



Alaska State Legislature

1972

Source:

HCR 69

HOUSE CONCURRENT RESOLUTION NO. 69

Requesting a Legislative Council study of legislative procedure.

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

WHEREAS under the Alaska Constitution, art II, sec. 12, "the houses of each legislature shall adopt uniform rules of procedure" and in the parliamentary tradition common to the legislative bodies in the United States, each legislative body is the judge of its own procedure; and

WHEREAS during the course of the Seventh Legislature, Second Session, the Senate and House of Representatives have been faced with serious questions of legislative procedure as it pertains to the vote, in a measure's house of origin, required for concurrence in amendments made in the other house and to the adoption of conference committee reports; and

WHEREAS two contrasting interpretations of the relevant provisions of the Alaska Constitution, the Uniform Rules of the Alaska Legislature, Mason's Manual of Legislative Procedure, and significant court decisions in this area were provided the legislature in a memorandum from the Executive Director of the Legislative Affairs Agency to the Chairman of the House Rules Committee, June 8, 1972, and a comment on that memorandum by Representative Mike Rose in a letter to the Speaker of the House, June 10, 1972; and

WHEREAS it is in the best interest of the legislature to maintain sound legislative procedure consistent with the provisions of the Alaska Constitution and to avoid potential litigation that might arise out of failure to enact legislation in accordance with the state constitution;

BE IT RESOLVED by the Legislature of the State of Alaska that the Legislative Council is requested to conduct a study of legislative procedure used in adopting conference committee reports and concurring in amendments offered by the house other than the house of a measure's origin, focusing on the following issues:

(1) What constitutes "final passage" of a bill?

(2) What vote is required to adopt a conference committee report or concur in amendments: a majority of the membership of each house, or a majority of the members of each house present and voting?

(3) Must the vote on a conference committee report or concurrence in amendment be by a roll call vote of the "yeas" and "nays" recorded in the journal in each house, or may the vote be by voice?; and be it

FURTHER RESOLVED that the Legislative Council is referred to the Elliott memorandum and Rose letter mentioned above, with the request that these documents be incorporated into, and be examined during the course of, the study; and be it

FURTHER RESOLVED that the Legislative Council is requested to report its findings and recommendations to the legislature not later than the 10th legislative day of the Eighth Legislature, First Session.