

ALASKA LEGISLATURE COMMITTEE FILES 1987 - 1988
5040.1 HRLS COMMITTEE SCHEDULING 8672

1987-1988
HOUSE RULES COMMITTEE
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COMMITTEE SCHEDULING

GROUND FLOOR XEROX MACHINE

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SECOND FLOOR XEROX MACHINE

MEETING (1-21-87) - CALENDAR PREPARATION

HB 3

HB 28

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HB 46

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HB 294

HB 356

HB 424

HCR 12 (FILE 1) 3-27-87

HCR 12 (FILE 2) 1-26-88

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SB 139 (FILE 1) - 5-14-87

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SB 499

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SJR 55

COMMITTEE

SCHEDULING



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

MEMORANDUM

TO: ALL COMMITTEE CHAIRMEN

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

SUBJECT: Scheduling Committee Meetings - FIRST WEEK.

We will maintain the policy which we have followed in the past regarding scheduling committee meetings for the first week.

Legal Counsel has indicated previously that, while at first glance the rule appears to prohibit committee meetings during the first week of session, the Chief Clerk is working now, and will be on Wednesday, January 8th. In following with the policy of using the Wednesday committee schedule, Committee Chairmen should submit their WEEKLY WEDNESDAY COMMITTEE SCHEDULE, before 3:00 p.m. on Wednesday. Any notices of meetings turned in on that schedule may be heard on any day the following week.

If you have any questions, please call my office at 3764/3765 (Jeannie).



Alaska State Legislature

House of Representatives

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Juneau, Alaska 99811

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Official Business

MEMORANDUM

January 6, 1986

To: ALL COMMITTEE CHAIRMEN

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

Subject: WEEKLY COMMITTEE SCHEDULES - NOTICE REQUIREMENT CHANGE
POLICY - 2nd Session, 14th ALASKA STATE LEGISLATURE

We will be using the same format for notice requirement changes which we did last session. When and if the Senate passes the proposed Uniform Rules changes which the House passed last session, we will notify your office of the changes immediately. Our weekly committee schedules are available on the statewide computer system, so it is very important that format and notification requirements are followed closely.

Although Rule 23 requires that committee schedules be submitted to the Chief Clerk's office by Thursday, IT WILL BE THE HOUSE POLICY FOR THE 14TH ALASKA STATE LEGISLATURE THAT WEEKLY COMMITTEE SCHEDULES BE SUBMITTED TO THE CHIEF CLERK'S OFFICE NO LATER THAN 3:00 p.m. on WEDNESDAY. Any notices of meetings turned in on that WEEKLY WEDNESDAY COMMITTEE SCHEDULE can be heard on any day the following week. (See attached legal opinion dated January 14, 1985).

WEEKLY WEDNESDAY COMMITTEE SCHEDULE

The weekly schedules are to be typed on committee stationery and must be turned into Kris Gray in the Chief Clerk's office no later than 3:00 p.m. each WEDNESDAY to be printed in the Journal.

THE REQUIREMENT THAT WRITTEN NOTICE OF COMMITTEE HEARINGS DURING A WEEK MUST BE PROVIDED TO THE CHIEF CLERK BY THE PRECEDING WEDNESDAY MAY NOT BE WAIVED.

In order to hear a bill that isn't shown on the WEEKLY WEDNESDAY COMMITTEE SCHEDULE, a House Concurrent Resolution would have to be introduced which would suspend Uniform Rule 23 in regards to the bill you would like to hear in your committee. Rule 54 of the Uniform Rules allows for suspension of the Uniform Rules using the House Concurrent Resolution. The Concurrent Resolution must be approved by a two-thirds vote of the full membership of each house - 27 votes and must pass both the House and the Senate. Therefore, it is only used when ABSOLUTELY necessary. Don't count on using this method to get around Rule 23 notification requirements.

*FIVE DAY NOTICE REQUIREMENT

For the first public hearing on a bill in the first committee of referral, five days' notice must be given, as per Uniform Rule 23(a).

To indicate the first hearing on a bill, mark with an asterisk (*) on your WEEKLY WEDNESDAY COMMITTEE SCHEDULE which bills are being heard for the first time.

AGAIN, I WILL ADD THAT ANY BILL TURNED IN ON THE WEEKLY WEDNESDAY COMMITTEE SCHEDULE CAN BE HEARD ANY DAY THE FOLLOWING WEEK.

Subcommittees are not bound by the above record-keeping requirements; however, they are encouraged to follow them to give members of the public adequate notice of meetings.

24 HOURS' WRITTEN NOTICE

Once a conference committee has been appointed on the budget (this doesn't happen every year), committees are no longer bound by these notice requirements. Once a conference committee is appointed, a 24 hours' written notice of meetings is required, as per Uniform Rule 23 (d). When and if this occurs, the Rules Committee will notify you immediately.

UPDATES ON COMMITTEE SCHEDULES

Updates on committee schedules will be published daily as part of the House Journal. Following the Uniform Rules, changes must be given in writing to the Chief Clerk's Office by 3:00 of the preceding day to appear in the Journal - the chairman does not need to announce it on the floor if the Chief Clerk's office has been notified. Occasionally, there will not be time to have a change appear in the Journal, and in this case the chairman must announce the change on the floor. (For clarification on the extent of changes allowed under the Uniform Rules, please see attached February 1, 1982 memorandum).

* * * * *

Please make sure that your committee staffers are familiar with these notification requirements. Mistakes can prove embarrassing and time-consuming, particularly when a bill must be sent back to a committee. If there are any questions about the requirements, do not hesitate to call my office at 3764/3765.

As each piece of legislation is scheduled for a committee hearing, any person, affected state agency or organization who has expressed an interest in knowing the hearing date should be notified by mail or telephone.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
707 465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 14, 1985

SUBJECT: Notice requirements of Rule 23

TO: Representative Mike W. Miller
Chairman, House Rules

FROM: Billy G. Berrier *BGB*
Director
Division of Legal Services

You have asked two questions concerning notice requirements under Rule 23 of the Uniform Rules of the Alaska State Legislature.

You have asked whether (as a matter of policy of the House) the House could establish Wednesday rather than Thursday as the day written notice of committee meetings for the succeeding week must be provided to the clerk.

In my opinion it can.

The rule provides in relevant part:

(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 obvious purpose of the provision is to require a minimum notice of committee meetings. In my opinion requiring notice greater than that established by the rule as a matter of policy is permitted. Therefore establishing a Wednesday requirement is not prohibited.

You have also asked whether the notice requirements of Rule 23 apply to "work sessions" of committees.

In my opinion they do apply.

It is a general principal of parliamentary procedure that a body may only function when it is properly assembled. With

It is a general principle of parliamentary procedure that a body may only function when it is properly assembled. With particular reference to committees Mason's Manual of Legislative Procedure provides in Sec. 625(1) that "a committee can act only at a meeting and not by separate consultation and consent . . ." and goes on to say

Everything done by a committee must have been submitted to the committee in actual session and an opportunity must have been given for consideration and discussion. Any exception to this rule should not be recognized unless clearly authorized by the rules.

The notice requirements of Rule 23 are not limited by terms of the rule to meetings at which legislation is considered nor is there an implication that it is so limited. Therefore there is no exception for "work sessions".

BGB:ojb
J10/094

STATE OF ALASKA
THE LEGISLATURE

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


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 1, 1982

SUBJECT: Notice requirements under Rule 23

TO: Representative John G. Fuller
Chairman, House Rules Committee

FROM: Billy G. Berrier 
Director
Division of Legal Services

You have asked what is the extent of changes allowed under Rule 23(b) and whether a general phrase in a notice is adequate compliance for further action of matters previously considered by a committee.

Rule 23(b) provides:

(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.

This rule does not speak to the extent of change permitted. In my opinion this must be read together with Rule 23(a). The purpose of Rule 23(a) is notice of and opportunity to participate in or observe committee action. Subsection (b) allows flexibility needed but in my opinion was not intended as a device to defeat the policy underlying subsection (a). Introduction of new subject matter would operate to defeat these requirements. It would appear proper under the rule to consider additional bills relating to a subject matter included in a notice but bills which introduce a new subject matter would appear precluded.