

# UNIFORM RULES

# ALASKA STATE LEGISLATURE

Adopted

Second Legislature — First Session

1961

## UNIFORM RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

**Preamble.** These rules are adopted pursuant to the uniformity provisions of Article II, Section 12, of the Constitution of the State of Alaska.

### I Uniform Rules of Organization

**RULE 1.** At the commencement of the first regular session of each Legislature the Secretary of State shall call the House and Senate to order separately; proceed to call the roll of certified members; administer the oath of office to members present and see that copies thereof are filed in the Office of the Governor and with the Chief Clerk of the House or the Secretary of the Senate; and, pending the election of a temporary chairman (or a Speaker in the House or a President in the Senate), preserve order and decorum and decide all questions of order subject to appeal by any member.

**RULE 2.** At the commencement of the first regular session of each Legislature the House and Senate shall each organize by the election of one of its members as presiding officer who shall be designated as "Speaker of the House of Representatives" in the House or "President of the Senate" in the Senate, and shall hold office for a two-year duration of that Legislature.

Each house shall also elect, upon nomination by the Engrossment and Enrollment Committee (Permanent Help) a Chief Clerk or Secretary, sergeant-at-arms, chaplain and such clerical and other employees as may be necessary. These non-member officers and employees shall hold their positions at the pleasure of the house and shall take and subscribe to an oath to defend and support the Constitutions of the United States and Alaska, and to faithfully discharge the duties of the office or position which they are to enter.

#### Duties of Presiding Officer

**RULE 3.** It shall be the duty of the presiding officer of each house:

- (a) To open each daily session at the time which it is to meet by taking the chair and calling the members to order.

- (b) To announce the business before the body in the order in which it is to be acted upon.
- (c) To recognize the members entitled to the floor.
- (d) To state and put to vote all questions which are regularly moved or which necessarily arise in the course of the proceedings, and to announce the result of the vote.
- (e) To preserve order and decorum.
- (f) To restrain the members when engaged in debate within the rules of order.
- (g) To decide all points of order, subject to appeal, unless when in doubt he prefers to submit the question to the decision of the body.
- (h) To inform the body when necessary, or when any question is raised, on any point of order or practice pertinent to the pending business.
- (i) To sign all acts, addresses, resolutions, memorials, and orders of the house.
- (j) To receive all messages and communications and announce them to the body.
- (k) To appoint all special committees of the house and to refer all bills, resolutions and memorials to all appropriate committees unless otherwise ordered by the house.
- (l) To have general charge and supervision of the house chamber, gallery, offices, hallways, and committee rooms.
- (m) To name another member to perform the duties of the chair when he wishes to vacate it temporarily but this appointment shall not extend beyond the adjournment for the day on which the appointment was made.
- (n) To serve, ex officio, as a non-

voting member of all standing committees.

#### **Duties of Chief Clerk/Secretary**

RULE 4. The Chief Clerk or Secretary shall be the principal administrative officer of the house and it shall be his duty:

- (a) To keep, or supervise the keeping of, a correct journal and other records of the proceedings of the house.
- (b) To call the roll and read all bills, resolutions, amendments and other papers ordered read by the house or presiding officer.
- (c) To notify the other house of all acts of the house on all matters originating in the other house.
- (d) To certify to and transmit to the other house all bills, resolutions and papers requiring the concurrence of the other house immediately upon their passage or adoption.
- (e) To secure proper authentication of bills of the house which have passed both houses and to see that they are transmitted to the Governor.
- (f) To have supervision over all clerical work to be done for the house and to supervise all clerical employees of the house subject to the direction of the presiding officer.
- (g) To have custody of and responsibility for the maintenance of all records of the House and to see to their safe storage between sessions.

#### **Other Officers and Employees of a House**

RULE 5. The sergeant-at-arms shall be in attendance at all sessions of the house and under the direction of the presiding officer shall preserve order; execute all processes issued by the house; insure that the chamber is properly cleaned, heated and ventilated; maintain order in the gallery and see that the press table is reserved for members of the press only; and supervise the duties of the messengers and doormen of the house.

RULE 6. The chaplain shall be present at the commencement of each day's session and open the meeting with a prayer.

RULE 7. All officers and employees of each house, except the chaplain, shall report to the Chief Clerk of the House or Secretary of the Senate, or sergeant-at-arms, as appropriate, at 9:00 a.m. each legislative day, unless otherwise directed. Officers and employees are subject to assignment or reassignment of function and duties as the work of each house demands.

Any officer or employee of a house who neglects or refuses to perform any duty assigned to him or shall be found on duty in a state of intoxication, or attempts to influence the passage or defeat of any legislation, shall, when reported to the house in writing by the chief clerical officer, sergeant-at-arms, or the chairman of any standing committee, be subject to reprimand or dismissal.

#### **Officers and Employees of the Legislature**

RULE 8. In addition to the officers and employees subject to the direct supervision of each house, the Legislature shall have jointly supervised officers and employees who shall serve at the direction of the Engrossment and Enrollment Committees of the House and Senate. They include:

- (a) A Fiscal Officer who shall serve both houses of the legislature in matters relating to members and employee personnel actions and payrolls; procurement, disbursement, and storage of supplies and equipment; and in the supervision of the clerks in the central mail and distribution room of the Legislature. The Fiscal Officer shall serve at the direction of the Legislative Council between legislative session on a half-time basis.
- (b) Clerks of the Central Mail and Distribution Room.
- (c) The foreman and other machine operators and document assembly personnel of the Central Duplicating Service of the Legislature.
- (d) Such clerical or other personnel

who comprise the Secretariat of the Legislature assigned to the immediate supervision of the Legislative Council but available to implement the immediate clerical staffs of either house upon request.

#### Hour for Convening

RULE 9. Each house shall convene daily (except Sunday) at 10:00 a.m. unless otherwise ordered by a vote of the house.

#### Quorum

\*\*RULE 10. A majority of the membership of each house constitutes a quorum for the conduct of business, but a smaller number may adjourn from day to day and compel the attendance of absent members, making an order for their fine and censure. For the purpose of ascertaining whether there is a quorum present, the presiding officer shall count and report the actual number of members present.

#### Admittance to Floor

RULE 11. Any former member of the Legislature of Alaska shall, upon invitation from the chair, have the privilege of the floor of the house, but not the privilege of discussion and debate.

No other person not a member of a house shall be permitted on the floor of the house chamber while the house is sitting except officers and employees of the Legislature, as authorized and designated by the presiding officer, and such persons as may be allowed the privilege of the floor, for the day, by the house.

No person except a member of a house shall advocate or oppose the passage of any bill or resolution on the floor of that house while it is in session.

#### Use of Hall and Offices

RULE 12. The use of the chamber of either house shall not be granted for any purpose without the consent of two-thirds of the house except for caucuses of the members of the Legislature. The offices and other rooms reserved for the use of either house and its employees are to be used only for authorized legislative business. Legislative offices are not to be used for the transaction of private business nor are they open to the public ex-

cept as authorized for legislative business by the presiding officers or appropriate committees of either house.

## II Uniform Rules of Procedure

RULE 1. The following uniform rules of procedure shall be kept uniform as between both houses.

#### Daily Order of Business

RULE 2. The daily business of the Senate and House shall be disposed of in the following order:

- (a) Roll call
- (b) Prayer by the chaplain
- (c) Reading and approval of the journal of the previous day
- (c) Reading of communications to the house
- (e) Messages from the Governor
- (f) Messages from the other house
- (g) Presentation of petitions and resolutions from members of the house
- (h) Reports of standing committees
- (i) Reports of special committees
- (j) Special orders (not set for a particular hour)
- (k) Unfinished business
- (l) Consideration of Daily Calendar
  - (1) Introduction, first reading and reference of bills of both houses
  - (2) Second reading of bills of house
  - (2) Second reading of bills of other house
  - (4) Third reading of bills of house
  - (5) Third reading of bills of other house
  - (6) All other matters up for final action in the house
- (m) Announcement of committee meetings
- (n) Adjournment

### Preparation of Calendar

RULE 3. The Committee on Rules of each house shall prepare and lay on the desk of each member of that house before the time set for convening, the daily calendar, and no business shall be transacted or any measure considered that is not included on the calendar.

### Special Orders

RULE 4. Any subject may, by vote of two-thirds of the members present, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the house.

### Committees

RULE 5. At the beginning of the first regular session of a Legislature, the presiding officer of each house shall appoint one member from each of the four Senate-at-Large Districts who shall serve with the presiding officer as chairman of a five-member Committee on Committees. The Committee on Committees shall meet and nominate members for all the standing committees provided for in the rules of that house. The number of members on any standing committee shall total to an uneven number and all members nominated shall be subject to election by the whole house. The minority party in each house shall be entitled to at least one seat on all standing committees.

The standing committees in each house shall be as follows:

Commerce and Labor  
 Engrossment and Enrollment (Permanent Help)  
 Federal Relations  
 Finance  
 Health, Welfare and Education  
 Judiciary  
 Local Government  
 Resources  
 Rules  
 State Affairs

RULE 6. **Committee Quorum.** A ma-

majority of the members of any committee shall constitute a quorum.

RULE 7. **Special Committees.** The presiding officer of each house shall appoint all special committees and designate their chairmen unless otherwise ordered by the house.

RULE 8. **Duties.** The duties and powers of a committee are as follows:

- (a) All committees shall act upon all bills or report same back to the house as soon as practicable. The chairman of each committee is charged with the observance of this rule; but the house may at any time order a bill reported back from any of its committees by a majority vote of the membership.
- (b) When a committee unanimously reports a bill with a recommendation that the bill "do not pass," or "without a recommendation," the presiding officer of the house, upon the conclusion of the reading of all reports of committees to which it has been referred, shall put the question: "Shall the bill be placed on the calendar for second reading notwithstanding the report of the committee?" This question shall be debatable. If a majority of those present vote "No," then the bill shall be lost.
- (c) The chairman of any committee may report directly to the house and the house shall take such action thereon as it deems advisable, or the committee may report without notice to the house by handing reports to the Chief Clerk or Secretary, and such reports shall be read by the Clerk or Secretary, entered on the Calendar, and considered in their regular order.
- (d) If a committee has a number of bills on the same subject, none of which can be agreed upon by the committee, and it is their wish to present a different bill on the same subject such a bill must be reported to the house and accepted before any of the

other bills can be recommended for indefinite postponement.

- (e) It shall be in order for the committee on Engrossment and Enrollment to report bills at any time, if no motion is before the house.
- (f) No motion or proposition to impose, reduce or eliminate a tax or charge upon the people, or appropriate moneys from the state treasury shall be discussed on the day on which it is made or offered, and every such proposition shall be referred to the Finance Committee of the house in which it was introduced.

#### **Joint Committees**

RULE 9. The like committees of both houses should meet jointly for the purpose of receiving the testimony of witnesses, and such other matters as may be expedited by joint committee action.

#### **Committee of the Whole**

RULE 10. In forming a Committee of the Whole (House or Senate), the presiding officer leaving the chair shall call upon a member to preside who shall be addressed as "Mr. Chairman".

RULE 11. When a bill is considered in the Committee of the Whole (House or Senate), it shall be read and debated by sections, leaving the preamble, if any, to be last considered. The body of the bill shall not be defaced or interlined, but all amendments (noting the line and page) shall be duly entered by the Chief Clerk or Secretary on a separate paper, as the same shall be agreed to by the committee, and so reported to the house. After a report, the bill shall again be subject to amendment.

RULE 12. These uniform rules of procedure shall be observed on a Committee of the Whole (House or Senate), but no member shall be recognized a second time until every member choosing to speak shall have spoken.

#### **Quorum**

\*\*RULE 13. A majority of the total membership to which the House is entitled shall constitute a quorum to do business, but a smaller number may adjourn from

day to day and may compel the attendance of absent members.

#### **Call of the House or Senate**

RULE 14. One member may demand a call of the house at any time before the house has divided, or the voting has commenced by ayes and noes, and thereupon the door shall be closed until further proceedings on the call have been dispensed with, which shall not be done until the presence of the absent members has been secured, unless the member demanding the call shall withdraw the demand, or unless two-thirds of the members to which the house is entitled shall vote to continue the proceedings; but arrests of members shall not be made unless ordered by a majority of the members present.

#### **Duties of Members**

RULE 15. No member shall absent himself from the sittings of the house unless he shall have leave or be sick and unable to attend.

Every member who shall be in the house when the question was put shall give his vote unless the house for special reasons shall excuse him. All motions to excuse a member shall be made before the house divides or before the call for ayes and noes is commenced, and any member requesting to be excused from voting may make a brief verbal statement of the reasons for making such request and the question shall then be taken without further debate.

RULE 16. No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, nor change his vote after the result has been announced.

RULE 17. Upon a division and count of the house on any question no member without the bar shall be counted.

#### **Decorum in Debate**

RULE 18. When any member is about to speak in debate or deliver any matter to the house, he shall rise from his seat and respectfully address himself to Mr. Speaker or Mr. President, and being recognized may address the house, and shall confine himself to the question under debate, and avoid personalities, and no member shall impugn the motion of any member's vote or argument.

RULE 19. When two or more members arise at once, the presiding officer shall name the one who is to speak first.

RULE 20. If any member in speaking or otherwise transgresses the rules of the house, the presiding officer shall call him to order, or any member may arise to a point of order, in which case the member shall immediately take his seat unless permitted to explain; and the house shall, on appeal, decide the case without debate; if there is no appeal, then the body shall abide by the decision of the chair. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case requires it, he shall be liable to the censure of the house.

RULE 21. If any member be called to order for words spoken in debate the person calling him to order shall repeat the words excepted to and they shall be taken down in writing at the Clerk's or Secretary's table, and no member shall be held to answer, or be subject to the censure of the house for words spoken in debate, if any other member has spoken, or other business has intervened, after words are spoken, and before exception to them shall have been taken.

RULE 22. While the presiding officer is putting the question, no member shall walk across or out of the house, nor shall any member stand at the Clerk's or Secretary's desk while the roll call is in progress.

When a member is speaking, the house shall be in order and no private conversation shall be carried on, nor shall any member pass between the person speaking and the chair.

RULE 23. No member shall speak more than twice on the same question without leave of the house, except the chairman of the committee or the mover of the question, who may open and close the debate.

#### Motions

RULE 24. When a motion is made and seconded, it shall be stated by the presiding officer, or, being in writing, it shall be handed to the chair and read aloud before debate.

RULE 25. Motions shall be reduced to writing, if the presiding officer or a member desires it.

RULE 26. After a bill or resolution has been introduced, or a motion for adoption of an amendment has been made, and is read by the Secretary (or Clerk of the House) or stated by the presiding officer, it shall be deemed to be in possession of the house; however, it may be withdrawn at any time by the member who introduced or reported it, if consent is given by a majority of the house.

RULE 27. When a question is under debate, no motion shall be made except for the following privileged motions which shall have precedence in the following order:

- (1) To adjourn
- (2) For a call of the house
- (3) To recess
- (4) To lay on the table
- (5) For the previous question
- (6) To limit or extend the limits of debate
- (7) To postpone to a day certain
- (8) To commit or to recommit
- (9) To amend
- (10) To postpone indefinitely

#### Form of Question

RULE 28. Questions shall be put in this form to-wit: "As many as are in favor (as the question shall be) say 'Aye'" and after the affirmative vote is expressed, "As many as are opposed say 'No'." If the presiding officer is in doubt, or if division is called for, the house shall divide. Those in the affirmative on the question shall rise, and the number being announced, those in the negative shall rise.

#### Indefinite Postponement

RULE 29. A measure may be indefinitely postponed by a majority vote of all members to which the house is entitled, and the vote thereon shall be taken by ayes and noes and entered in the Journal.

No motion to postpone indefinitely, having been decided in the negative shall again be allowed on the same day, and at the same stage of the bill or proposition.

When a question is postponed indefinitely, the same shall not be acted upon

again during the session except on motion of reconsideration.

### Reconsideration

**RULE 30a. Reconsider.** No motion, bill, or resolution shall be reconsidered on the day on which the final vote was taken, but it shall be in order, on that day for a member, who voted on the prevailing side, to give, and have entered in the journal, a notice of intention to move a reconsideration, on the next legislative day.

When such notice is given any member may, on the next working day, move a reconsideration of the question; provided, however, that two-thirds of the membership of the house may order a reconsideration taken up on the same day that notice or reconsideration is given.

The motion for reconsideration opens for debate the question to be reconsidered and shall have precedence over every other motion except a motion to adjourn. When a vote is reconsidered that vote is canceled as completely as though it had never been taken. Where a majority votes to reconsider, the question immediately recurs upon the question reconsidered.

No notice of reconsideration shall be in order on the last two days of the session.

There shall be but one reconsideration, even though the action of the house after reconsideration is opposite the action of the house before reconsideration.

If a member gives notice that he intends to move a reconsideration, the Clerk or Secretary shall not report the measure to the other house until the reconsideration is disposed of, or the time for moving the same has expired.

**RULE 30b. Rescind.** The motion to rescind is ordinarily applied to actions which have been taken and are already in effect, and has the effect of making ineffective the action previously taken. The motion to rescind should be used to reverse a previous action after the time for reconsideration has passed. The motion is not in order when the question can be reached by a motion to reconsider.

The motion to rescind may be made on any subsequent legislative day during the same session, but prior to the time the act becomes law, so long as no vested

rights have arisen from the original action, or so long as no rights or final action of the other house have intervened. When an authorized act has been carried out, or where the legislature ratifies a contract, the power to rescind does not continue to exist thereafter.

The motion to rescind may be made by any member, whether he voted with the prevailing side or not. The motion is debatable and opens the entire question to debate.

The motion to rescind yields to all privileged and incidental motions, and all subsidiary motions can be applied to it the same as to any other main motion. The motion to rescind may not be renewed during the session, but may be subject to reconsideration in the same manner as any other main motion.

The motion to rescind requires the same vote as that required to originally pass the measure.

### Previous Questions

**RULE 31.** The previous question may be ordered by two-thirds of the members present upon all recognized motions or amendments which are debatable, and shall have the effect to cut off all debate and bring the house to a direct vote upon the motion or amendment then pending or on which is has been ordered.

The question is not debatable and cannot be amended. The previous question shall be put in this form: "The previous question is demanded. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows:

If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer at once and without debate, proceeds to put the amendment or motion as ordered. If an adjournment is had after the previous question is ordered, the subject comes up in its regular order on the next day, and the previous question still operates.

### Division of Questions

**RULE 32.** A division of a question cannot be demanded as a right to any mem-

ber. It must be made pursuant to a motion, stating precisely the division asked for, which motion can be amended. The presiding officer can decide, subject to an appeal to the house, that the division proposed cannot be made. Otherwise it is submitted to the house and decided by it.

#### **Roll Call Procedures**

RULE 33. The vote upon any question shall be taken by ayes and noes, when demanded by one-fifth of the membership of the house and shall be entered upon the journal of the house. The presiding officer shall vote when the ayes and noes are called for, his name being called last, and in case of an equal division, the question shall be lost. Except for the presiding officer, who shall always vote last, the names of the members of the house shall be rotated each day, unless the requirement for rotation be suspended by two-thirds of either house. The rule may be suspended for the legislative day, or week, or any period not to exceed the legislative session.

#### **Amendment and Recommitment in Either House**

RULE 34. No motion or proposition on a subject shall be admitted under color of amendment, if different from that under consideration. Substitute bills may be offered by a committee in accordance with Rule 8(d) or by the original sponsor or sponsors any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall take the place of the original bill or resolution, and shall be open to amendment. Any bill or resolution introduced as a sponsor substitute shall be referred by the presiding officer to a committee action as any new bill, or resolution, and shall be identified as a sponsor's substitute for the particular bill or resolution.

RULE 35. No amendment shall be received to a bill on its third reading, but it may be returned to second reading by a majority of the membership of the house for the purpose of specific amendment. A bill may be recommitted at any time before its passage; provided, however, that amendments to the title of a bill may be in order after its passage and shall be decided without debate.

RULE 36. Each amendment proposed by a committee to a bill shall be in writing on a separate slip of paper, and shall be securely attached to the original bill. The report of the committee shall also contain a statement of the amendments agreed to by the committee. Any committee report on a bill not conforming with this rule shall be returned by the Chief Clerk or Secretary of the house to the committee for compliance with this rule without further order by the house. Upon second reading, the bill may be read section by section in full, and be subject to amendment. No amendments shall be considered by the house until it shall have been sent to the desk in writing and read by the Clerk or Secretary. All amendments adopted on the second reading shall be securely attached to the original bill.

Amendments rejected by the house shall be passed to the minute clerk, and the Journal shall show the disposition of such amendments.

#### **Introduction of Bills and Resolutions**

RULE 37. Any member whose term extends into a forthcoming Legislature or member-elect of the Legislature, may file a bill with the Legislative Council at any time within sixty days prior to the convening of any regular session of the Legislature.

The Legislative Council shall see that each pre-filed bill is in proper legal form; assign it a number and have it duplicated; and deliver same to the Chief Clerk of the House or the Secretary of the Senate, as appropriate, immediately upon the convening of the Legislature. Pre-filed bills shall be considered as introduced on the day of their delivery to each house.

RULE 38. When the house is in session, any member desiring to introduce a bill shall send to the desk of the Chief Clerk or Secretary an original and two copies of the bill. The Chief Clerk or Secretary shall number all bills in the order of their receipt and thereafter all bills shall be designated by the number given them. The member introducing the bill shall be responsible for insuring that the bill is in proper legal form. Any bill not in proper legal form shall be returned to the author.

RULE 39. Any bill may be introduced by a member or members individually or as a group or by any standing or

special committee. Legislative Council bills shall be introduced by "the Rules Committee by request of the Legislative Council". Bills sponsored by the Governor of Alaska shall be introduced by "the Rules Committee by request of the "Governor".

#### Uniform Title of Bills

RULE 40. All bills introduced in the House or Senate shall be entitled as follows:

IN THE HOUSE BY.....

HOUSE BILL NO.....

IN THE LEGISLATURE OF THE  
STATE OF ALASKA

..... LEGISLATURE — ..... SESSION

A BILL

— or —

IN THE SENATE BY.....

SENATE BILL NO.....

IN THE LEGISLATURE OF THE  
STATE OF ALASKA

..... LEGISLATURE — ..... SESSION

A BILL

#### Enacting Clause

\*\*RULE 41. The enacting clause for all bills shall be:

**Be it enacted by the Legislature of the State of Alaska:**

#### Content of Bills

\*\*RULE 42. Every bill shall be confined to one subject unless it is an appropriation bill or one codifying, revising, or rearranging existing laws. Bills for appropriations shall be confined to appropriations. The subject of each bill shall be expressed in its title.

#### Resolutions

RULE 43. The only legislative instruments authorized for use under these uniform rules are bills and the types of resolutions prescribed by this rule. No memorial, petition or remonstrance shall be introduced.

A House or Senate simple resolution is a formalized motion passed by the members of the House or Senate. It may be used to express the will, wish, view, opinion, sympathy or request, of the house

adopting it. It may also be used to extend sympathy on the death of a member, to authorize the printing of special reports, to create special committees, to request information from administrative agencies, and to express the intent of the legislative house to another governmental body. The simple resolution may be used to affect matters relating only to the house concerned. It requires no referral to committee or three readings.

A House or Senate Special Resolution is used only to expel a member under Section 12, Article II, of the State Constitution. It may be adopted only after three readings, committee action, and the concurrence of two-thirds of the members of the house concerned.

The concurrent resolution is a resolution adopted by both houses and may be used to achieve the same purposes for both houses as a simple resolution is used for one house. A concurrent resolution is used to express the will, wish, view, opinion, sympathy or request of both chambers. It is used to affect the internal matters relating to both houses, the adjournment of the legislature, the suspension and amendment of the uniform rules, the making of interim assignments to the Legislative Council and the Legislative Audit Committee, the requesting or directing of specified action by agencies of the state government, the annulment of agency rules under the Administrative Procedure Act, and the fixing of the time and place of joint assemblies which meet to adopt the uniform rules. It requires no referral to committee or three readings.

A special concurrent resolution is employed in disapproving executive order proposals made by the Governor to reorganize the executive branch under Section 23, Article III, of the Alaska Constitution. The resolution is adopted in joint session, after joint committee action, but without three readings.

A joint resolution is a resolution adopted by both houses and signed by the Governor as a ministerial formality. The joint resolution is treated in all respects as a bill, but is not subject to executive veto. It is used for the same purpose as a simple and concurrent resolution in expressing the joint will, wish, view, opinion, sympathy or request of the legislative and executive branches when the resolution is

directed to addresses outside the state. The joint resolution is also used when a more considered expression with full deliberation is necessitated by the seriousness of the action. The joint resolution is specifically used to request action by the Congress, the President or federal agencies, for amendments to the State Constitution, ratification of amendments to the Federal Constitution, requests to Congress for proposals or amendments to the Federal Constitution, and the disapproval of local government boundary changes proposed by the Local Boundary Commission under Section 12, Article X, of the State Constitution.

#### **Action on Matters Not Treated as Bills**

**RULE 44.** Concurrent Resolutions and Simple Resolutions from members of the house shall be presented in acceptable printed form and read by resolve only. Unless otherwise referred by the presiding officer or ordered by the house, such matters shall be referred to the Rules Committee for assignment on the daily calendar. When returned from committee and placed upon the daily calendar, such matters shall be read in whole or in part, and are subject to amendment, debate and final passage. Unless otherwise provided in these uniform rules, such matters may be adopted by voice vote of a majority of the members present.

#### **Action on Bills**

**RULE 45. First Reading.** When all bills have been introduced for the day and no member takes the floor for further introductions, the presiding officer shall declare the bills introduced are ready for first reading. The first reading shall be by title only and the Chief Clerk or Secretary shall read all bills in the order in which they were received and numbered.

Upon first reading, the presiding officer shall refer the bill to the appropriate standing committee, or the house may by a majority vote refer the bill to any other standing committee or to a special committee.

**RULE 46. Second Reading.** When a bill comes up on the daily calendar of the house for its second reading, the Chief Clerk or Secretary shall read the bill by title only, unless a majority of the mem-

bers present order the bill to be read in full.

When the second reading is completed, the bill shall be before the house for amendment. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

**\*\*No bill may become law unless it has passed three separate readings in each house on three separate days, except that any bill may be advanced from second to third reading on the same day by concurrence of three-fourths of the house concurring in it.**

**RULE 47. Engrossment.** When no further amendments are offered, the presiding officer shall refer the bill with amendments agreed to by the house to the Committee on Engrossment and Enrollment. Three-fourths of the house may order that the bill be considered engrossed for the purpose of advancing the bill from second to third reading on the same day.

The Committee on Engrossment and Enrollment shall see that all amendments are properly engrossed upon the original bill. The engrossed bill should be returned to the Chief Clerk or Secretary on the following legislative day, and the bill shall then come up in regular order for third reading and final consideration.

**RULE 48. Third Reading.** On its third reading the bill shall be read by title only. The question on the third reading of a bill shall be upon its passage and no amendments shall be considered.

**\*\*No bill may become law without an affirmative vote of a majority of the membership of each house. The yeas and nays, noting the name of each member, on final passage of a bill, shall be entered on the journal of each house.**

#### **Amendments to Amended Bill Must Be Attached**

**RULE 49.** Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution

originated, shall be endorsed "concurring in" and such endorsement shall be signed by the Secretary of the Senate or the Clerk of the House, as the case may be. The amended bill shall also be immediately enrolled and certified by the presiding officer and clerk, and sent with the original bill to the other house for consideration.

#### **Course of Bills in Each Body**

RULE 50. Every bill when passed by the house in which it originated shall be immediately engrossed and certified by the officer and clerk and sent to the other house for consideration, and the clerk of the house in which the bill originated shall transmit with the engrossed bill sufficient copies of such engrossed bill for distribution to the members of the other house, the clerk or secretary retaining a copy certified by said clerk or secretary; provided, however, that the house which has transmitted a Bill, shall be deemed to have said Bill in its possession until the time for possible reconsideration of such Bill has expired. Whenever a bill intended to amend an existing statute is engrossed, it shall be prepared and engrossed in the manner prescribed in Uniform Rule of Procedure No. 67.

RULE 51. When a Senate bill has been received by the House or a House bill by the Senate, with a message announcing that the same has passed the Senate or House, such bill shall be read the first time by the Secretary or Clerk and take proper course according to these uniform rules of procedure.

#### **To Concur or Refuse to Concur in Amendments**

RULE 52. In case the Senate amend and pass a House bill, or the House amend and pass a Senate bill, the Senate (if it be a Senate bill) or the House (if it be a House bill) must either "concur" or "refuse to concur" in the amendments.

#### **When Amendments Are Concurred In**

RULE 53. If the Senate concur (if it be a Senate bill), or the House concur (if it be a House bill), the Secretary or Clerk shall notify the house making the amendments, and the enrolled bill shall be certified and transmitted to the Governor.

#### **Committee on Conference**

RULE 54. If the Senate refuse to concur (if it be a Senate bill), or the House refuse to concur (if it be a House bill), the Secretary or Clerk shall notify the house making the amendments of the action taken and ask that they recede from their amendments. If they refuse to recede, a Committee on Conference, consisting of three members from each house, shall be appointed by the President of the Senate and by the Speaker of the House. The Committee on Conference shall meet at a time to be mutually agreed upon by the committee members, and when agreement on the amendments has been reached, report to both the Senate and House.

#### **Powers of Free Conference**

RULE 55. It shall be in order at any time for the House and Senate to grant powers of free conference to the Committee on Conference.

#### **Committee on Free Conference**

RULE 56. If the Committee on Conference fail to agree, or either house refuse to adopt the report of the committee, it shall then be in order to appoint a Committee on Free Conference.

A Committee on Free Conference shall consist of three members from each house, to be appointed in the same manner as a Committee on Conference.

The Committee on Free Conference is hereby empowered to suggest in its report any new amendments germane to the question which it may adopt as a committee, and such amendments made by such committee shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment in either house. When the Committee on Free Conference is unable to agree or either house refuses to adopt its recommendations, the bill may be ordered to a second Committee on Free Conference. No member of the first Committee on Free Conference shall be appointed to such second committee.

#### **When Conference Committee Report Is in Order**

RULE 57. The report of the Committee

on Conference or Free Conference must be agreed to by a majority of the Committee members. The presentation of a report of the Committee on Conference or Free Conference shall always be in order, except when the journal is being read or a question of order or a motion to adjourn is pending, or while the house is dividing, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

#### **Notices to be on Paper, Under Proper Signatures**

RULE 58. Notice of the action of either house to the other shall be written on paper, and over the signature of the Secretary or Clerk of the house from which such notice is to be conveyed.

#### **Enrollment of Bills**

RULE 59. After a bill shall have passed both houses, it shall be duly enrolled in triplicate by the enrolling clerk of the house in which it originated and it shall be examined by the Enrolling Committee of such house, who shall carefully compare the enrollment with the engrossed bill as passed, correcting any errors that may be discovered in the enrolled bill.

RULE 60. When an enrolled bill shall have been compared by the Engrossment and Enrollment Committee and found correctly enrolled, they shall make their report forthwith to the house in which the bill originated, after which the bill shall be signed by the presiding officer of each house, in open session, first in the house in which it originated; whereupon the Secretary of the Senate or the Chief Clerk of the House shall present the original to the Governor and five copies to the Secretary of State, taking their receipts therefor.

#### **Disposition of Engrossed Bills**

RULE 61. The house transmitting the enrolled bill to the Governor shall also file with the Secretary of State the engrossed bill together with the history of such bill up to the time of transmission to the Governor.

#### **Secretary and Clerk to Keep Register**

RULE 62. The Secretary of the Senate and Clerk of the House shall keep a register, in which shall be recorded every

action taken by the Senate or the House on every bill, concurrent or joint resolution, and the complete history of same shall be furnished either house on request.

#### **Secretary and Clerk Shall Endorse Bills**

RULE 63. The Secretary of the Senate and the Clerk of the House shall endorse on every original bill a statement of any action taken by the Senate and the House.

#### **Time Limit for Transmission of Bills Between Houses**

RULE 64. No bills shall be introduced after the forty-fifth day or received in the other house after the fiftieth day of any regular session, except those bills introduced by standing committees. The time limit may be changed by approval of a concurrent resolution by a two-thirds vote in the affirmative of the membership to which each house is entitled.

#### **Carry-Over of Bills**

RULE 65. A bill introduced during the first regular session of a legislature which does not receive final action in both houses during that session, shall carry over in the same reading or status into the second regular session.

#### **Printing of Bills**

RULE 66. All original bills introduced in the Senate or the House shall be typed and duplicated on paper with consecutive numbered lines, and that portion of the bill beginning "For an Act entitled" shall begin on line numbered 6, and the title shall be double spaced. Each line of the part of the bill including the title shall be printed opposite the numbers consecutively, and the bill shall be engrossed in the same way.

#### **Amendments to Existing Laws**

RULE 67. All bills introduced either in the House or the Senate which are intended to amend existing statutes, shall have the words which are amendatory to such existing statutes underlined or underscored; where a bill is introduced by way of amendment to strike out any part of an existing statute, the matter to be stricken shall be in capitals and enclosed in brackets; any such matter as cannot be conveniently underscored shall be marked "New Matter" by printed words on the margin, so that when the printed bill is

presented for perusal of members such new or amendatory matter shall be easily discernible.

**RULE 68.** When the bill is finally enrolled it shall be without any extraneous matter inserted as required in the foregoing paragraph.

#### **Procedure on Vetoed Bills**

**\*\*RULE 69.** A bill vetoed by the Governor shall first be returned to its house of origin. That house shall then have the vetoed message read immediately and order it to be spread upon the journal. The house receiving the vetoed bill and message shall promptly inform the other house of the action which has transpired and both houses shall thereupon meet immediately in joint session and reconsider passage of the vetoed bill or item.

**\*\*RULE 70.** Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the Legislature. Other vetoed bills become law by affirmative vote of two-thirds of the membership of the Legislature. In considering a vetoed bill or item the merits of the bill or item may be debated before the vote is taken, but no amendments to the bill are in order, nor can the vote on any vetoed bill or item be further reconsidered. The vote on reconsideration of a vetoed bill shall be entered on the journals of both houses.

#### **Effective Date**

**\*\*RULE 71.** Laws passed by the Legislature become effective ninety days after enactment. The Legislature may, by concurrence of two-thirds of the membership of each house, provide for another effective date.

**\*\*RULE 72.** If a bill is to become effective on a date other than the 90 days after passage and approval, such effective date shall be stated in a separate provision in the bill, and must receive the affirmative vote of two-thirds of the membership of each house at the time the bill is considered.

#### **Joint Address to Governor**

**RULE 73.** When the Senate and House shall deem it proper or expedient to make a joint address to the Governor, it shall be presented to him in his office by the

President of the Senate in the presence of the Speaker of the House and a special committee of three members appointed for the purpose from each house.

#### **Joint Assemblies**

**RULE 74.** Whenever either house deems it necessary to hold a joint assembly, except as provided above for a joint session to reconsider executive vetoes, a message asking concurrence of the other house shall be transmitted to said other house setting forth the purpose of such joint assembly and fixing the time for same. The President of the Senate in the presence of the Speaker of the House, shall preside over all joint assemblies. Joint assemblies shall be governed by these uniform rules.

#### **Suspension of Uniform Rules**

**RULE 75.** Either house may suspend all or parts of uniform rule of procedure number 2 (daily order of business) by a vote of two-thirds of the membership of the house.

**RULE 76.** All other uniform rules may be suspended by concurrent resolution approved by two-thirds of the membership of each house; and if either house shall violate a uniform rule a question of order may be raised in the other house. If it be decided that the uniform rules have been violated, the bill involved in such violation shall be returned to the house in which it originated without further action.

#### **Adoption of Uniform Rules**

**RULE 77.** The Uniform Rules of the Senate and House of Representatives shall be adopted in joint assembly by a majority vote of the membership of each house.

#### **Amendment of Uniform Rules**

**RULE 78.** The Uniform Rules of the Senate and House of Representatives may be amended by concurrent resolution approved by two-thirds of the membership of each house.

#### **Adjournment**

**\*\*RULE 79.** Neither house may recess or adjourn, except from day to day, for more than three days unless the other concurs.

**RULE 80.** A recess or adjournment of a session may be accomplished only

through the affirmative approval of a concurrent resolution by a majority of the members of each house.

A motion to adjourn or recess a session shall be in order when it is the intention of the Legislature to adjourn or recess to a date certain. A motion to adjourn sine die shall be in order only at the end of the second regular session or a special session of a legislature.

**Mason's Manual**

**RULE 81.** The rules of parliamentary practice comprised in "Mason's Manual

of Legislative Procedure" shall be considered as implementing and governing these uniform rules of organization and procedure of the Legislature in all cases not inconsistent with these uniform rules.

**\*\*Refers to provision of the State Constitution.**

**Adopted in Joint Assembly  
by the**

**Senate and House of Representatives  
March 7, 1961**