

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 80/2

3610 HRLS HCR 26 - SB 115

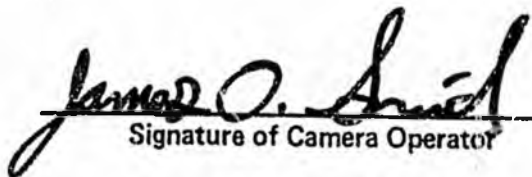
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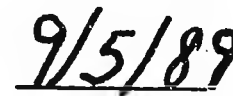


RECORDS CERTIFICATION



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

5/2/85

HCR 26 - see 4/11/85

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

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 5-2-85 8:36am

COMMITTEE REPORT

HOUSE

FURTHER:

Date: 5/2/85

The Committee on Rules has had CS HCR 26 (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.

under consideration and recommends:

- do pass [] do not pass
- [] do pass with attached amendments(s)
- [] replace with ^{2nd} CS for HCR 26 (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**

M.W. Miller
Ben ...
Terry ...
F. J. Kaywallis
John ...

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

M. ...
Mike ...

M.W. Miller
CHAIRMAN



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
THURSDAY, MAY 2, 1985

HB 21 - "An Act relating to homesites for veterans."
(by Rep. Goll)

HCR 31 - Proposing an amendment to the Uniform Rules of the Alaska State legislature to include the Pledge of Allegiance as part of the daily order of business.
(by the Rules Committee)

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."
(by the Rules Committee)

(continued from April 30th Rules Meeting:)

HB 237 - "An Act relating to pension reform; and providing for an effective date."

(Rules' Committee by Request of the Governor)

HB 236 letter of Intent

A M E N D M E N T #2

Offered in the HOUSE

TO: CSHCR 26(R1s)

By Martin
Hardley
Marble
Watling
Taylor
Fitzgerald
Blythe

Page 1, line 5, following "amendments", insert:

"to Rule 17 of the Uniform Rules of the Alaska State Legislature concerning the daily order of business and"

Page 1, after line 9, insert:

"* Section 1. Rule 17 of the Uniform Rules of the Alaska State Legislature is amended to read:

RULE 17. DAILY ORDER OF BUSINESS. Unless changed by a two-thirds vote of the full membership of the house the daily order of business of each house is as follows:

- (1) roll call;
- (2) invocation or meditation;
- (3) Pledge of Allegiance;
- (4) [(3)] certification by the chief clerk or secretary to the house as to the correctness of the journal of the previous day, journal approved or ordered changed;
- (5) [(4)] introduction of guests;
- (6) [(5)] messages from the governor;
- (7) [(6)] messages from the other house;
- (8) [(7)] communications;
- (9) [(8)] reports of standing committees;

Adopted
23-15

QUER
4/20/85

- (10) [(9)] reports of special committees;
- (11) [(10)] introduction of resolutions;
- (12) [(11)] introduction, first reading and reference of bills;
- (13) [(12)] consideration of daily calendar;
- (A) second reading of bills of house;
 - (B) second reading of bills of other house;
 - (C) third reading of bills of house;
 - (D) third reading of bills of other house;
 - (E) all other matters up for final action in the house;
- (14) [(13)] unfinished business;
- (15) [(14)] announcement of committee meetings;
- (16) [(15)] special orders (not set for a particular hour);
- (17) [(16)] adjournment."

Page 1, line 10:

Delete "* Section 1." and insert "* Sec 2."

Renumber remaining section.

I.

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.

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 ^{add:}
21 Legislative Teleconference Center that is open ~~delete: full-time~~ 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 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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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 commi-
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

CURRENT VERSION:

COMMITTEE MEETINGS

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.

(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.

(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.

(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.

(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.

(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) 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.



Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 485-3784
485-3785

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

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

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

add: "or Legislative
teleconference Center

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.

ANALYSIS

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)

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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
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

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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



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

HCR

31

5/2/85

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

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

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, 5/2/85, 8:36 am.



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
T H U R S D A Y, M A Y 2, 1 9 8 5

HB 21 - "An Act relating to homesites for veterans."
(by Rep. Goll)

HCR 31 - Proposing an amendment to the Uniform Rules of the Alaska State legislature to include the Pledge of Allegiance as part of the daily order of business.
(by the Rules Committee)

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."
(by the Rules Committee)

(continued from April 30th Rules Meeting:)

HB 237 - "An Act relating to pension reform; and providing for an effective date."
(Rules Committee by Request of the Governor)

HB 238 letter of Intent

A M E N D M E N T #2

Offered in the HOUSE

TO: CSHCR 26(R1s)

By Martin
Hardley
Mason
Ueterson
Taylor
Fitzgerald
Blythe

Page 1, line 5, following "amendments", insert:

"to Rule 17 of the Uniform Rules of the Alaska State Legislature concerning the daily order of business and"

Page 1, after line 9, insert:

"* Section 1. Rule 17 of the Uniform Rules of the Alaska State Legislature is amended to read:

RULE 17. DAILY ORDER OF BUSINESS. Unless changed by a two-thirds vote of the full membership of the house the daily order of business of each house is as follows:

- (1) roll call;
- (2) invocation or meditation;
- (3) Pledge of Allegiance;
- (4) [(3)] certification by the chief clerk or secretary to the house as to the correctness of the journal of the previous day, journal approved or ordered changed;
- (5) [(4)] introduction of guests;
- (6) [(5)] messages from the governor;
- (7) [(6)] messages from the other house;
- (8) [(7)] communications;
- (9) [(8)] reports of standing committees;

*Adopted
2-3-15*

OVER
4/20/85

- (10) [(9)] reports of special committees;
- (11) [(10)] introduction of resolutions;
- (12) [(11)] introduction, first reading and reference of bills;
- (13) [(12)] consideration of daily calendar;
- (A) second reading of bills of house;
 - (B) second reading of bills of other house;
 - (C) third reading of bills of house;
 - (D) third reading of bills of other house;
 - (E) all other matters up for final action in the house;
- (14) [(13)] unfinished business;
- (15) [(14)] announcement of committee meetings;
- (16) [(15)] special orders (not set for a particular hour);
- (17) [(16)] adjournment."

Page 1, line 10:

Delete "* Section 1." and insert "* Sec 2."

Renumber remaining section.



BILL HISTORY

HCR 31

HOUSE CALENDAR:

BILL HCR0031
PAGE 01039
DATE 04/23/85
CHAMBER HOUSE
TEXT HOUSE CONCURRENT RESOLUTION NO. 31 by the Rules Committee:

Proposing an amendment to the Uniform Rules of the Alaska State Legislature to include the Pledge of Allegiance as part of the daily order of business.
was read the first time and referred to the Rules Committee.

HOUSE CONCURRENT RESOLUTION NO. 31, by the Rules Committee.
Would make the Pledge of Allegiance part of the daily order of business in the House and Senate (see SCR 15, pages 476;605, identical). Would amend the Uniform Rules to include the Pledge.

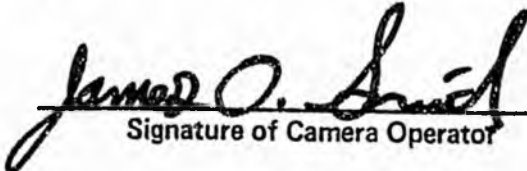
Introduced April 23 and referred to Rules.



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

62

5/5/86

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 5-5-86 8:30am



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

I N D E X

- I. MEMO DATED MAY 5, 1986 TO HOUSE RULES COMMITTEE MEMBERS
- II. PROPOSED VERSION HCS CSHB 402 (RULES)
- III. SENATE PASSED VERSION CSSB 402 (FINANCE)
- IV. HCR 62 - PROPOSING TITLE CHANGE TO SENATE BILL.



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

MEMORANDUM

MAY 5, 1986

TO: Rules Committee Members

FROM: Rep. Mike W. Miller, Chairman
House Rules Committee

SUBJECT: HCS CSSB 402(RULES) AND HCR 62

HCS CSSB 402(RULES)

Proposed HCS CSSB 402(RULES) is identical to CSHB 503(FINANCE) - "An Act relating to games of chance." CSHB 503(FINANCE) recently passed House Finance and is currently in the House Rules Committee.

The Senate passed over two separate bills relating to classics which were contained within CSHB 503(FINANCE). Therefore, we have combined the classics bills into one final version, HCS CSSB 402(RULES).

HCR 62

HCR 62 would allow for the change of title for HCS CSSB 402(RULES), from the current title, "An Act relating to ice classics." to "An Act relating to games of chance."

Utermohle
5/1/86 ✓

II

Original sponsor: Sackett

1 IN THE SENATE

BY THE RULES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 402 (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 games of chance."

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

8 * Section 1. AS 05.15.100(a) is amended to read:

9 (a) The commissioner of revenue may issue a permit to a munic-
10 ipality or qualified organization. The permit gives the municipality
11 or organization the privilege of conducting bingo, raffles and lot-
12 teries, ice classics, rain classics, goose classics, mercury classics,
13 dog mushers' contests, fish derbies, and contests of skill.

14 * Sec. 2. AS 05.15.180(b) is amended to read:

15 (b) With the exception of raffles, lotteries, rain classics,
16 goose classics, mercury classics, and other activities authorized
17 under AS 05.15.100(b), an activity may not be licensed under this
18 chapter unless it existed in the state in substantially the same form
19 and was conducted in substantially the same manner before January 1,
20 1959.

21 * Sec. 3. AS 05.15.210(12) is amended to read:

22 (12) "ice classic" means a game of chance where a prize of
23 money is awarded for the closest guess of the time the ice moves in a
24 body of water or watercourse in the state and is limited to the Nenana
25 and Chena Ice Pools in the same manner as they were conducted in 1959
26 and previous years, [AND] a Kuskokwim Ice Classic to be operated and
27 administered by Bethel Social Services, Inc., a Kenai River Ice
28 Classic to be operated and administered by the Kenai and Soldotna
29 Rotary Clubs jointly or by either the Kenai Rotary Club or the

1 Soldotna Rotary Club, and a Yukon River Ice Classic to be operated and
2 administered by the City of Fort Yukon;

3 * Sec. 4. AS 05.15.210 is amended by adding new paragraphs to read:

4 (24) "goose classic" means a game of chance where a prize
5 of money is awarded for the closest guess of the time of the arrival
6 of the first goose in spring to Creamer's Field in Fairbanks and is
7 limited to the goose classic operated and administered by the
8 Fairbanks Montessori Association;

9 (25) "mercury classic" means a game of chance where a prize
10 of money is awarded for the closest guess of the time the temperature
11 reaches a certain degree and is limited to the mercury classic
12 operated and administered by the Greater Fairbanks Chamber of Com-
13 merce.
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Offered: 3/25/86
Referred: Rules

III

Original sponsor: Sackett

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 402 (Finance)
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 ice classics."

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

8 * Section 1. AS 05.15.210(12) is amended to read:

9 (12) "ice classic" means a game of chance where a prize of
10 money is awarded for the closest guess of the time the ice moves in a
11 body of water or watercourse in the state and is limited to the Nenana
12 and Chena Ice Pools in the same manner as they were conducted in 1959
13 and previous years, [AND] a Kuskokwim Ice Classic to be operated and
14 administered by Bethel Social Services, Inc., and a Yukon River Ice
15 Classic;

IV

Introduced: 5/1/86
Referred: Rules

1 IN THE HOUSE BY THE RULES COMMITTEE
2 HOUSE CONCURRENT RESOLUTION NO. 62
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 Suspending Uniform Rules 41(b), 24(c),
6 and 35 of the Alaska State Legislature
7 concerning Senate Bill No. 402.
8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 That under Rule 54 of the Uniform Rules of the Alaska State Legisla-
10 ture the provisions of Rule 41(b), Rule 24(c), and Rule 35 of the Uniform
11 Rules, regarding changes to the title of a bill, are suspended in
12 consideration of Senate Bill No. 402, relating to ice classics.

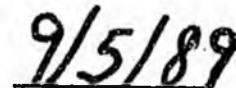


RECORDS CERTIFICATION



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Signature of Camera Operator


Date

HJR

74

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 4-23-86 8:30am

BILL HISTORY

HOUSE CALENDAR: 4-23-86

HJR 74

BILL HJR0074
PAGE 02799
DATE 04/21/86
CHAMBER HOUSE
TEXT HOUSE JOINT RESOLUTION NO. 74 by the Rules Committee by
Request of the Governor:
Relating to friendship between
Heilongjiang Province and the State of
Alaska.

was read the first time and referred to the Rules Committee for placement on the calendar.

The Governor's transmittal letter, dated April 21, 1986, appears below:

"Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a resolution regarding Alaska's special relationship with Heilongjiang Province of the People's Republic of China. You will recall last year's Legislative Resolve No. 2 on the friendship and cooperation between Heilongjiang and Alaska. I am also forwarding to you a translation of a letter that I received from Chen Lei, former governor of Heilongjiang Province, along with a copy of the envelope bearing Governor Chen's calligraphy.

As you remember, Governor Chen visited Alaska in February of 1985, at which time he and I signed an agreement establishing a special friendship relationship between the State of Alaska and Heilongjiang Province. Chen Lei retired from his position as governor in 1985 and is presently the chairman of the Provincial Advisory Council for Heilongjiang Province.

Governor Chen is a renowned poet and calligrapher. The letter is written in classical format and poetic style as you can see from the accompanying translation by Linda Dwyer. I have also been informed that Governor Chen has composed a series of poems about Alaska drawn from the experiences of his historic visit. The poetry is still in manuscript form.

I ask the Alaska State Legislature to join with me in extending warm greetings to Governor Chen. Furthermore, I urge that we join together in requesting Governor Chen to provide Alaska with a copy of his poetry so that it can be translated into English, to be more readily understood by the people of this country.

Sincerely,

/s/

Bill Sheffield
Governor"

BILL HJR0074
PAGE 02800
DATE 04/21/86
CHAMBER HOUSE
TEXT

A copy of the letter to Governor Sheffield from Chen Lieu, former governor of Heilongjiang Province of the People's Republic of China, appears below:

"'Ten thousand li apart are the boundaries of the ocean. Long the time since receiving a letter.' Thinking of you at this time, I hope that you are in good health and experiencing good fortune.

Presently, Mr. Coti from your esteemed state visited Harbin and once again we spent some time together. This caused me to instantly recall the time last year that I visited your esteemed state and received the boundless hospitality and cordial reception afforded by you and the friends in your esteemed state. In my eyes, I see again and again the beautiful scenery of your honorable state. From the occasion in which we established the sister state relationship, our two states have passed an entire year.

I extend to you my most sincere greetings, respectfully wish that the friendly exchange between our two states develops continuously.

I hope that in this new year, you experience outstanding achievements in your career and success in ten thousand endeavors."



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 V - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

May, 1988

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Mary Van Nimwegen

House Rules 5-10-85 8:37 AM



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

CALL THE MEETING TO ORDER:
HOUSE RULES STANDING COMMITTEE
FRIDAY, MAY 10, 1985
T I M E: _____

INDICATE MEMBERS PRESENT: Chairman M.W. Miller
V.-Chair Wallis
Speaker Grussendorf
Rep. Fuller
Rep. Martin
Rep. Davis
Rep. Pignalberi

COMMITTEE CALENDAR FOR TODAY:

CSSB 29 (JUD) am - "An Act relating to domestic violence and domestic sexual offenses."

(by Senator Faiks)

In the packets is a memo from Representative Gruenberg and Senator Faiks regarding the changes we have proposed in the House Rules CS.

NOTE: ELIZABETH HICKERSON, FROM SENATE ADVISORY COUNCIL WILL BE HERE TO DISCUSS CHANGES ALSO DEBRA NEIDERMEYER IS AVAILABLE TO ANSWER ANY QUESTIONS.

Move - "HCS CSSB 29 (Rules)"
MOVE BILL FROM COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS.

** Indicate time Adjourned*



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

FRIDAY, MAY 10, 1985

A G E N D A

CSSB 29(Judiciary)am - "An Act relating to domestic violence and domestic sexual offenses."
(By Senator Faiks)

- I. Proposed HCS CSSB 29(RULES)
- II. Memo dated May 8, 1985 regarding changes on CS(RULES)
- III. Senate Passed Version - CSSB 29(Judiciary)am
- IV. Bill History

Original sponsors: Faiks, Sturgulewski,
Halford, et al

1 IN THE SENATE

BY THE RULES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 29 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to domestic violence and domestic
7 sexual offenses."

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

9 * Section 1. AS 11.41 is amended by adding a new section to read:

10 Sec. 11.41.443. SPOUSAL RELATIONSHIP NO DEFENSE. In a prose-
11 cution under AS 11.41.410 or 11.41.420, it is not a defense that the
12 victim was, at the time of the alleged offense, the legal spouse of
13 the defendant.

14 * Sec. 2. AS 11.41.445(a) is amended to read:

15 (a) In a prosecution under AS 11.41.434 - 11.41.440 [AS 11.41.-
16 410 - 11.41.440] it is an affirmative defense that, at the time of the
17 alleged offense, the victim was the legal spouse of the defendant
18 unless the offense was committed without the consent of the victim

19 [(1) THE SPOUSES WERE LIVING APART; OR

20 (2) THE DEFENDANT CAUSED PHYSICAL INJURY TO THE VICTIM].

21 * Sec. 3. AS 12.25.030(b) is amended to read:

22 (b) In addition to the authority granted under (a) of this
23 section, a peace officer without a warrant may arrest a person when
24 the peace officer has reasonable cause for believing that the person
25 has committed a crime under AS 11.41, AS 11.46.330, or AS 11.61.120
26 when the victim is a spouse or former spouse of the person who commit-
27 ted the crime; a parent, grandparent, child, or grandchild of the
28 person who committed the crime; [,] a member of the social unit com-
29 prised of those living together in the same dwelling as the person who

1 committed the crime; [,] or another person who is not a spouse or
2 former spouse of the person who committed the crime but who previously
3 lived in a spousal relationship with the person who committed the
4 crime.

5 * Sec. 4. AS 18.66.900(3) is amended to read:

6 (3) "domestic violence" means a crime specified in AS 11.41
7 when the victim is a spouse or a former spouse of the defendant; a
8 parent, grandparent, child, or grandchild of the defendant; [, OR] a
9 member of the social unit comprised of those living together in the
10 same dwelling as the defendant; or a person who is not a spouse or
11 former spouse of the defendant but who previously lived in a spousal
12 relationship with the defendant;

13 * Sec. 5. AS 25.35.010(a) is amended to read:

14 (a) A person who is subjected to domestic violence may petition
15 a superior court for injunctive relief restraining the infliction of
16 further domestic violence against the petitioner by the respondent.
17 The court may appoint a guardian ad litem or attorney to represent a
18 minor who is subject to this chapter in the same manner as an attorney
19 may be appointed under AS 25.24.310.

20 * Sec. 6. AS 25.35.060 is amended to read:

21 Sec. 25.35.060. DEFINITIONS. In this chapter, "domestic vio-
22 lence" means a crime under AS 11.41 when the victim is a spouse or a
23 former spouse of the respondent; a parent, grandparent, child, or
24 grandchild of the respondent; [,] a member of the social unit com-
25 prised of those living together in the same dwelling as the respon-
26 dent; [,] or a person who is not a spouse or former spouse of the
27 respondent but who previously lived in a spousal relationship with the
28 respondent.

State of Alaska

COMMITTEES

HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES
(Co-Chairman)
HOUSE JUDICIARY
HOUSE COMMUNITY AND
REGIONAL AFFAIRS



FOURTH FLOOR
JUNEAU, ALASKA 99801
(907) 465-2908

914 CLAY COURT
ANCHORAGE, ALASKA 99503
(907) 276-6844

Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

MEMORANDUM

TO: REPRESENTATIVE MIKE MILLER, CHAIR
HOUSE RULES COMMITTEE

FROM: SENATOR JAN FAIKS, CO-CHAIR *Jan Fawks*
SENATE FINANCE COMMITTEE
REPRESENTATIVE MAX GRUENBERG, CO-CHAIR *Max*
HOUSE HESS COMMITTEE

DATE: MAY 8, 1985

RE: SB 29, RELATING TO DOMESTIC VIOLENCE AND DOMESTIC SEXUAL
OFFENSES

The purpose of this memo is to request that the House Rules Committee hold a hearing on SB 29 this Friday for the purpose of considering the attached amendments. This is a very important bill which has received widespread support in the Senate and House, and should be brought to the House for a vote.

Thank you for your consideration.

AMENDMENTS

IN THE HOUSE

FOR CSSB 29 - AN ACT RELATING TO DOMESTIC VIOLENCE AND DOMESTIC
SEXUAL OFFENSES.

BY: FAIKS AND GRUENBERG

1. Page 1, line 27:

after "grandparent," DELETE "or", and after "child" ADD:
"or grandchild".

2. Page 2, line 7:

after "grandparent," DELETE "or", and after "child" ADD:
"or grandchild".

3. Page 2, lines 15-17:

DELETE the sentence "a minor child seeking relief available
under this chapter must petition the court by or through a parent,
guardian or legal custodian."

And ADD in its place the following language: "The court may
appoint a guardian ad litem or attorney to represent a minor who is
subject to this chapter in the same manner as an attorney may be
appointed under AS 25.24.310."

4. Page 2, line 21:

After "grandparent," DELETE "or", and after "child" ADD:
"or grandchild".

Offered: 3/13/85
Referred: Rules

Original sponsors: Faiks, Sturgulewski,
Halford, et al

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 29 (Judiciary) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to domestic violence and domestic
7 sexual offenses."

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

9 * Section 1. AS 11.41 is amended by adding a new section to read.

10 Sec. 11.41.443. SPOUSAL RELATIONSHIP NO DEFENSE. In a prose-
11 cution under AS 11.41.410 or 11.41.420, it is not a defense that the
12 victim was, at the time of the alleged offense, the legal spouse of
13 the defendant.

14 * Sec. 2. AS 11.41.445(a) is amended to read:

15 (a) In a prosecution under AS 11.41.434 - 11.41.440 [AS
16 11.41.410 - 11.41.440] it is an affirmative defense that, at the time
17 of the alleged offense, the victim was the legal spouse of the defend-
18 ant unless the offense was committed without the consent of the victim

19 [(1) THE SPOUSES WERE LIVING APART; OR

20 (2) THE DEFENDANT CAUSED PHYSICAL INJURY TO THE VICTIM].

21 * Sec. 3. AS 12.25.030(b) is amended to read:

22 (b) In addition to the authority granted under (a) of this
23 section, a peace officer without a warrant may arrest a person when
24 the peace officer has reasonable cause for believing that the person
25 has committed a crime under AS 11.41, AS 11.46.330, or AS 11.61.120
26 when the victim is a spouse or former spouse of the person who commit-
27 ted the crime; a parent, ~~grandparent~~ ^{deletes} [or] child ^{adding grandchild} of the person who
28 committed the crime; [,] a member of the social unit comprised of
29 those living together in the same dwelling as the person who committed

1 the crime; [,] or another person who is not a spouse or former spouse
2 of the person who committed the crime but who previously lived in a
3 spousal relationship with the person who committed the crime.

4 * Sec. 4. AS 18.66.900(3) is amended to read:

5 (3) "domestic violence" means a crime specified in AS 11.41
6 when the victim is a spouse or a former spouse of the defendant; a
7 parent, grandparent ^{delete} or child ^{add or grandchild} of the defendant; [, OR] a member of the
8 social unit comprised of those living together in the same dwelling as
9 the defendant; or a person who is not a spouse or former spouse of the
10 defendant but who previously lived in a spousal relationship with the
11 defendant;

12 * Sec. 5. AS 25.35.010(a) is amended to read:

13 (a) A person who is subjected to domestic violence may petition
14 a superior court for injunctive relief restraining the infliction of
15 further domestic violence against the petitioner by the respondent. ^{delete} A
16 minor child seeking relief available under this chapter must petition
17 the court by or through a parent, guardian, or legal custodian. ^{* Add}

18 * Sec. 6. AS 25.35.060 is amended to read:

19 Sec. 25.35.060. DEFINITIONS. In this chapter, "domestic vio-
20 lence" means a crime under AS 11.41 when the victim is a spouse or a
21 former spouse of the respondent; a parent, grandparent, or child of
22 the respondent; [,] a member of the social unit comprised of those
23 living together in the same dwelling as the respondent; [,] or a
24 person who is not a spouse or former spouse of the respondent but who
25 previously lived in a spousal relationship with the respondent.

* Add

The court may appoint a guardian ad litem or attorney to represent a minor who is subject to this chapter in the same manner as an attorney may be appointed under AS 25.24.310.

BILL HISTORY

SB 29HOUSE CALENDAR:

BILL SB0029
 PAGE 00016
 DATE 01/14/85
 CHAMBER SENATE
 TEXT SENATE BILL NO. 29 by Senators Faiks, Sturgulewski, Halford, Kelly, DeVries, Josephson and Kerttula, entitled:
 "An Act relating to domestic violence."
 was read the first time and referred to the Health, Education and Social Services Committee and Judiciary Committee.

BILL SB0029
 PAGE 00194
 DATE 02/01/85
 CHAMBER SENATE
 TEXT The Health, Education and Social Services Committee considered SENATE BILL NO. 29 (domestic violence) and recommended it be replaced with
 CS FOR SENATE BILL NO. 29 (HESS)
 and do pass. The report was signed by Senator Fahrenkamp, Chairman and concurred in by Senators Josephson, Sturgulewski, DeVries and Paul Fischer.
 SENATE BILL NO. 29 was referred to the Judiciary Committee.

BILL SB0029
 PAGE 00529
 DATE 03/13/85
 CHAMBER SENATE
 TEXT The Judiciary Committee considered SENATE BILL NO. 29 (domestic violence) and recommended it be replaced with
 CS FOR SENATE BILL NO. 29 (JUD)
 with a majority do pass. The report was signed by Senator Rodey, Chairman and concurred in by Senators Halford, Faiks and Kelly.
 SENATE BILL NO. 29 was referred to the Rules Committee.

BILL SB0029
 PAGE 00590
 DATE 03/20/85
 CHAMBER SENATE
 TEXT SENATE BILL NO. 29 (domestic violence) was read the second time.
 Senator Rodey moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 529. Without objection, SCS FOR SENATE BILL NO. 29 (JUD) ¶ was adopted.
 CS FOR SENATE BILL NO. 29 (JUD) was read the second time.
 Senator Halford offered Amendment No. 1:
 Page 1, line 6 : after "violence" insert "and domestic sexual offenses"
 Page 1, following line 7: Insert new section to read:
 "*Section 1. AS 11.41 is amended by adding a new section to read:
 Sec. 11.41.443. SPCUSAL RELATIONSHIP NO DEFENSE. In a prosecution under AS 11.41.410

or 11.41.420, it is not a defense that the victim was, at the time of the alleged offense, the legal spouse of the defendant.

*Sec. 2. AS 11.41.445(a) is amended to read:

(a) In a prosecution under §AS 11.41.434 - §11.41.440 ¶-AS 11.41.410 - 11.41.440- it is an affirmative defense that, at the time of the alleged offense, the victim was the legal spouse of the defendant unless §the offense was committed¶ without the consent of the victim¶

BILL SB0029
PAGE 00591
DATE 03/20/85
CHAMBER SENATE
TEXT

- (1) THE SPOUSES WERE LIVING APART; OR
- (2) THE DEFENDANT CAUSE PHYSICAL INJURY TO THE VICTIM-

Renumber succeeding sections accordingly
Senator Halford moved and asked unanimous consent that Amendment No. 1 be adopted. Senator Ray objected. The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:
CS SB 29 JUD AM 1

Yeas: 18 Abood, Bennett, Coghill, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler

Nays: 2 DeVries, Fischer Paul

and so, Amendment No. 1 was adopted.
Senator Halford moved and asked unanimous consent that the title change be adopted. Without objection, the title change was adopted.
Senator Halford moved and asked unanimous consent that §CS FOR §SENATE BILL NO. 29 (JUD) am ¶be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 29 (JUD) am was read the third time.
The question being: "Shall CS FOR SENATE BILL NO. 29 (JUD) am (domestic violence and domestic sexual offenses) pass the Senate?" The roll was taken with the following result:
CS SB 29 JUD AM 3RD

Yeas: 19 Abood, Bennett, Coghill, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler

Nays: 1 DeVries

and so, CS FOR SENATE BILL NO. 29 (JUD) am passed the Senate and was referred to the Secretary for engrossment.

BILL SB0029
 PAGE 00595
 DATE 03/20/85
 CHAMBER SENATE
 TEXT SCS FOR SENATE BILL NO. 29 (JUD) am [was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

BILL SB0029
 PAGE 00659
 DATE 03/22/85
 CHAMBER HOUSE
 TEXT COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 29 (Judiciary) amended, by the Judiciary Committee, entitled:
 "An Act relating to domestic violence
 and domestic sexual offenses."
 was read the first time and referred to the Health, Education & Social Services and Judiciary Committees.

BILL SB0029
 PAGE 00898
 DATE 04/12/85
 CHAMBER HOUSE
 TEXT The Health, Education & Social Services Committee has considered COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 29 (Judiciary) amended (relating to domestic violence and domestic sexual offenses) and reports it back as follows: Koponen and Gruenberg (Co-chairs), Hurley and Thompson recommend do pass; Taylor has no recommendation.
 CSSB 29(Jud)am was referred to the Judiciary Committee.

BILL SB0029
 PAGE 00917
 DATE 04/15/85
 CHAMBER HOUSE
 TEXT The Judiciary Committee has considered COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 29 (Judiciary) amended (relating to domestic violence and domestic sexual offenses) and reports it back as follows: M.M. Miller (Chairman), Clocksin, Sund and Gruenberg recommend do pass; Phillips and Taylor have no recommendation.
 CSSB 29(Jud)am was referred to the Rules Committee for placement on the calendar.

Domestic
Violence
(definition)

SENATE BILL NO. 29, by Senators Faiks, Sturgulewski, Halford, Kelly, DeVries, Josephson and Kerttula. Expands definition of domestic violence under AS 25.35 (Domestic Violence) to include assault against a "parent, grandparent, or child" of the offender. Presently it only includes violence against "a spouse or a former spouse of the respondent, a member of the social unit comprised of those living together in the same dwelling as the respondent, or a person who is not a spouse or former spouse of the respondent but who previously lived in a spousal relationship with the respondent." Would make it easier to obtain restraining orders against offenders in cases involving children and old people. (Amends AS 25.35.060--Definitions.) Does not provide for an effective date.

Introduced January 14 and referred to Health, Education & Social Services and Judiciary.

SENATE BILL NO. 29, (see page 12). Reported back to the Senate on February 1 by Health, Education & Social Services with the committee recommending it be replaced with a HESS CS and that it do pass. Concurring: Fahrenkamp (Chairman), Josephson, Sturgulewski, DeVries and Paul Fischer. To Judiciary.

The HESS CS adds new Secs. 1 - 2 which conform other laws relating to domestic violence to the revised definition:

--AS 12.25.030(b) (grounds for arrest without a warrant; peace officer may arrest without a warrant if officer has reasonable cause for believing it to be a case of domestic violence).

--AS 18.66.900(3) (definition of "domestic violence" under AS 18.66, Council on Domestic Violence & Sexual Assault.

New Sec. 3 amends AS 25.35.010(a) (Injunctive Relief in Cases Involving Domestic Violence) by adding: "A child seeking relief available under this chapter must petition the court by or through a parent, guardian, or legal custodian."

SENATE BILL NO. 29, (see pages 12;177). Reported back to the Senate on March 12 by Judiciary with the committee recommending it be replaced with a Judiciary CS and that it do pass. Concurring: Rodey (Chairman), Halford, Faiks and Kelly. To Rules.

The Judiciary CS makes one change to the HESS version (p. 177). Under new Sec. 3, language added to AS 25.35.010(a) reads: "A minor child seeking relief available under this chapter must petition the court by or through a parent, guardian, or legal custodian." "Minor" added.

CS FOR SENATE BILL NO. 29 (JUD)(AM), (see pages 12;177;435;494).
Before the Senate on March 20. The Judiciary CS was adopted.

Amendment No. 1 by Sen. Rodey was adopted, 18-2 (DeVries & P. Fischer, Nay).

The amendment adds new Secs. 1 & 2 which repeal the spousal defense to rape. Sec. 1 adds new AS 11.41.443: "In a prosecution under AS 11.41.410 or 11.41.420, it is not a defense that the victim was, at the time of the alleged offense, the legal spouse of the defendant."

Sec. 2 amends AS 11.41.445(a), the existing spousal defense. Presently it is an affirmative defense to rape that, at the time of the offense, the victim was the legal spouse of the defendant "unless (1) the spouses were living apart; or (2) the defendant caused physical injury to the victim." Amended to provide that it is an affirmative defense that the victim was the legal spouse "unless the offense was committed without the consent of the victim."

Amends title to read: "An Act relating to domestic violence and domestic sexual offenses." The title change was adopted.

The bill then passed, 19-1. Nays: DeVries.

CS FOR SENATE BILL NO. 29 (JUD)(AM), (see pages 12;177;435; 482). Received in the House March 22 and referred to Health, Education & Social Services, Judiciary.

CS FOR SENATE BILL NO. 29 (JUD)(AM), (see pages 12;177;435; 482;494). Reported back to the House April 12 by Health, Education & Social Services recommending it do pass. Concurring: Koponen and Gruenberg (Co-Chairs), Hurley and Thompson. Not concurring: Taylor has no recommendation. To Judiciary.

CS FOR SENATE BILL NO. 29 (JUD)(AM), (see pages 12;177;435; 482;494;617). Reported back to the House April 15 by Judiciary recommending it do pass. Concurring: M. M. Miller (Chair), Clocksin, Sund and Gruenberg. Not concurring: Phillips and Taylor have no recommendation. To Rules.

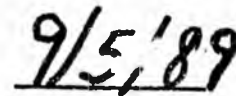


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Jeanie Henry

House Rules Committee, 5/11/85, 5:30 pm

R

COMMITTEE REPORT

5/11

HOUSE

Rules

(7)

FURTHER:

4/11/85

Date: 5/11/85

The Committee on RULES has had CSSB 115(Res)

"An Act relating to land use and disposal near a highway right-of-way; and providing for an effective date."

under consideration and recommends:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for CSSB 115 Rules [X] 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

Mr. Miller
Ben ...
F. Koywalli
Lerry ...

MEMBERS HAVING OTHER RECOMMENDATIONS:

Mr. Miller
CHAIRMAN

Bradley
5/8/85 ✓

Original sponsor: Resources Committee

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IN THE SENATE

BY THE RULES COMMITTEE

HOUSE CS FOR CS FOR SENATE BILL NO. 115 (Rules)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to land use and disposal near a highway right-of-way; and providing for an effective date."

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

* Section 1. AS 19.40.200 is amended by adding new subsections to read:

(b) The prohibition on disposal of state land under (a) of this section does not apply to a disposal necessary for

(1) an oil and gas lease under AS 38.05.180;

(2) exploration, development, production, or transportation of oil and gas north of 68 degrees north latitude; or

(3) a state lease or materials sale for exploration, development, production, or transportation of oil and gas or reconstruction or maintenance of the highway north of 68 degrees north latitude.

(c) Before the sale of materials under (b)(3) of this section to a private entity or person or to a state agency the state shall give due consideration to the availability of materials from private sources in the area where the materials are needed.

* Sec. 2. AS 19.40.210 is amended to read:

Sec. 19.40.210. PROHIBITION OF OFF-ROAD VEHICLES. Off-road vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to off-road vehicles necessary for oil and gas exploration, development, production, or transportation or to a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the

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right-of-way of the highway to gain access to the [HIS] mining claim.

* Sec. 3. This Act is retroactive to October 5, 1980.

* Sec. 4. This Act takes effect immediately in accordance with AS 01.-
10.070(c).

HOUSE CALENDAR:

BILL SB0115
PAGE 00185
DATE 01/31/85
CHAMBER SENATE
TEXT SENATE BILL NO. 115 by the Resources Committee, entitled:
"An Act relating to oil and gas exploration
along highway rights-of-way."
was read the first time and referred to the Resources Committee
and the Transportation Committee.

SB0115
00264
02/11/85
SENATE
The Resources Committee considered SENATE BILL NO. 115 (oil
and gas exploration along highway rights-of-way) and
recommended it be replaced with
CS FOR SENATE BILL NO. 115 (RES), entitled:
"An Act relating to land use and disposal
near a highway right-of-way; and providing
for an effective date."
and do pass. The report was signed by Senator Sturgulewski,
Chairman and concurred in by Senators Coghill, Fahrenkamp,
Zharoff, Eliason, Vic Fischer and Halford.

"Letter of Intent
It is the intent of the Senate Resources Committee that leases
necessary for communication equipment or facilities related to
oil or gas activity is included as allowable under Section
1(b)(2) of CS SB 115 (Resources)."
SENATE BILL NO. 115 was referred to the Transportation
Committee.

SB0115
00328
02/19/85
SENATE
The Transportation Committee considered SENATE BILL NO. 115
(oil and gas exploration along highway rights-of-way) and rec-
ommended the Resources Committee Substitute be adopted with a
majority do pass. The report was signed by Senator Coghill,
Chairman and concurred in by Senators Faiks, Abood and Paul
Fischer.
SENATE BILL NO. 115 was referred to the Rules Committee.

SB0115
00346
02/21/85
SENATE
The Rules Committee considered SENATE BILL NO. 115 (oil and
gas exploration along highway rights-of-way) and recommended
calendar February 21. The report was signed by Senator Kelly,
Chairman and concurred in by Senators Coghill and Faiks.
SENATE BILL NO. 115 appears on today's calendar.

SENATE BILL NO. 115 (oil and gas exploration along highway rights-of-way) was read the second time.

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 264. Without objection §CS FOR SENATE BILL NO. 115 (RES) ¶(land use and disposal near a highway right-of-way; efd) was adopted.

CS FOR SENATE BILL NO. 115 (RES) was read the second time.

SB0115

00353

02/21/85

SENATE

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 115 (RES) be considered engrossed, advanced to third reading and placed on final passage. Senator Ray objected, then withdrew his objection. There being no further objection, it was so ordered.

CS FOR SENATE BILL NO. 115 (RES) was read the third time.

Senator Halford moved and asked unanimous consent that the title change be adopted. Without objection, the new title was adopted.

The question being: "Shall CS FOR SENATE BILL NO. 115 (RES) (land use and disposal near a highway right-of-way; efd) pass the Senate?" The roll was taken with the following result:

CSSB 115 RES 3RD

Yeas:	20	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
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Nays: 0

and so, CS FOR SENATE BILL NO. 115 (RES) passed the Senate.

Senator Halford moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. Without objection, it was so ordered.

Senator Ziegler made a parliamentary inquiry, asking at what stage a letter of intent is adopted.

President Bennett stated that hereafter letters of intent would be adopted prior to the vote on a bill.

Senator Halford moved and asked unanimous consent that the Resources Committee Letter of Intent offered on page 264 be adopted as a Senate Letter of Intent. Without objection, the Senate Letter of Intent was adopted.

CS FOR SENATE BILL NO. 115 (RES) was referred to the Secretary for engrossment.

§CS FOR SENATE BILL NO. 115 (RES) ¶was engrossed, signed by the President and Secretary and transmitted to the House for consideration with a Senate Letter of Intent.

SB0115
00408
02/22/85
HOUSE

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) by the Resources Committee, entitled:

"An Act relating to land use and disposal near a highway right-of-way; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil and Gas, Resources and Transportation Committees.

SB0115
00493
03/01/85
HOUSE

The Speaker waived the House Special Committee on Oil & Gas referral on COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) (land use and disposal near a highway right-of-way; effective date) at the request of the Chairman.

CSSB 115(Res) was sent to the Resources Committee with a further referral to the Transportation Committee.

SB0115
00509
03/04/85
HOUSE

The Speaker waived the Resources Committee referral on COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) (relating to land use and disposal near a highway right-of-way; effective date) at the request of the Co-Chairman. CSSB 115(Res) was sent to the Transportation Committee.

SB0115
00881
04/11/85
HOUSE

The Transportation Committee has considered COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) (relating to land use and disposal near a highway right-of-way; effective date) and reports it back as follows: Cato (Chairman), Pignalberi, Furnace, Davis, Marrou and Shultz recommend do pass; Herrmann has no recommendation. The Committee supports the Senate Letter of Intent (page 264, Senate Journal).

CSSB 115(Res) was referred to the Rules Committee for placement on the calendar.

Oil & Gas SENATE BILL NO. 115, by the Resources Committee. Identical
Activities to HB 143, page 190, this report. Does not provide for an
(haul road effective date (becomes law 90 days after signed by the
rights-of way) Governor).

Introduced January 31 and referred to Resources and Transportation.

SENATE BILL NO. 115, (see page 169). Reported back to the Senate February 11 from Resources with the committee recommending it be replaced with a Resources CS and that it do pass. Concurring: Sturgulewski (Chairman), Coghill, Fahrenkamp, Zharoff, Eliason, Vic Fischer and Halford. To Transportation.

The committee submitted a letter of intent, which states: "It is the intent of the Senate Resources Committee that leases necessary for communication equipment or facilities related to oil or gas activity is included as allowable under Section 1(b)(2) of CS SB 115 (Resources)."

The Resources CS changes amendment to AS 19.40.200 (Prohibition on Disposal of Land Within Five Miles of the Highway). Adds new subsection (b) which states that the prohibition does not apply to "(1) disposal necessary for an oil and gas lease under AS 38.05.180; (2) a state lease or materials sale necessary for exploration, development, production, or transportation of oil and gas or reconstruction or maintenance of the highway."

Also adds new (c): "Before the sale of materials under (b)(2) of this section to a private entity or person or to a state agency the state shall give due consideration to the availability of materials from private sources in the area where the materials are needed."

Makes bill retroactive to October 5, 1980 and effective immediately.

CS FOR SENATE BILL NO. 115 (RESOURCES), (see pages 169; 272; 320). Reported back to the Senate on February 19 by Transportation with the committee recommending the Resources CS do pass. Concurring: Coghill (Chmn.), Faiks, Abood and Paul Fischer. To Rules.

Before the Senate on February 21. The Resources CS was adopted and the bill passed, 20-0. The effective date was adopted. The Resources letter of intent was adopted.

CS FOR SENATE BILL NO. 115 (RES), (see pages 169;306). Received in the House and referred to House Oil & Gas, Resources, Transportation.

CS SENATE BILL NO. 115 (RES), (see pages 169;272;306;320). On March 1 the Speaker waived the Oil & Gas referral. To Resources, then Transportation.

HOUSE BILL NO. 115, (see pages 144; 249). On March 6 the Speaker waived the Judiciary referral. To Rules.

CS FOR SENATE BILL NO. 115 (RES), (see pages 169;272;306; 320;383;422). Reported back to the House April 11 by Transportation recommending it do pass. Concurring: Cato (Chair), Pignalberi, Furnace, Davis, Marrou and Shultz. Not concurring: Herrmann has no recommendation. The Committee supports the Senate letter of intent (see page 272). To Rules.

