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ALASKA STATE LEGISLATURE

LEGISLATIVE COUNCIL

BOX 2199-JUNEAU

May 2, 1962

RECEIVED
MAY 9 1962

ALASKA LEGISLATIVE COUNCIL
JUNEAU, ALASKA

MEMORANDUM

SUBJECT: Legislative Rules
TO: Legislative Councils and Reference Bureaus

The Alaska Legislative Council has under consideration a formal and substantive revision of its legislative rules. In Alaska the state constitution requires that the two houses of the Legislature utilize uniform rules of procedure. The uniformity has been extended to organizational matters with the result that the only variation between the House and Senate is in the use of titles for the presiding and chief administrative officers. The Uniform Rules of the Alaska State Legislature are implemented by Mason's Manual of Legislative Procedure.

To assist us in our review and possible revision of our uniform legislative rules, it would be appreciated if you would accommodate us by sending us: (1) a copy of your joint rules and the rules of each house, and (2) any recent review or survey made of your legislative rules suggesting revision.



John C. Doyle
Executive Director

Dear Mr. Doyle:

May 8, 1962

JCD:vd

We have forwarded to you under separate cover gift copies of RULES OF THE HOUSE 1961, RULES OF THE SENATE 1961-62, LEGISLATIVE STYLE AND UNIFORM RULES 1961 (SENATE CONCURRENT RESOLUTION No. 2 January 1961).

We have also included A HANDBOOK FOR THE OREGON LEGISLATOR 1961.

The Legislative Council reports that no revision of rules is contemplated at present.

MH:1km

Sincerely yours,
Oregon State Library

CHECKLIST OF STATES

SUBJECT: REQUEST FOR COPIES OF RULES AND COMMENTS - See ltr atchd

- | | |
|------------------------------|--|
| ✓ ALABAMA | ✓ MONTANA |
| ALASKA | ✓ NEBRASKA |
| ✓ ARIZONA | ✓ NEVADA |
| ✓ ARKANSAS + <i>new</i> | NEW HAMPSHIRE |
| ✓ CALIFORNIA | NEW JERSEY |
| ✓ COLORADO | NEW MEXICO |
| ✓ CONNECTICUT <i>w/repod</i> | ✓ NEW YORK |
| DELAWARE | ✓ NORTH CAROLINA |
| FLORIDA | ✓ NORTH DAKOTA <i>w/revision repod</i> |
| ✓ GEORGIA | ✓ OHIO |
| ✓ HAWAII | ✓ OKLAHOMA <i>minutes on procedure</i> |
| IDAHO | ✓ OREGON |
| ✓ ILLINOIS | PENNSYLVANIA |
| ✓ INDIANA <i>w/repod</i> | ✓ RHODE ISLAND + <i>moved</i> |
| ✓ IOWA + <i>repod</i> | SOUTH CAROLINA |
| ✓ KANSAS | ✓ SOUTH DAKOTA |
| ✓ KENTUCKY | ✓ TENNESSEE |
| ✓ LOUISIANA | ✓ TEXAS |
| ✓ MAINE | UTAH |
| ✓ MARYLAND | ✓ VERMONT |
| ✓ MASSACHUSETTS <i>Moved</i> | ✓ VIRGINIA |
| ✓ MICHIGAN + <i>handout</i> | ✓ WASHINGTON <i>w/repod</i> |
| ✓ MINNESOTA | ✓ WEST VIRGINIA - <i>Moved</i> |
| MISSISSIPPI | ✓ WISCONSIN <i>-w/repod</i> |
| ✓ MISSOURI | ✓ WYOMING |

ALASKA STATE LEGISLATURE

LEGISLATIVE COUNCIL

BOX 2199-JUNEAU

April 23, 1962

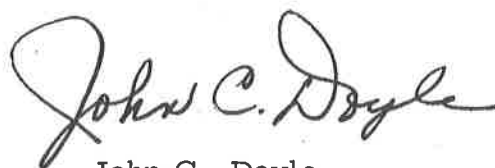
MEMORANDUM

SUBJECT: Suggestions for Revision of Uniform Rules
TO: Members of the Legislature

Senate Concurrent Resolution No. 31 provides for a formal and substantive revision of the Uniform Rules of the Legislature. The Chairmen of the Rules Committees have submitted their recommendations and those received from other members for substantive changes and in the near future these will be correlated with the formal changes by the Legislative Council and then reviewed for inclusion in a general revision of the Rules to be presented to the Third Legislature for adoption as its temporary rules pending adoption of permanent rules.

The Council has directed that all members be contacted for their suggestions for change while the experience of the past session is still fresh in mind. Thus far suggestions received from members have included recommendations for a change in the number and function of standing committees, the time limit on the introduction and transmittal of personal bills, the convening date of the annual sessions, a requirement that committee reports be detailed, limiting the number of resolutions that a member may introduce, and the limiting of material in the daily journal to essential elements of business.

It will be appreciated if all suggestions are submitted by July 1. Members wishing to have a work copy of the Uniform Rules will be sent one on request.



John C. Doyle
Executive Director

JCD:vd

March 26, 1962

MEMORANDUM

SUBJECT: Recommendation for Change in the Uniform Rules

TO: Representative William Erwin, Chairman
House Rules Committee

This is with further reference to SCR #31 which relates in part to the receipt of suggestions from members for changes in the Uniform Rules.

I am suggesting consideration of an amendment to Rule 64 which relates generally to the time limit for introduction of bills and their transmission between the houses. There is a prevailing misconception carried over from territorial days and given continuing circulation by the news media and other misinformed sources that the State Legislature is somehow limited to an annual session of 60 days. In an attempt to disabuse the press and others of this misconception and to provide for a more realistic schedule for the annual legislative process, which under the constitution may continue from the fourth Monday in January of one year until 9:59 a.m. of the day for the convening of the next session the following year, I am offering the following rewording of Rule 64 for your consideration, not as a final solution, but as a starting point for discussion and amendment:

Rule 64. No personal bills may be introduced after the 50th day of any regular session. Committee bills or personal bills introduced through the Rules Committee By Request with the approval of that committee may be introduced at any time. Personal bills may be transmitted between houses up through the 60th day of any regular session and thereafter their receipt in the other house is subject to a motion supported by a majority to receive the bill or bills. Committee bills may be transmitted between houses at any time. The time limit for introduction and transmittal of personal bills 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.

Harold Z. Hansen

March 15, 1962

SUBJECT: Recommendation for a Change
in the Uniform Rules

TO: Rep. William Erwin, Chairman
House Rules Committee

In anticipation of the passage of SCR #31 which relates to a formal and substantive revision of the Uniform Rules, I am asking that the Rules Committee consider amending Rules 34-36, or where otherwise thought appropriate, the provision regarding amendments to bills.

What I have in mind is a change that would provide that when a bill is introduced which amends existing law, only that portion of the bill containing the amendatory material is subject to amendment when the bill is under consideration by the house. Otherwise, the subject or intention of the bill is bypassed and the entire law or section of law is opened up for amendment and thus the purpose of the bill as introduced is lost sight of. If members wish to go beyond the purpose of the bill amending existing law as introduced, they should introduce a new bill to effect their purpose.

Harold Z. Hansen

RULES REVISION

✓ Fiscal Notes

Bills appropriating money, changing existing or providing for new revenues, or proposing capital improvements must have a fiscal note from the department of revenue or the department otherwise affected before the Finance Committee may report it out.

The fiscal note could be required of the sponsor before the bill can be referred to any committee.

Journal - expunging from the record

Material recorded in the journal may be expunged by the order of the majority of members to which the house is entitled and the order must be made before the end of the legislative day covered by the portion of the journal to be expunged.

Rule 65

Carry-over of Bills

A bill introduced ~~in~~ during the first regular session of a legislature which was not defeated, withdrawn or vetoed during that session carries over in the same reading or status into the second regular session of the same legislature. Joint resolutions which are treated in all respects as bills carry over under the same circumstances. Simple and concurrent resolutions do not carry/over from the first to the second regular sessions. (Sec. Ch. 157, SLA 1959)

RULES 59 and 60 * ENROLLMENT

Rule _____. a. When a bill has passed both houses it shall be enrolled ~~by~~ under the direction of the chief clerk or secretary of the house in which it originated and compared with the engrossed version of the bill. The chief clerk or senate secretary shall certify as to its accuracy to the house of origin. Bills 50 pages or more in length need not be formally enrolled from the engrossed bill if the engrossed bill is in final form. In the later event, the title page and signature page of the bill shall be enrolled on plain bond and properly attached to the remainder of the engrossed bill in readiness for the signatures of the presiding officers, and the chief clerk and senate secretary.

b. When the chief clerk or senate secretary has reported the bill to have been correctly enrolled in its house of origin the bill shall be signed by the presiding officer and chief clerk or secretary of that house and then sent to the other house for signatures. It shall then be returned to the house of origin for transmittal on receipt to the Governor.

RULES 61, 62, and 63 REGISTER, ENBORSEMENT AND FILING OF BILLS

Rule _____. The chief clerk and senate secretary shall keep a register and record of every action taken on bills and resolutions and deposit it with the Legislative Council at the end of each legislature for permanent filing. The jacket of each bill ~~shall~~ or resolution shall contain a history of action on the document. At the end of each session the copies of all engrossed bills shall be filed with the Legislative Council along with a copy of each enrolled bill. The Secretary of State is custodian of the original copy of every enrolled bill.

RULE 47 -- Engrossment

Rule _____. When no further amendments to a bill or resolution
or resolution
are offered, the presiding officer shall refer the bill with
amendments agreed to by the house to the chief clerk or senate
secretary for engrossment. The chief clerk or senate secretary
shall supervise the correct engrossing of the amendments upon
the bill or resolution and then certify as to its correctness to
the Rules Committee. The bill or resolution shall then come up
in ⁱⁿ ~~xxx~~ regular order for third reading and final consideration.
Three-fourths of the membership of the house may order that the
bill or resolution be considered engrossed for the purpose of
advancing it ~~to~~ from second to third reading on the same day.

Status of bills -- to be produced weekly separate from journal
and to include reference only to bills of house producing it.
Resolutions not to be reported.

Duplication of materials -- reports, documents, etc. are to be
duplicated only at the request of the presiding officers, chief
clerk or senate secretary, or at the request of chairmen of
standing committees. Duplicating supervisor is not authorized to
receive personal requests for duplication unless it is on a work
order signed by the presiding officer or the chairmen of a standing
or special committee and certified as ~~PERSONAL~~ official business.

Substitute - committee and sponsor substitutes will be duplicated
when they are offered as substitutes.

Sponsors of bills - When a privately sponsored bill or a committee
bill is converted to a substitute - ~~the~~ a notation in cap/lc
of the name of the original sponsor will be made in the upper
left hand corner of the bill. Use in rules.

All personal and committee bills involving more than \$1000 appropriation
or affecting the state revenue must be referred to Finance Committee.

CHANGES - Recommended by Sen. McNealy

Rule 33. -- on roll call votes, allow members to "pair" votes with absentees. "Will often save call of house or allow greater leeway for committee work.

NEW RULES: Require a vote of 3/4 of membership to remove a bill from committee.

RULE ~~54~~. 54. Committee on Conference - add a new sentence:

Two members shall be appointed who voted one way on the question and one who voted the other way unless all members voted on one side.

RULE 56. Committee on Free Conference.

Amend fourth par. to say that when report of Com on Free Conf. is not adopted the bill is defeated. This would allow for only one Free Conf. Committee.

RECOMMENDED RULE CHANGES (per Sen. McNees)/

Communications (reading of).

"I would recommend that the reading of communications on the senate floor be dispensed with through a rule change and that all communications be referred to appropriate committees unless they specifically state that they be read on the floor of the Senate."
Sen. Hopson.

Votes (pairing of) *See Mont. SR #21*

"It would be well to consider a system of pairing votes. This would cut down many calls of the house and allow those absent on committee assignments to record their votes if they could find someone to pair with." Sen. Owen.

Reading bill by title: restrict to Bill # by so-and-so, "A bill for an Act entitled: An Act" --- leaving out In the House, Legislature and Session...

Bill Calendar - post on a blackboard so that changes can be made without printing or re-printing.

RULES REVISION --

Introduction, Referral and Printing of Bills

Ohio House of Representatives - Rule 40.

Rule 40. REFERRED TO REFERENCE COMMITTEE. When a bill has been read the first time it shall be referred to the Reference Committee which shall consider the same and report its recommendation to the House within eight legislative days after its reference. If it be apparent to said committee that any bill is of a frivolous nature, or that it was not introduced in good faith, or that it is a duplication of another House bill, or properly can be considered an amendment to a House bill already introduced, or that it is in conflict with or a duplication of an existing statute without making proper provision for ~~its~~ the repeal or amendment of such existing statute, said committee shall report said bill back to the House for its return to the author with a notation thereon of the reason for its return. The House may, by a majority vote, order any such bill printed and referred to an appropriate committee; otherwise, it shall be returned by the Clerk to the author, and he shall make note of the fact in the Journal of the House.

This could be adapted to provide for reference to the Rules Committee, giving it five days to examine the bill and then formally report back to the Speaker, recommending that the bill be printed and suggesting committee referrals for the consideration of the Speaker. The adoption of the

RULES R E V I S I O N

Call of the house - may be demanded by three or more members not just one. (Mont. 5) -- called may be dispensed with by a majority vote of the membership to dispense for search for absentees. Call can be raised by a 2/3 vote of the membership.

Pairing .. Montana Senate Rule XXI

Resolutions (simple and concurrent). Transmit to Governor for referral to Secretary of State for filing. House of origin will ~~direct~~ copies ^{for} addresses. No acknowledgement ~~from~~ Governor or Secretary of State required? *How add copy*

Resolutions (joint). Transmitted to Governor like a bill and he acknowledges and files with Secretary of State. Secretary receives extra addressee copies from house of origin and mails.

Personal privilege - Limit to give minutes unless extended by unanimous consent - no record to be made of request for ~~privilege~~ privilege or subject of same in journal.

JOURNAL - suggestions

Journal limited to essential items of daily business:

Results of opening roll call; messages from other house and Governor; all readings of bills and resolutions; roll call votes; major motions and roll calls. Not to be included: other communications, introductions of guests, points of order, information or motions of personal privilege when substance of remarks not recorded. To be included: committee reports and amendments. Detailed communications from the Governor and other house to be paraphrased for essential information and letter head not to be included. Other communications ordered to be inserted by a majority of the membership will be included in a supplement to the daily journal.

Correspondence or communications from sources other than the other house or the Governor will be referred by the clerk or secretary to the presiding officer for referral to the appropriate committee or file.