TO THE CHIEF CLERK OR SECRETARY WRITTEN NOTICE OF THE TIME AND

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PLACE OF THE FIRST PUBLIC HEARING ON THE BILL OR RESOLUTION AT LEAST

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FIVE DAYS BEFORE THE HEARING].

22

(b) The notice requirement of (a) of this section [HOWEVER, THIS

23

REQUIREMENT] may be waived by motion of the person who chairs the

24

committee to which a bill or resolution is [FIRST] referred if con-

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curred in by majority vote of the full membership of the house.

26

(c) The chief clerk or secretary shall publish and distribute

27

each day the house is in session a [COPIES OF THE WEEKLY] schedule of

28

committee meetings scheduled for the next seven days [AND OF THE

29

FIVE-DAY NOTICE OF HEARING].

1 (d) If the time or place of a committee meeting is changed from
2 that shown in the schedule of committee meetings, the [(b) THE]
3 person who chairs a standing, special, or joint committee shall
4 provide the chief clerk or secretary written notice of the change.
5 Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE
6 NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall
7 be announced if a regular floor session occurs between the time the
8 meeting was scheduled and the time of the changed meeting [BY THE
9 CHIEF CLERK OR SECRETARY] and published as a notice in the journal of
10 the house.

11 (e) [(c)] A scheduled meeting of a standing, special, or joint
12 committee may be cancelled or consideration of the scheduled subject
13 matter may be postponed or cancelled at any time. If possible, notice
14 of the cancellation shall be given in the same manner as provided for
15 notice of change in (d) [(b)] of this rule.

16 (f) [(d)] The provisions of (a) - (d) [AND (b)] of this rule do
17 not apply to a standing, special, or joint committee meeting scheduled
18 after the date a conference committee has been chosen to consider
19 amendments to or differences between versions of the general appro-
20 priation act. However, a person who chairs a standing, special, or
21 joint committee shall postwritten notice of the time, place and
22 subject matter of a meeting at least 24 hours before the meeting.

23 (g) [(e)] The provisions of (a) - (f) [(d)] of this rule do not
24 apply to meetings of

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

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

28 or

29 (3) standing, special, or joint committees when the

1 committee meets during the interim between sessions or during a
2 special session.

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

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

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

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

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

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

15 (D) each amendment formally considered by the commit-
16 tee, the name of the member moving adoption of the amendment, the
17 action taken on the amendment, and the yeas and nays if a com-
18 mittee member has requested a roll call vote on adoption of an
19 amendment;

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

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

1 * Sec. 2. The amendments proposed by this resolution take effect on
2 convening of the Second Session of the Fourteenth Alaska Legislature.



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

1st draft

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

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
RULE 23(a)

10 * Section 1. Rule 23 of the Uniform Rules of the Alaska State Legisla-
11 ture is amended to read:

12 RULE 23. COMMITTEE MEETINGS. (a) At least five days before the
13 meeting, written [WRITTEN] notice of the time, place and subject
14 matter of all meetings of standing, special, and joint committees
15 [DURING A WEEK] shall be provided by the person who chairs the commit-
16 tee to the chief clerk or secretary by 3:00 [4:00] p.m. on the day
17 notice is given [PRECEDING THURSDAY. THE PERSON WHO CHAIRS THE
18 COMMITTEE TO WHICH A BILL OR RESOLUTION IS FIRST REFERRED SHALL
19 PROVIDE TO THE CHIEF CLERK OR SECRETARY WRITTEN NOTICE OF THE TIME AND
20 PLACE OF THE FIRST PUBLIC HEARING ON THE BILL OR RESOLUTION AT LEAST
21 FIVE DAYS BEFORE THE HEARING].

22 (b) The notice requirement of (a) of this section [HOWEVER, THIS
23 REQUIREMENT] may be waived by motion of the person who chairs the
24 committee to which a bill or resolution is [FIRST] referred if con-
25 curred in by majority vote of the full membership of the house.

26 (c) The chief clerk or secretary shall publish and distribute
27 each day the house is in session a [COPIES OF THE WEEKLY] schedule of
28 committee meetings scheduled for the next seven days [AND OF THE
29 FIVE-DAY NOTICE OF HEARING].

PROPOSED VERSION

SECTION 1:

RULE 23. COMMITTEE MEETINGS: This proposed resolution would break Rule 23(a) into three parts (a) (b) (c) outlined below:

Rule 23(a), is amended regarding notification of meetings of standing committees. Section 1 proposes to eliminate the "weekly committee schedule" entirely and instead maintain a 5-day written notice on all legislation.

The weekly committee schedule provision which has only been in effect since the convening of the Second Session of the Twelfth Legislature in 1982, has caused numerous problems since its inclusion into the Uniform Rules. This resolution proposes to eliminate the "weekly committee schedule" provision and create one basic notice provision. This change would eliminate constant problems within all standing and special committees, Chief Clerk's Office, Legal Services and at the same time allow the public adequate notification.

It is extremely critical to note that no matter what day of the week the weekly committee schedule would be maintained, it would cause the same problems which have occurred since its inclusion into the Uniform Rules.

Rule 23(a) as amended would allow hearing notification to be given throughout the week on a daily basis.

Rule 23(a) is amended to require that the daily notice should be supplied to the Chief Clerk or Secretary by 3:00p.m. This time is proposed in order to make this workable within the Chief Clerk or Secretary offices and also meet the print shop deadlines. We have found that a 3:00p.m. policy deadline for the weekly committee schedule was a more efficient procedure in the past.

RULE 23(b) relates to the waiver requirement and states that the notice requirement outlined in 23(a) may be waived by motion of the person who chairs the committee to which a bill or resolution is referred if concurred in by majority vote of the full membership of the house. This provision previously related to bills of first referral only.

RULE 23(c) 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.

ANALYSIS

(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
RULE 23(b)

1 (d) If the time or place of a committee meeting is changed from
2 that shown in the schedule of committee meetings, the [(b) THE]
3 person who chairs a standing, special, or joint committee shall
4 provide the chief clerk or secretary written notice of the change.
5 Notice [IN THE TIME, PLACE OR SUBJECT MATTER OF A MEETING. AT THE
6 NEXT DAILY LEGISLATIVE SESSION, NOTICE] of the schedule change shall
7 be announced if a regular floor session occurs between the time the
8 meeting was scheduled and the time of the changed meeting [BY THE
9 CHIEF CLERK OR SECRETARY] and published as a notice in the journal of
10 the house.

PROPOSED VERSION

RULE 23(d) - previously 23(b), rewrites this section to comply with the proposed 5-day notice schedule of committee meetings. If the time or place of a committee meeting is changed from that shown in the schedule of committee meetings, the change must be announced if a regular floor session occurs between the time the meeting was scheduled and the time of the changed meeting. Currently, Rule 23 requires chief clerk or secretary to announce changes. This change strengthens current policy.

ANALYSIS

(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
RULE 23(c)

11 (e) [(c)] A scheduled meeting of a standing, special, or joint
12 committee may be cancelled or consideration of the scheduled subject
13 matter may be postponed or cancelled at any time. If possible, notice
14 of the cancellation shall be given in the same manner as provided for
15 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 subject. Last sentence in (e) reflects the notice of cancellation change which was previously in (b) and is changed to (d) in proposed resolution.

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
RULE 23(d)

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(f) [(d)] The provisions of (a) - (d) [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.

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).

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;

(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.

CURRENT VERSION
RULE 23(e)

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(g) [(e)] The provisions of (a) - (f) [(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;

(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 or during a special session.

PROPOSED VERSION

RULE 23(g) - Reflects the breakdown of Rule 23(a) into three separate sections in relation to 23(g) from (a) - (d) to (a) - (f). Rule 23(g) - (3) is changed to show that these provisions do not apply to special sessions which in reality could make it impossible to comply with the previous and proposed notice requirements.

ANALYSIS

(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;

CURRENT VERSION
RULE 23(f)

(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.

(f) Each standing, special, and joint committee

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

(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

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

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

(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) shall [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.

PROPOSED VERSION

RULE 23(h) - changes from (f) to (h), RULE 23(h) (4) on Page 3, line 24 - amends to state that committees shall rather than may, make their minutes available to LAA for entry into the state's computer system. This is consistent with present practice.

ANALYSIS

+EFFECTIVE DATE

RULE 23(i) - provides for an effective date: the convening of the Second Session of the 14th Alaska State Legislature.

