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TWELFTH LEGISLATURE - FIRST SESSION

JUNEAU, ALASKA

Saturday

May 30, 1981

One Hundred Thirty-ninth Day

Pursuant to adjournment, the Senate was called to order by President Kerttula at 12:55 p.m.

Senator Rodey moved and asked unanimous consent that the Senate recess for the purpose of a Joint Session to consider the Uniform Rules. Without objection, the Senate recessed at 12:56 p.m.

IN THE HOUSE

JOINT SESSION

Speaker Duncan called the House to order and in accordance with the Uniform Rules turned the gavel over to President Kerttula who called the Joint Session to order at 1:05 p.m.

Representative Hayes rose to a point of order.

The President stated that the Joint Session would use Mason's Manual, 1979 edition.

The roll of the Senate showed sixteen members present. Senators Bradley, Fischer, Sackett and Ziegler were excused from a call of the Senate.

The roll of the House showed thirty-five members present. Representative O'Connell was excused from a call of the House. Representatives Abood, Bettisworth, Carney and Haugen were absent.

Senator Kelly moved and asked unanimous consent that all changes to the Uniform Rules of the Alaska State Legislature take effect on adjournment of the first session of the Twelfth Legislature. Without objection, it was so ordered.

Representative Smith moved and asked unanimous consent that the following proposed amendments to the Uniform Rules be adopted.

Rule No. 1 (a) and (b) of the Uniform Rules of the Alaska State Legislature is amended to read:

ORGANIZATION OF FIRST SESSION

(a) At the time for convening of the first regular session of a legislature the lieutenant governor calls each house to order separately and calls the roll of members whose election has been certified. The lieutenant governor [HE] then administers the oath of office to the new members and pending the election of temporary presiding officers, preserves order and decorum in the house.

(b) When the house by a majority vote of the full membership of the house [VOTE] selects a temporary presiding officer, the temporary presiding officer [HE] assumes the chair and the lieutenant governor withdraws. The temporary presiding officer [CHAIR] then calls for nominations for a permanent presiding officer and the nominee receiving a majority vote [OF THE VOTES] of the full membership of the house becomes the permanent presiding officer [ASSUMES THE CHAIR] for the two-year duration of the legislature. If a permanent presiding officer is not elected by the seventh legislative day on the eighth legislative day the temporary presiding officer shall call for nominations for a permanent presiding officer from the floor. A roll call vote shall be taken on the person nominated. Election of a permanent presiding officer requires a majority vote of the full membership of the house.

Rule 1 (e) is amended to read:

(e) The presiding officer shall announce, not later than the day following [HIS] election, the appointment of a Committee on Committees consisting of five members including the presiding officer [HIMSELF AS CHAIRMAN AND FOUR OTHER MEMBERS]. The presiding officer chairs the committee on committees. The committee is responsible for nominating the [CHAIRMEN AND] members of the standing committees as set out [FORTH] in Rule 20 and the member who is to chair each standing committee to serve for the two-year duration of the legislature. The membership of each committee shall total to an uneven number and the minority is entitled to at least one seat on each standing committee. The report

of the Committee on Committees is subject to approval by a majority vote of the full membership of the house.

Rule 2 of the Uniform Rules of the Alaska State Legislature is amended to read:

ORGANIZATION OF SECOND SESSION

The presiding officer of each [THE] house during the first regular session presides during the second regular session or any special session and administers the oath to any new member.

Rule 3 of the Uniform Rules of the Alaska State Legislature is amended to read:

LEGISLATIVE SESSION STAFF

(a) Each house elects an internal administrative [ADMINISTRATION] officer (a Chief Clerk in the House and a Secretary in the Senate) to serve for the two-year duration of the legislature. The officer is nominated by the Rules Committee and elected by a majority vote of the full membership [MEMBERS] of the house. The Chief Clerk and Secretary are responsible for the selection and supervision of the staff of their offices and are subject to the direction of the presiding officer and rules committee according to law and legislative rule.

(b) The Rules Committee of each house is responsible for the selection and direction of the session staff assigned to each chamber (sergeant-at-arms and their assistants, pages and messengers) and is the source of approval for hiring session assistants, for standing, [AND] special, and joint committees and caucuses and secretarial help to be assigned to individual members. The Rules Committees of the house and senate shall decide jointly and within the amount budgeted for session staff the compensation and conditions of employment of those working under their individual supervision. The director of administrative services of the Legislative Affairs Agency shall assist and make recommendations to the Rules Committees regarding staff compensation and related matters.

(c) The sergeant-at-arms shall attend all sessions of the house unless absent for the purpose of discharging the duties of the office. The sergeant-at-arms shall maintain order on the floor of the chamber and in the galleries and adjoining hallway, and assure that any person not permitted by law or legislative rule to be present in the chamber is removed from the chamber. The sergeant-at-arms shall assure that a member does not leave the chamber during a call of the house, and shall act to secure the attendance in the chamber of members missing during a call of the house.

Rule 4 of the Uniform Rules of the Alaska State Legislature is amended to read:

DUTIES OF THE PRESIDING OFFICER

The presiding officer of each house has the duties set forth in section 575, MASON'S MANUAL OF LEGISLATIVE PROCEDURE, 1979 edition, when not inconsistent with these Uniform Rules.

In the absence of the regular presiding officer, the majority leader of the house serving ex officio as presiding officer pro tempore shall preside; except that the regular presiding officer may temporarily relinquish the chair to any member.

Rule 5 of the Uniform Rules of the Alaska State Legislature is amended to read:

ADMINISTRATIVE SERVICES

The Legislative Council is responsible for providing administrative services necessary to the operation of the legislature through the Legislative Affairs Agency. The director of the division of administrative services has general supervision of the central fiscal, procurement, duplicating, distribution and mailing services. Official documents and items are duplicated only when submitted with a work order signed by a presiding officer, the person who chairs a committee [CHAIRMAN], or the chief clerk or senate secretary, or their authorized representatives. No requests for the duplication of personal or unauthorized items or items not accompanied by a work order signed by an authorized person may be accepted. The fiscal officer is responsible for the preparation of payroll, personnel and purchase documents and the immediate supervision of the distribution and mailing services.

Rule 6 of the Uniform Rules of the Alaska State Legislature is amended to read:

EXPENDITURES

The annual budget for all legislative expenses is prepared by the Legislative Council and submitted to the Finance Committees. No legislator or employee may spend or obligate legislative money without the documents required by regulation from the legislative fiscal and certifying officer. No member may spend or obligate state funds for or on behalf of any committee unless authorized by the chair [CHAIRMAN] of the committee with approval of the presiding officer of the house within the limits of available funds.

Rule 7 of the Uniform Rules of the Alaska State Legislature is amended to read:

COMMUNICATIONS

Communications received by a house from the other house or the governor are read by the clerk or secretary and spread upon or paraphrased in the journal. All other official communications to a house are referred directly by the clerk or secretary to the presiding officer for [HIS] referral by the presiding officer to a committee or to file. The presiding officer may direct that the receipt of a communication and the subject to which it relates be noted in the journal.

Rule 8 of the Uniform Rules of the Alaska State Legislature is amended to read:

PRIVILEGE OF THE FLOOR

(a) A member may request of the presiding officer [CHAIR] and receive with the consent of two-thirds of the members present the personal or special privilege of the floor. The request for the privilege and the substance of the [HIS] remarks of the member are not recorded in the journal.

(b) [(a)] Personal privilege is granted for making remarks affecting the rights, reputation and conduct of members in their respective capacities [CAPACITY].

(c) [(b)] Special privilege of the floor is used for remarks on matters other than questions of personal privilege and the subject of special privilege to which a member rises must be stated before consent to proceed is given.

Rule 9 of the Uniform Rules of the Alaska State Legislature is amended to read:

JOURNAL

The journal of each house reports only the essential items of daily business: roll call votes, major motions, communications from the governor and the other house, brief or summary committee reports, and amendments. Detailed committee reports, exhibits, and miscellaneous communications ordered spread upon the journal by the presiding officer of the house shall be published in a supplement to the daily journal. The daily journal is to be prepared by the chief clerk or secretary in conformity with the legislative drafting manual and distributed to each member of the legislature on the following legislative day. Matter may be expunged from the journal with approval of a majority of the full membership of the house if the motion to expunge is adopted prior to the end of the legislative day on which the journal report is approved.

Rule 10 of the Uniform Rules of the Alaska State Legislature is amended to read:

DRAFTING MANUAL

The legislative drafting manual prepared by the enrolling secretary of the legislature and the revisor of statutes and adopted by the Legislative Council is to be followed by all officers and employees of the legislature in the preparation, processing, and disposition of all legislative documents and records.

Rule 11 of the Uniform Rules of the Alaska State Legislature is amended to read:

ADMISSION TO FLOOR

(a) Except as provided in (b) - (d) of this rule, a [NO] person who is not a member of the house is not permitted on the floor of the house chamber while the house is sitting or in brief recess unless that person [HE] is a member of the other house or an officer or an employee authorized to be present by this rule or by the presiding officer.

(b) Each of the following may be admitted to a chamber:

- (1) the chief clerk or secretary of the senate and members of the staff of that officer;
- (2) the sergeant-at-arms and members of the staff of the sergeant-at-arms;
- (3) a chaplain;
- (4) pages and messengers.

(c) The house, by a majority vote of the members present, or the presiding officer of the house may admit a person to the chamber while the house is in session or in brief recess.

(d) Members of the press may be admitted to a chamber. However, members of the press, when admitted, may use only facilities provided at the rear of the chamber for press purposes, and may use only the perimeter aisles of the chamber for photographic purposes.

(e) The presiding officer may extend the privilege of the floor to former legislators and distinguished visitors for the day but not for the purpose of discussion and debate. Only [NO ONE BUT] a member of the legislature may advocate or oppose passage of a bill or resolution in the chamber of the house while the house is in session.

Rule 12 of the Uniform Rules of the Alaska State Legislature is amended to read:

USE OF CHAMBERS AND OFFICES

Legislative [THE] chambers [AND OFFICES ASSIGNED TO THE LEGISLATURE] are to be used only for the official business of the legislature during legislative sessions. During the session access to the chambers and their galleries [AND LEGISLATIVE OFFICES] is under the control of the presiding officer of the house to which the space is assigned, and the assignment of legislative offices and use of committee rooms shall be provided for by and be under the control of the Rules Committee.

Rule 14 of the Uniform Rules of the Alaska State Legislature is amended to read:

QUORUM AND ROLL CALL

(a) A majority of the full membership of the [EACH] house constitutes a quorum to do business (subject to the special voting requirements of the Constitution, Art. II, Secs. 14, 16, and 18), but a smaller number may adjourn from day to day and may compel the attendance of absent members (Constitution, Art. II, Sec. 12).

(b) A roll call of members shall be taken as the first order of business on each legislative day. The electric voting machine may [SHALL] be used for the daily roll call and any quorum call and shall [MAY] be used for the election of officers and other business of the house if [A MAJORITY OF THE FULL MEMBERSHIP OF] the house so orders by a majority vote of the full membership of the house. If the voting machine is not operating or not operating properly, the daily roll call or quorum determination shall [MAY] be made by the calling of the roll.

Rule 15 of the Uniform Rules of the Alaska State Legislature is amended to read:

ABSENCE OF MEMBERS

A [NO] member may not be absent [HIMSELF] from sittings of the House unless the member [HE] has the leave of the house to be absent or is ill and unable to attend. A [ANY] member who is consistently absent from meetings of a standing committee to which [HE IS] assigned may be removed from that committee by the Committee on Committees upon a showing that the member's [HIS] absence is unwarranted.

Rule 16 of the Uniform Rules of the Alaska State Legislature is amended to read:

CALL OF THE HOUSE

A call of the house is used to compel attendance of absent members who have not been previously excused from a call by a majority vote of the full membership of the house. The journal shall reflect the names of all members excused from attendance and such members shall be excused from all roll calls during such absence. A call of the house may be ordered by one member. When no quorum is present, the presiding officer of the house may compel the attendance of individual absent members.

(b) If a quorum is present when a call has been ordered, the house may continue to conduct business other than the measure under consideration at the time the call was ordered. However, any member may also order a call of the house as to any other measure placed before the house for consideration after the original call has been ordered.

(c) A call is satisfied by arrival of the absent members not previously excused from the call.

(d) A call is terminated

(1) [BY ARRIVAL OF THE ABSENT MEMBERS NOT PREVIOUSLY EXCUSED FROM A CALL, AND] when the issue upon which the call has been placed has been voted upon or otherwise resolved; [,]

(2) by withdrawal of the call by the member placing the call; [,] or

(3) by a majority vote of the members present to adjourn.

(e) The presiding officer of the house may direct the sergeant-at-arms to obtain assistance from the Department of Public Safety to secure the attendance of any missing member.

Rule 17 of the Uniform Rules of the Alaska State Legislature is amended to read:

DAILY ORDER OF BUSINESS

Unless changed by a [VOTE OF] two-thirds vote of the full membership of the house the daily order of business of each house is as follows:

- (1) [(a)] roll call
- (2) [(b)] Invocation or meditation
[PRAYER BY CHAPLAIN]
- (3) [(c)] Certification by the chief clerk or secretary to the house as to the correctness of the journal of the previous day, journal approved or order changed

(4) [(d)] Introduction of guests

- (5) [(e)] Messages from the governor
- (6) [(f)] Messages from the other house
- (7) [(g)] Communications
- (8) [(h)] Reports of standing committees
- (9) [(i)] Reports of special committees
- (10) [(j)] Introduction of resolutions
- (11) [(k)] Introduction, first reading and reference of bills

(12) [(1)] Consideration of daily calendar
(A) [(1)] Second reading of bills of house
(B) [(2)] Second reading of bills of other house
(C) [(3)] Third reading of bills of house

(D) [(4)] Third reading of bills of other house
(E) [(5)] all other matters up for final action in the house

(13) [(m)] Unfinished Business

(14) Announcement of committee meetings

(15) [(n)] Special orders (not set for a particular hour)

[(o)] ANNOUNCEMENT OF COMMITTEE MEETINGS
(16) [(p)] Adjournment

Rule 18 (a) of the Uniform Rules of the Alaska State Legislature is amended to read:

DAILY CALENDAR

(a) The Rules Committee of each house is responsible for the preparation of the daily calendar [FOR DISTRIBUTION TO EACH MEMBER ON THE DAY PRECEDING THE NEXT LEGISLATIVE DAY]. Pending the printing of the calendar the contents of the calendar shall [MAY] be announced or posted on the day preceding the next legislative day. Changes to a calendar or approval of a supplementary calendar may be authorized by a two-thirds vote of the members [MEMBERSHIP] present. No business shall be transacted nor any measure considered that is not on the calendar. A bill may not be withdrawn from the Rules Committee but [A MAJORITY OF THE FULL MEMBERSHIP OF] the house may order a bill in the possession of the Rules Committee re placed on the calendar for the next legislative day by a majority vote of the full membership of the house.

Rule 20 (a) of the Uniform Rules of the Alaska State Legislature is amended to read:

STANDING COMMITTEES

(a) Each house has the following standing committees with the jurisdiction indicated:

Finance (all appropriation, revenue, capital improvement, and bonding measures, the executive budget, and the programs and activities of the Department of Revenue)

Health, Education and Social Services (the programs and activities of the Department of Health and Social Services, the Department of Education, and the University of Alaska)

Judiciary (the programs and activities of the Alaska Court System and the Department of Law, and the legal and substantive review of bills referred to it for that purpose)

Labor and Commerce (the programs and activities of the Department of Labor relating to labor-management relations, industrial safety, unemployment compensation, and workers' [WORKMEN'S] compensation and the programs and activities of the Department of Commerce and Economic Development)

Community and Regional Affairs (the programs and activities of the Department of Community and Regional Affairs and other matters relating to political subdivisions)

Resources (the programs and activities of the Departments of Fish and Game, Natural Resources, and Environmental Conservation)

Rules (interpretation of the Uniform Rules, calendar, the internal administration of the house and matters pertaining to the management of the legislature as a whole)

State Affairs (programs and activities of the Office of the Governor and the Departments of Administration, Military Affairs and Public Safety, and programs and activities of the Department of Transportation and Public Facilities relating to public facilities)

Transportation (programs and activities of the Department of Transportation and Public Facilities relating to transportation and other legislative matters relating to transportation).

Rules 21 (a) of the Uniform Rules of the Alaska State Legislature is amended to read:

SPECIAL AND JOINT COMMITTEES. (a) A special committee is a committee of one house and may be established only by the adoption of a simple resolution. The presiding officer of each house appoints the members of a [ALL] special committee [S] and designates a member to chair the special committee [THEIR CHAIRMAN] unless otherwise ordered by the house. The person who chairs [CHAIRMAN OF] like committees of each house may arrange for the committees to meet jointly to receive testimony and deal with other matters which may be expedited by joint committee action.

Rule 21 (b) and (c) of the Uniform Rules of the Alaska State Legislature is amended by adding a new subsection to read:

(b) A joint committee is a committee of both houses and may be established only by the adoption of a concurrent resolution. The presiding officer of each house appoints one-half of the members of a joint committee. The person who co-chairs a joint committee shall be chosen in the manner provided by the presiding officer.

(c) A resolution establishing a special or joint committee shall specify the date or conditions of termination of the committee. A standing committee may not meet between sessions. A special or joint committee may meet during the session or between sessions, or both, as authorized by the resolution which establishes the committee. A standing, special or joint committee which acts between legislative sessions may consider any legislative matter which is consistent with the jurisdiction of the committee. A standing, special or joint committee which acts between legislative sessions constitutes a subcommittee of the Legislative Council for administrative purposes. A special or joint committee may expend money only in accordance with an appropriation made for the work of the committee.

(d) A committee may not be established unless authorized by law or by the Uniform Rules.

Rule 22 of the Uniform Rules of the Alaska State Legislature is amended to read:

OPEN AND EXECUTIVE SESSIONS

(c) When a legislative body desires to call an executive session in accordance with (b) of this rule, the body shall first convene as a public meeting and the question of holding an executive session shall be determined by a majority vote of the members present.

(d) The provisions of this rule may [SHALL] not be interpreted as permitting the exclusion of a legislator from an executive session, whether or not the legislator [HE] is a member of the body that is meeting. A legislator not a member of the body holding an executive session shall, however, be subject to the same rules of confidentiality and decorum as pertain to regular members of the body.

Delete subsections (e) and (f) of Rule 22.

Rule 23 of the Uniform Rules of the Alaska State Legislature is amended by adding a new section to read:

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 a 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), (b), (c) and (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 shall:

- (1) record its meetings electronically and prepare a log of the recording adequate to locate specific testimony;
- (2) 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 committee 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) 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.

Rule 23(a) of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 24. COMMITTEE REFERRAL AND ACTION

(a) A committee may act on any bill, resolution, or other legislative matter [ACTS ON ALL BILLS] referred to it. When the committee has acted, it shall report [AND REPORTS] its actions and recommendations to the house as soon as practicable. Committee reports must in writing and the report must be signed by a majority of the full membership [MEMBERS] of the committee. The report shall [WILL] note the recommendation of each member signing the report. The report may recommend that the house adopt a letter of intent proposed by the committee. A letter of intent may be adopted only in third reading before adoption of the measure by a majority vote of the full membership of the house. The vote on adoption of a letter of intent shall be taken by the calling of the roll and the recording of the yeas and nays in the journal. A letter of intent may be amended at any time before it is adopted.

Rule 24 is changed to Rule 25

Rule 25 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 26 DECORUM IN DEBATE

Decorum in debate is governed by the provisions of Sections 120 through 127, MASONS'S MANUAL OF LEGISLATIVE PROCEDURE 1979 edition, when not inconsistent with these Uniform Rules.

Rule 26 of the Uniform Rules of the Alaska Legislature is amended to read:

Rule 27 MOTIONS

(a) When an oral motion is made, it shall be restated by the presiding officer. Motions shall be reduced to writing if the presiding officer or a member requests it. A written motion shall be handed to the presiding officer [CHAIR] and read aloud by the clerk or secretary before debate.

(b) After a bill or resolution has been introduced or a motion for the adoption of an amendment has been made, and is read by the clerk or secretary or stated by the presiding officer, it is deemed to be in possession of the house. It may be withdrawn at any time by the member introducing or reporting it if consent is given by a majority vote of the full membership of the house.

Rule 27 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 28 FORM OF QUESTION

The presiding officer [CHAIR] shall put the question to the body by stating "As many as are in favor of (state the motion) say 'yes' ['AYE']", and after the affirmative vote is expressed, "As many as are opposed say 'No'". If the presiding officer [CHAIR] is in doubt about the result of the voice vote and [HE] calls for a roll call vote [DIVISION OF THE HOUSE], the house shall vote [DIVIDE].

Rule 28 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 29 INDEFINITE POSTPONEMENT

A measure may be indefinitely postponed by a majority vote of the full membership of [ALL MEMBERS TO WHICH] the house [IS ENTITLED]. The results of the roll call shall be entered in the journal. When a motion to postpone has been defeated it shall not be allowed again on the same day or at the same stage of the bill or proposition. When a bill or proposition has been postponed indefinitely it may not be acted upon again during the life of a legislature except on a motion of reconsideration.

Rule 29 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 30 RECONSIDERATION

(a) A member who voted on either side of a motion, other than a motion to amend a bill or a resolution, may give notice of reconsideration to be taken up on the next legislative day, [;] unless [TWO-THIRDS OF THE MEMBERSHIP OF] the house, by a vote of two-thirds of the full membership, orders the reconsideration taken up on the same day the notice of reconsideration is given.

(b) When a notice of reconsideration is given, the notice is recorded in the journal, and the clerk or secretary may not report the measure to the other house until the reconsideration is disposed of or the time for reconsideration has expired. The time for reconsideration expires at adjournment on the next legislative day unless [A MAJORITY OF] the members [PRESENT] agree to extend the period for an additional legislative day or to another time certain by a majority vote of the members present. If the action to be reconsidered is adoption of a bill or resolution, the time for reconsideration expires at adjournment if the adjournment is for a period in excess of three days. When a notice of reconsideration has been given, any member may move on the next legislative day for reconsideration of the question.

(c) Calling up reconsideration on the next legislative day automatically places the question to be reconsidered again before the body in third reading if the question is the adoption of a measure for which three readings are required and opens the question for debate. It is subject to all procedural motions. When a motion is made that the reconsideration be taken up on the same day the notice of consideration is given, the motion that reconsideration be taken up on the same day be voted upon separately from the question to be reconsidered. Calling up reconsideration has precedence over every motion except a motion to adjourn. Calling up reconsideration cancels the previous vote on the question to be reconsidered as completely as though it had never been taken. There may be but one reconsideration, even though the action of the house after reconsideration is opposite from the action of the house before reconsideration.

Rule 30 (c) of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 31 (c) RESCINDING ACTION

(c) Any member may move to rescind whether the member [HE] voted on the prevailing side or not, and all subsidiary motions can be applied to it as to any other main motion. The motion to rescind may not be renewed during the session and is not subject to reconsideration. The motion to rescind requires the same vote as that required to pass the measure originally.

Rule 31(a) of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 32 PREVIOUS QUESTION

(a) the previous question [MAY BE ORDERED BY TWO-THIRDS OF THE MEMBERS PRESENT] upon all recognized motions or amendments which are debatable may be ordered by a two-thirds vote of the members present. If ordered, the previous question [· IT] has the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment then pending or which has been ordered. The question is not debatable and cannot be amended.

Proposed Uniform Rules Change to Rule 33:

Rule 33 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 34 VOTING PROCEDURE

(a) General. The vote on final passage of all bills and joint resolutions is taken by the calling of the roll and the recording of the yeas [AYES] and nays [NOES] in the journal. A roll call vote on any measure may be demanded by any member [ONE-FIFTH OF THE MEMBERSHIP] of the house. In case of an equal vote [DIVISION] on any roll call the motion is lost. Except for the name of the presiding officer, who always votes last, the [THE] roll call of members of the house [, EXCEPT FOR THE NAME OF THE PRESIDING OFFICER, WHO ALWAYS VOTES LAST,] shall be rotated daily [,] when the voting machine is not used.

(b) Abstention. Every member present in the house shall vote unless the house for special reasons permits a member to abstain. All motions excusing a member from voting shall be made before the house votes [DIVIDES] or before the call for the yeas [AYES] and nays [NOES] is commenced. A member requesting to be excused from voting may make a brief oral statement of the reasons for the [HIS] request and the question of granting permission to abstain shall be taken without further debate. A [NO] member may not explain a [HIS] vote, [NOR] may not [HE] discuss the question while the yeas [AYES] and nays [NOES] are being called, and may not [NOR] change a [HIS] vote after the roll call result has been announced. Upon vote [DIVISION AND COUNT] of the house of any question a [NO] member who is not within the chamber may not be [IS] counted. A [NO] member may not [SHALL] be permitted to abstain except upon the unanimous consent of the membership.

(c) Use of the electric voting machine.

(1) The electric voting machine shall be used whenever a roll call vote is required or ordered. If the machine is not operating or not operating properly the vote shall be taken by calling the roll as provided for in (a) of this rule.

(2) The electric voting machine is under the control of the presiding officer and shall be operated [AT HIS DIRECTION] by the chief clerk or secretary or [HIS] designated deputy of the chief clerk or secretary at the direction of the presiding officer.

(3) When a yea(yes) or nay(no) vote is to be taken the presiding officer shall state the question and instruct the members to proceed to vote. When time has been allowed the members to vote, the presiding officer shall ask: "Has any member failed to vote?" and after a short pause the presiding officer shall direct the clerk in charge of the voting machine to close the roll. After the roll has been closed the presiding officer shall ask: "Does any member desire to change his or her vote?" If any member does desire to change the [HIS] vote, the member [HE] shall rise in [HIS] place and address the chair, and upon being recognized by the chair, shall state a desire [THAT HE DESIRES] to change his or her vote. The presiding officer shall then direct the clerk to open the roll and direct the member recognized to change his or her vote. A [NO OTHER] member may not vote when the rolls are so opened unless the member [HE] is recognized and permitted to vote or to change a [HIS] vote. Members who have not previously voted may vote when the rolls are so opened, upon being recognized and permitted to vote. After all members who desire to vote or to change their vote have had an opportunity to do so, the presiding officer shall close the roll, after which a [NO] member may not [SHALL] be permitted to change a [HIS] vote. The presiding officer shall then direct the clerk to record the vote. The clerk shall then transmit the result to the presiding officer, who [AND HE] shall announce the vote. The result shall [THEN] be recorded in the daily journal.

(4) Copies of voting records. The clerk or secretary shall retain one copy of the voting record on each question in the file of the house and provide one copy for the press room file and the files of the Legislative Affairs Agency.

(5) Voting stations. A member may vote only when at the member's [HIS] desk. When a member other than the regular presiding officer is presiding, the presiding officer, if present, and the other member [HE] may direct the chief clerk or secretary [SERGEANT-AT-ARMS] to indicate their votes [HIS VOTE AT HIS VOTING STATION].

(6) Misuse of voting station. A [NO] member may not vote for another member. A [; NOR MAY ANY] person may not cast a vote for a member [,] except as otherwise provided in these rules. A member who votes for another member may be punished in a manner the house determines. A person voting for a member when not authorized by this rule is barred from the floor of the house and may be further punished as the house considers proper.

Rule No. 36 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 37 INTRODUCTION OF BILLS

(a) Any member, group of members, standing, [OR] special, or joint committee may introduce a bill, subject to the provisions of these Uniform Rules. A bill must be introduced, in proper form as approved by the enrolling secretary of the legislature, with the original and three [TWO] carbon copies delivered to the chief clerk or secretary. The bill is then assigned a number which it retains through subsequent changes and substitutions. The bill is considered formally introduced when the clerk or secretary reads the heading and title aloud in open session (first reading). Bills may be introduced through the Rules Committees by the governor and the permanent interim committees pursuant to provisions of law.

Rule 37 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 38 HISTORY OF BILLS

A separate history of the bills of each house shall be maintained [BY THE BILL HISTORIAN ASSIGNED TO PERFORM THE DUTY] for both houses by the Legislative Affairs Agency. The agency [HISTORIAN] shall, in cooperation with the legislators who chair [CHAIRMEN OF] the Rules Committees and the chief clerk and senate secretary, maintain a current record on all bills and resolutions and publish a weekly report on the status of the bills of each house.

Rule 38 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 39 ACTION ON BILLS

(a) Number of readings. A [NO] bill may not 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 a [CONCURRENCE OF] three-fourths vote of the full membership of the house considering it. (Constitution, Art. II, Sec. 14)

(b) First reading. The first reading consists of a reading aloud by the clerk or secretary of the following information: the house of origin, the bill number, the sponsor, and the title of the bill, e.g., "In the House, House Bill No. by and, A bill for an Act entitled, 'An Act relating to a code of ethics for state employees.'" The bill is then referred by the presiding officer to one or more committees [COMMITTEE]. The house may by a majority vote of the full membership of the house refer the bill to any other standing or special committee.

(c) Second reading. When a bill appears on the calendar for second reading it is read in the same manner as in the first reading unless [A MAJORITY OF] the members present order by a majority vote of the full membership of the house that it be read in full. When the second reading of the bill and the accompanying committee report is completed the bill is then before the house for amendment. If a proposed amendment is tabled it does not carry with it or prejudice the bill. When all amendments have been made the presiding officer directs the clerk or secretary to have the bill engrossed with all amendments approved by the house and to certify its proper engrossment on the following legislative day. When the clerk or secretary reports the bill back properly engrossed, it is then delivered to the Rules Committee for placement on the calendar for third reading and final consideration. A house may by a three-fourths [THREE-FOURTHS] of the full membership of the house, [MAY] order that the bill be considered engrossed upon the completion of the second reading for the purpose of advancing it from second to third reading on the same day.

(d) Third reading. On its third reading the bill is read by heading and title only. The question on third reading of a bill is upon its final passage and no amendments may be considered. No bill may become law without an affirmative vote of majority of the membership of each house. The yeas and nays [NOES] on final passage, noting the name and vote of each member, shall be entered in the journal. The bill is then engrossed or enrolled, as appropriate, at the direction of the clerk or secretary.

(e) If a bill or portion of a bill contains matter changing a supreme court rule governing practice and procedure in civil or criminal cases, the bill must contain a section expressly citing the rule and noting what change is being proposed. The section containing the change in a court rule must be approved by an affirmative vote of two-thirds of the full membership of each [MEMBERSHIP TO WHICH THE] house [IS ENTITLED]. If the section effecting a change in the court rule fails to receive the required two-thirds vote, the section is void and without effect and is deleted from the bill. The fact that a bill contains a section which changes a court rule shall also be noted in the title of the bill.

Add a new subsection (f):

(f) If a bill or portion of a bill contains material which has an effective date other than the date which is 90 days after the bill becomes law, the bill must contain a section or sections setting out the proposed effective date or dates. The section or sections relating to the effective dates must be approved by an affirmative vote of two-thirds of the full membership of each house. If a section setting out an effective date fails to receive the required two-

thirds vote in either house, the section is void and without effect and is deleted from the bill. The fact that a bill contains a section which sets out an effective date shall also be noted in the title of the bill.

renumber accordingly

Rule 39 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 40 COURSE OF BILLS

When a bill has passed the house in which it originated and has been certified as properly engrossed by the clerk or secretary and photographed for duplication (if changes have been made), it shall be signed by the presiding officer and the clerk or secretary. The clerk or secretary shall transmit the original and committee copies of the bill on receipt to the other house. When the second house receives the message accompanying the engrossed bill and reporting its passage, the bill shall be read by the clerk or secretary for the first time and then referred by the presiding officer to one or more committees [A COMMITTEE] for subsequent action by that house.

Proposed Uniform Rules Change to Rule 40:

Rule 40 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 41 AMENDMENTS IN OTHER HOUSE

When a bill, resolution, or citation passed in one house is amended in the other house, the bill, resolution or citation with certified amendments is returned to the house of origin requesting concurrence. The vote on concurrence in amendments is taken by calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership in each house. If concurrence is had the clerk or secretary notes the concurrence in the journal, informs the other house of the concurrence and proceeds to have the bill or resolution enrolled for certification and transmittal to the governor.

Rule 41 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 42 CONFERENCE COMMITTEE AND FREE CONFERENCE COMMITTEES

(a) If one house refuses to concur in the amendments of the other it so notifies the amending house and requests that it recede from its amendment. The vote on receding from amendments is taken by calling of the roll and the recording of the yeas and nays in the journal. A House recedes from its amendments only by a majority vote of the full membership of the house. If the house refuses to recede, the

presiding officer of each house appoints three members to sit as a Conference Committee [ON CONFERENCE]. The committee meets when mutually agreeable to its members. If the committee reaches [AND WHEN] agreement on previously adopted amendments to a bill adopted by either house [IS REACHED], the committee then submits an identical report to each house. The report is not subject to amendment in either house. If the report is adopted by each house [BOTH HOUSES] the bill is enrolled, signed, and transmitted to the governor. If the members of the Conference Committee cannot agree on amendments, or if one or both houses refuses to adopt the committee report, the Conference Committee submits an identical written report to each house listing the specific points of disagreement for which the committee requests powers of free conference. The presiding officer of each house may then give limited powers of free conference only on the specific points listed. [IT IS IN ORDER AT ANY TIME TO GRANT POWERS OF FREE CONFERENCE TO THE COMMITTEE ON CONFERENCE.] If the members of a Conference [THE] Committee with limited powers of free conference [ON CONFERENCE] cannot agree on amendments, or one or both houses refuses to adopt the committee [ITS] report, it is then in order to appoint a Free Conference Committee [ON FREE CONFERENCE]. A member who served on a Conference Committee or a Conference Committee with limited powers of free conference may not be appointed to a subsequent Conference Committee or Free Conference Committee concerning the same measure. The vote on adoption of a conference committee report is taken by calling of the roll and the recording of the yeas [AYES] and nays in the journal. Adoption requires a majority vote, of the full membership of each [THE] house.

(b) A [THE] Free Conference Committee [ON FREE CONFERENCE] is appointed in the same manner as a Conference Committee [ON CONFERENCE] and may suggest in its report any new amendments clearly germane to the question. When a majority of the membership of [ON] the committee from each house agrees [AGREE] on amendments [TO BE PROPOSED], the amendments are attached to the bill and reported back to each house in an identical report. The report is not subject to amendment in either house. If the report is adopted in each house [BOTH HOUSES] the bill is then ordered enrolled by its house of origin. If the members of a Free Conference Committee fail [ON FREE CONFERENCE FAILS] to agree on amendments or one or both houses refuses to adopt the free conference [ITS] report [IS NOT ADOPTED], a second Free Conference committee [ON FREE CONFERENCE] may be appointed, but no member of the first committee may be reappointed. A free conference report may not be voted on by the house until at least 24 hours after the report is duplicated and delivered to the chief clerk or secretary of the house for distribution to each member. The chief clerk or secretary shall certify the time of delivery of the report for recording in the journal. The vote on adoption of a free conference committee report is taken by calling of the roll and the recording of the yeas [AYES] and nays in the journal. Adoption requires a majority vote of the full membership of each [THE] house.

Rule 42 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 43 ENROLLMENT

(a) When a bill has passed both houses the presiding officer of the house of origin directs that it be enrolled. The clerk or secretary transmits the engrossed bill to the enrolling secretary of the legislature, who, with the revisor of statutes, checks the bill [STAFF OF THE LEGISLATIVE AFFAIRS AGENCY, HAS THE BILL CHECKED FOR FORM AND LEGAL CONTENT] before placement in final form according to the legislative drafting manual. The enrolling secretary is authorized to correct form and manifest errors which are clerical, typographical, or errors in spelling or errors by way of additions or omissions. The enrolling secretary is required to report errors by way of addition or omission and deficiencies when the bill is returned to the house of origin. When an error or deficiency has been [, TYPOGRAPHICAL ERRORS AND CLERICAL ERRORS. WHEN A CLERICAL CORRECTION HAS BEEN MADE AND] reported, the clerk or secretary shall advise the presiding officers of both houses before the bill is signed and transmitted to the governor.

(b) Bills consisting of several pages need not be formally enrolled if the presiding officer [IN HIS DISCRETION] announces that, for reasons of economy and time, formal enrollment is being waived. If enrollment is waived, and the presiding officer of the other house consents, the first page and signatory pages of the bill will be enrolled and then affixed to the engrossed bill along with any certified amendments and when signed by the officers of both houses will be transmitted to the governor with a letter noting that enrollment was waived. Engrossment of such bills may also be waived in the same manner.

Rule 44 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 45 VETOED BILLS

The governor may veto a bill or by veto strike or reduce an item in an appropriation bill. The governor [HE] shall return the vetoed bill or the bill in which an appropriation item was stricken or reduced with a statement of [HIS] objections to the house of origin. The receipt of the bill and veto statement are noted in the journal, and the other house is promptly requested to meet in joint session to reconsider passage of the vetoed bill or item. The vote on reconsideration of a vetoed bill or item is entered in the journal of both houses. Bills to raise revenue and appropriation bills or items, although vetoed, become law upon reconsideration by the affirmative vote of three-fourths of the full membership of the legislature sitting in joint session as one body. Other vetoed bills become law upon reconsideration by the affirmative vote of two-thirds of the full membership of the legislature sitting in joint session as one body [.] (Secs. 15 and 16, Art. II, State Constitution). Bills vetoed after adjournment of any regular

session shall be returned with a statement of the governor's [HIS] objections to the Legislative Affairs Agency and may be reconsidered by the full membership of the legislature sitting as one body not later than the fifth day after the next regular session or any intervening special session convenes during that legislature.

Rule 45 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 46 CONFIRMATION OF APPOINTMENTS

Appointments by the governor are made pursuant to AS 39.-05.080. Such appointments are subject to confirmation by a majority vote of the full membership of the legislature [SITTING] in joint session [AS ONE BODY] (Secs. 25 and 26, Art. III, State Constitution).

Rule 46 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 47 BILLS AND RESOLUTIONS CARRY OVER.

Bills and resolutions introduced in the first regular session of a legislature which are not passed or not withdrawn, defeated, vetoed, or indefinitely postponed, carry over into the second regular session of the same legislature in the same reading or status they were in at the time of adjournment. [JOINT RESOLUTIONS PROPOSING OR RATIFYING AMENDMENTS TO THE U. S. CONSTITUTION OR PROPOSING AMENDMENTS TO THE STATE CONSTITUTION CARRY OVER IN THE SAME MANNER AS BILLS. ALL OTHER FORMS OF RESOLUTIONS EXPIRE WITH ADJOURNMENT OF THE FIRST REGULAR SESSION.]

Proposed Uniform Rules Change to Rule 47(a):

Rule 47 of the Uniform Rules of the Alaska State Legislature is amended to read:

DISCHARGE OF BILLS FROM COMMITTEE

(a) If the majority of the full membership of a standing, [OR] special, or joint committee desire that any legislation pending before the committee be considered, they may present the request, in writing, to the presiding officer. The presiding officer shall sign the request and this action shall be noted in the journal. The committee chair [CHAIRMEN] affected shall schedule the specified legislation for consideration within three days after transmittal of the request by the presiding officer to the committee chair [CHAIRMAN].

(b) If the chair [CHAIRMAN] does not adhere to the provisions of (a) of this rule [SECTION], the particular legislation to be scheduled shall automatically be referred to the next committee of reference on the fourth day following the transmittal of the request to the chair [CHAIRMAN].

(c) Bills in the Rules Committee of each house shall be placed on the daily calendar in second reading within three days after receipt of a request signed by a [THE] majority of the full membership of the committee and the presiding officer [,] following the procedure provided in (a) of this rule to place [SECTION, THAT] a particular item of legislation [BE PLACED] on the calendar.

(d) Nothing in this rule [SECTION] prevents an oral motion to discharge a bill from committee by any member of the body at any time.

Rule 48 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 49 RESOLUTION

The only type of instrument other than a bill or citation authorized under these Uniform Rules is a resolution. [UNLESS SPECIFICALLY PROVIDED FOR IN THE RULES A RESOLUTION REQUIRES A MAJORITY VOTE FOR APPROVAL].

The types and uses of resolutions are as follows:

(1) [(a)] A simple resolution is a formalized motion passed by one house only and bearing the heading "House Resolution" or "Senate Resolution". It may be used to express the will, wish, view, opinion, sympathy, or request of the house adopting it. The simple resolution shall be used to establish a special committee. It does not require committee referral, three readings, or a roll call vote. Approval of a simple resolution requires a majority vote of the full membership of the house.

(2) [(b)] A special resolution headed "House Special Resolution" or "Senate Special Resolution" is used only for the purpose of expelling a member under provisions of Sec. 12, Art. II, of the State Constitution. The special resolution requires a referral to the Rules Committee, three readings, and a [CONCURRENCE OF] two thirds vote of the full membership of the house for approval.

(3) [(c)] A concurrent resolution is similar to the simple resolution but reflects the will, wish, view or decision of both houses speaking concurrently. It is used particularly to handle the internal business of the legislature, e.g., adjournment of the legislature, suspension and

amendment of the Uniform Rules, requesting action of executive agencies and interim committees, [,] and fixing the time and place for joint assemblies. This resolution is also used for establishing joint committees [ANNULING REGULATIONS PROMULGATED UNDER THE ADMINISTRATIVE PROCEDURE ACT.] This resolution does not require committee referral, three readings, or anything other than approval of a [THE] majority vote of the full membership of each [THE] house unless otherwise required by the rules.

(4) [(d)] A special concurrent resolution is employed to consider [WHEN THE LEGISLATURE IS CONSIDERING] disapproval of an executive order of the governor laid before the legislature under provisions of Sec. 23, Art. III, of the State Constitution. This resolution must be considered by a joint committee and may be adopted by a majority vote of the full membership of the legislature in joint session without recourse to three readings.

(5) [e] A joint resolution is the most formal type of resolution and is adopted by both houses and then signed by the governor as a ministerial formality. The joint resolution is treated in all respects as a bill but it is not subject to veto. It is usually reserved for addressees outside the state. This resolution is used mainly to express the view or wish of the legislature to the President, the Congress or agencies of the United States Government or the governments of other states. It is required for proposing or ratifying amendments to the U.S. Constitution, proposing amendments to the State Constitution under provisions of Sec. 1, Art. XIII, of the State Constitution and for disapproval of local government boundary changes recommended by the Local Boundary Commission under provisions of Sec. 12, Art. X, of the State Constitution. Approval of a joint resolution requires a majority vote of the full membership of each house.

(b) All resolutions passed by one or both houses are sent to the governor as a matter of information and for permanent filing with the lieutenant governor. The lieutenant governor sends enrolled copies of joint resolutions to the federal and other state officers, agencies and jurisdictions. The transmittal of copies of all other resolutions to designated addressees is the responsibility of the Legislative Affairs Agency.

Rule 49 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 50 LEGISLATIVE CITATIONS

(a) The appropriate instrument for expressing commendation, condolences, appreciation or congratulations to an individual or a group, or to recognize a particular event or occasion, is a "Legislative Citation" approved by both houses. The contents of the citation expressing the sentiment of the legislature will be typed on a special presentation form suitable for framing and bear the signature of the presiding officers.

(b) A member or members may introduce a citation by submitting it to the Rules Committee on a form prescribed in the legislative drafting manual. Unless handled as provided in (c) of this section, the [THE] name of the person, group or occasion being noted along with the names of the sponsors will be listed under special business on the daily calendar of the subsequent day and be voted upon by the house. Approval will be noted in the journal. When action in the second house is completed the citation will be enrolled in final form, signed by the presiding officers, and sent to the appropriate person.

Rule 50 [49] (c) is amended by adding a new subsection to read:

(c) The person who chairs the Rules Committee of each house may, from time to time, designate Citation Consent Calendar days. When the Citation Consent Calendar is considered as a special order of business, a legislator may object to the inclusion of a citation or may propose amendments to a citation. If either event occurs, the particular citation concerned shall be removed from the consent calendar and processed in accordance with (b) of this rule. Only one recorded vote need be taken and the one vote shall stand as the vote on final passage as to all the citations on the Citation Consent Calendar.

Rule 50 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 51 JOINT SESSIONS.

A joint session may be called by agreement of the presiding officers of both houses or by either house by motion adopted by a majority vote of the full membership of the house. If a joint session is called by a house the house calling the session shall propose a time for the session. The other house may agree to meet in joint session at the time proposed or set another time within the three-day period following

the time proposed. The president of the senate in the presence of the speaker of the house presides over joint sessions and the joint sessions are governed by the Uniform Rules. When a roll call vote is required to deal with any subject being considered in joint session the members of the house of representatives may use the electric voting machine for the roll call if the members of the house of representatives, by a majority vote of the [MEMBERS OF THE] full membership of the house of representatives, agree [AGREES] to the use of the electric voting machine in place of the oral roll call.

Rule 51 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 52 ADJOURNMENT

Neither house may adjourn or recess for longer than three days unless the other concurs. (Sec. 10, Art II, State Constitution) Adoption of a concurrent resolution by a majority vote of the full membership of each house constitutes concurrence. A motion to adjourn or recess a session is in order when it is the intention of the legislature to recess or adjourn to a day certain. A motion to adjourn sine die is in order only at the end of a second regular session or a special session.

Rule 52 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 53 ADOPTION AND AMENDMENT OF RULES

The Uniform Rules of each legislature shall be adopted in joint session by a majority vote of the full membership of each house. Thereafter the Uniform Rules may be amended only by the adoption of a concurrent resolution by a two-thirds vote of the full membership of each house. When the rules are affected by constitutional and statutory changes, the Legislative Council will effect the necessary formal revision in the next printing of the rules and inform the Rules Committee of the changes made.

Rule 53 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 54 SUSPENSION OF RULES

Unless otherwise provided for in the case of a particular rule, the Uniform Rules may be suspended by a concurrent resolution approved by a two-thirds vote of the full membership of each house. If either house violates a uniform rule

a question of order may be raised in the other house. If it is decided by the other house that the Uniform Rules have been violated, the bill involved in that violation shall be returned to its house of origin without further action.

Rule 54 of the Uniform Rules of the Alaska State Legislature is amended to read:

Rule 55 INTERPRETATION AND IMPLEMENTATION OF RULES

(a) The rules of parliamentary practice comprised in MASON'S MANUAL OF LEGISLATIVE PROCEDURE, 1979 edition, implement and govern the Uniform Rules of the Legislature in all cases not covered by these Uniform Rules.

(b) Whenever used in these rules, the phrase "by a majority vote of the full membership of the house" means a minimum vote required for approval or adoption of a measure is 21 votes in the House of representative, 11 votes in the Senate.

Representative Barnes objected.

Representative Hayes moved that the question be divided.

Senator Kelly objected.

Representative Hayes called the House.

The call of the House was satisfied.

The question being: "Shall the question of adopting the proposed amendments to the Uniform Rules be divided?" The roll of the House was taken with the following result:

DIVIDE QUESTION

Yeas: 17 Abood, Anderson, Barnes, Beirne, Bettisworth, Bylsma, Cuddy, Fanning, Halford, Haugen, Hayes, Martin, Metcalfe, Montgomery, Phillips, Randolph, Sutcliffe

Nays: 22 Adams, Brown, Buchholdt, Carney, Cato, Chuckwuk, Clocksin, Cotten, Duncan, Freeman, Fuller, Gardiner, Grussendorf, Hurlbert, Malone, Meekins, Miller, Moss, Rogers, Smith, Vaska, Zharoff

Not Voting: 1 O'Connell

Representative Halford changed his nay vote to yea.

The roll of the Senate was called with the following result:

Yeas: 3 Colletta, Eliason, Hohman

Nays: 13 Bennett, Dankworth, Fahrenkamp, Ferguson, Gilman, Kelly, Mulcahy, Parr, Ray, Rodey, Stimson, Sturgulewski, Kerttula

Excused: 4 Bradley, Fischer, Sackett, Ziegler

and so, the motion failed.

The question now being: "Shall the proposed amendments to the Uniform Rules of the Alaska State Legislature be adopted?" The roll of the House was taken with the following result:

ADOPT RULES

Yeas: 24 Adams, Brown, Buchholdt, Carney, Cato, Chuckwuk, Clocksin, Cotten, Duncan, Freeman, Fuller, Gardiner, Grussendorf, Hurlbert, Malone, Meekins, Miller, Moss, Phillips, Rogers, Smith, Sutcliffe, Vaska, Zharoff

Nays: 15 Abood, Anderson, Barnes, Beirne, Bettisworth, Bylsma, Cuddy, Fanning, Halford, Haugen, Hayes, Martin, Metcalfe, Montgomery, Randolph

Not Voting: 1 O'Connell

Representative Metcalfe changed his yea vote to nay.

The roll of the Senate was called with the following result:

ADOPT UNIFORM RULES

Yeas: 15 Bennett, Colletta, Dankworth, Eliason, Fahrenkamp, Ferguson, Gilman, Kerttula, Kelly, Mulcahy, Parr, Ray, Rodey, Stimson, Sturgulewski

Nays: 1 Hohman

Excused: 4 Bradley, Fischer, Sackett, Ziegler

and so, the proposed amendments to the Uniform Rules were adopted.

Senators Kelly and Rodey and Representative Phillips offered the following amendment No. 1.

Rule 42

Add two new subsections:

(c) A Conference Committee, a Conference Committee with limited powers of free conference or a Free Conference Committee may not include in its report on an appropriation bill an item which was not included in a version of that appropriation bill adopted in third reading by a house and the amount appropriated by an item may not exceed the higher amount appropriated by that item in a version of the bill adopted in third reading by a house.

(d) The provisions of (c) of this rule do not apply to

(1) appropriations for new legislation and resolutions passed by both houses for programs which require appropriations;

(2) a specific request for an appropriation for an agency program which is submitted by the governor to the committee in writing.

Senator Kelly moved and asked unanimous consent for the adoption of amendment No. 1. Senator Parr objected.

Representative Martin moved that the question be divided. Senator Rodey objected.

The question being: "Shall amendment No. 1 be divided?" A roll call was requested and appears as follows:

Yeas: 1 Colletta

Nays: 15 Bennett, Dankworth, Elaison, Fahrenkamp, Ferguson, Gilman, Hohman, Kelly, Kerttula, Mulcahy, Parr, Ray, Rodey, Stimson, Sturgulewski

Excused: 4 Bradley, Fischer, Sackett, Ziegler

The roll of the House was taken with the following result:

DIVIDE AM 1

Yeas: 16 Abood, Anderson, Barnes, Beirne, Bettisworth, Bylsma, Cuddy, Fanning, Halford, Haugen, Hayes, Martin, Metcalfe, Montgomery, Phillips, Randolph

Nays: 23 Adams, Brown, Buchholdt, Carney, Cato, Chuckwuk, Clocksin, Cotten, Duncan, Freeman, Fuller, Gardiner, Grussendorf, Hurlbert, Malone, Meekins, Miller, Moss, Rogers, Smith, Sutcliffe, Vaska, Zharoff

Not Voting: 1 O'Connell

and so, the motion failed.

Representative Meekins called the House.

The call of the House was satisfied.

Senator Ferguson offered the following amendment No. 1 to amendment No. 1.

Add new Sec. 3 to read:

A specific request for an appropriation for a legislative or agency program which is submitted in writing by the Finance Committee of either house.

Senator Ferguson moved for adoption of amendment No. 1 to amendment No. 1

The question being: "Shall amendment No. 1 to amendment No. 1 be adopted?" The roll was called with the following result:

AMENDMENT 1 AM1

HOUSE

Yeas: 21 Adams, Brown, Carney, Cato,
Chuckwuk, Clocksin, Cotten, Duncan,
Freeman, Fuller, Gardiner,
Grussendorf, Hurlbert, Malone,
Meekins, Miller, Moss, Rogers, Smith,
Vaska, Zharoff

Nays: 18 Abood, Anderson, Barnes, Beirne,
Bettisworth, Buchholdt, Bylsma,
Cuddy, Fanning, Halford, Haugen,
Hayes, Martin, Metcalfe, Montgomery,
Phillips, Randolph, Sutcliffe

Not
Voting: 1 O'Connell

SENATE

Yeas: 3 Ferguson, Hohman, Parr

Nays: 12 Bennett, Colletta, Dankworth, Eliason,
Gilman, Kelly, Kerttula, Mulcahy, Ray,
Rodey, Stimson, Sturgulewski

Excused: 4 Bradley, Fischer, Sackett, Ziegler

Absent: 1 Fahrenkamp

and so, the motion failed.

Representative Meekins called the Joint Session.

The President stated the call was satisfied.

Representative Fanning offered the following amendment No. 2 to amendment No. 1.

Delete Section (d) (2)

Representative Fanning moved for the adoption of amendment No. 2 to amendment No. 1.

The question being: "Shall amendment No. 2 to amendment No. 1 be adopted?" The roll was taken with the following result:

AMENDMENT 1 AM2

SENATE

Yeas: 2 Ferguson, Hohman

Nays: 14 Bennett, Colletta, Dankworth, Eliason,
Fahrenkamp, Gilman, Kelly, Kerttula,
Mulcahy, Parr, Ray, Rodey, Stimson,
Sturgulewski

Excused: 4 Bradley, Fischer, Sackett, Ziegler

HOUSE

Yeas: 33 Abood, Anderson, Barnes, Beirne,
Bettisworth, Brown, Buchholdt,
Bylsma, Carney, Cato, Chuckwuk,
Clocksin, Cotten, Cuddy, Fanning,
Fuller, Gardiner, Halford, Haugen,
Hayes, Hurlbert, Malone, Martin,
Meekins, Metcalfe, Montgomery, Moss,
Phillips, Randolph, Rogers,
Sutcliffe, Vaska, Zharoff

Nays: 6 Adams, Duncan, Freeman,
Grussendorf, Miller, Smith

Not
Voting: 1 O'Connell

and so, amendment No. 2 to amendment No. 1 was not adopted.

Representative Rogers offered the following amendment no. 3 to amendment no. 1.

Delete Section (d) (1)

Representative Rogers moved for adoption of amendment No. 3 to amendment No. 1.

The question being: "Shall amendment No. 3 to amendment No. 1 be adopted?" The roll was taken with the following result:

AMENDMENT 1 AM3

HOUSE

Yeas: 29 Abood, Anderson, Beirne, Bettisworth, Brown, Bylsma, Carney, Cato, Chuckwuk, Clocksin, Cotten, Cuddy, Duncan, Fanning, Freeman, Fuller, Gardiner, Grussendorf, Hayes, Hurlbert, Malone, Martin, Meekins, Montgomery, Moss, Rogers, Sutcliffe, Vaska, Zharoff

Nays: 10 Adams, Barnes, Buchholdt, Halford, Haugen, Metcalfe, Miller, Phillips, Randolph, Smith

Not Voting: 1 O'Connell

Representative Halford changed his yea vote to nay.

SENATE

Yeas: 2 Ferguson, Hohman

Nays: 14 Bennett, Colletta, Dankworth, Elaison, Fahrenkamp, Gilman, Kelly, Kerttula, Mulcahy, Parr, Ray, Rodey, Stimson, Sturgulewski

Excused: 4 Bradley, Fischer, Sackett, Ziegler

and so, the motion failed.

Senator Ferguson moved that the Joint Session rescind its previous action in failing to divide the question.

Senator Ferguson withdrew his motion.

Representative Meekins offered the following amendment No. 4 to amendment No. 1.

Delete in section (c) A Conference Committee

Delete section (d)

Representative Meekins moved for the adoption of amendment No. 4 to amendment No. 1.

Representative Hulbert moved that the Joint Session adjourn. The question being: "Shall the Joint Session adjourn?" On voice vote, the motion failed.

The question being: "Shall amendment No. 4 to amendment No. 1 be adopted?" The roll was taken with the following result:

AM 4 TO AM 1

SENATE

Yeas: 11 Colletta, Dankworth, Eliason, Fahrenkamp, Ferguson, Gilman, Hohman, Kelly, Rodey, Stimson, Sturgulewski

Nays: 5 Bennett, Mulcahy, Parr, Ray, Kerttula

Excused: 4 Bradley, Fischer, Sackett, Ziegler

HOUSE

Yeas: 26 Abood, Anderson, Barnes, Beirne, Bettisworth, Brown, Bylsma, Carney, Cato, Cuddy, Fanning, Fuller, Gardiner, Grussendorf, Halford, Haugen, Hayes, Martin, Meekins, Metcalfe, Montgomery, Phillips, Randolph, Sutcliffe, Vaska, Zharoff

Nays: 13 Adams, Buchholdt, Chuckwuk, Clocksin, Cotten, Duncan, Freeman, Hurlbert, Malone, Miller, Moss, Rogers, Smith

Not Voting: 1 O'Connell

and so, amendment No. 4 to amendment No. 1 was adopted.

Representative Malone offered the following amendment No. 5 to amendment No. 1.

Add new sentence to read:
An appropriation item includes a line item, allocation, and appropriation.

Representative Malone moved for the adoption of amendment No. 5 to amendment No. 1. Senator Ray asked unanimous consent. Without objection, amendment No. 5 to amendment No. 1 was adopted.

The question now being: "Shall amendment No. 1 as amended be adopted?" The roll was taken with the following result:

AMENDMENT 1 AM

HOUSE

Yeas: 19 Abood, Anderson, Barnes, Beirne, Bettisworth, Bylsma, Cuddy, Fanning, Gardiner, Halford, Haugen, Hayes, Martin, Meekins, Metcalfe, Montgomery, Phillips, Randolph, Sutcliffe

Nays: 20 Adams, Brown, Buchholdt, Carney, Cato, Chuckwuk, Clocksin, Cotten, Duncan, Freeman, Fuller, Grussendorf, Hurlbert, Malone, Miller, Moss, Rogers, Smith, Vaska, Zharoff

Not Voting: 1 O'Connell

SENATE

Yeas: 15 Bennett, Colletta, Dankworth, Eliason, Fahrenkamp, Ferguson, Gilman, Hohman, Kelly, Mulcahy, Ray, Rodey, Stimson, Sturgulewski, Kerttula

Nays: 1 Parr

Excused: 4 Bradley, Fischer, Sackett, Ziegler

Senator Kerttula changed his nay vote to yea.

and so, amendment No. 1 as amended was not adopted.

Senators Rodey and Kelly and Representative Phillips offered the following amendment No. 2:

RULE 24 (c)

After the first sentence insert:
A committee of the second house may not report out a committee substitute for a bill or an amendment to a bill that requires a change in the title of the bill, other than a clerical or technical change, as adopted in the house of origin.

RULE 35

After the first sentence insert:
A motion or proposition on a subject that requires a change in the title of the bill as enacted in the house of origin, other than a clerical or technical change, is not in order in the second house.

RULE 41

After title insert:
"(a)" and after the first paragraph insert a new subsection: (b) An amendment to a bill introduced in the other house is not in order if the amendment requires a change of the bill title, other than a clerical or technical change.

RULE 42

Add a new subsection: A Conference Committee, a Conference Committee with powers of free conference or a Free Conference Committee may not adopt a report that requires a change in the title of a bill, other than clerical or technical changes.

Senator Rodey moved for the adoption of amendment No. 2.

Representative Hulbert moved that the Joint Session adjourn. The question being: "Shall the Joint Session adjourn?" On voice vote, the Joint Session adjourned at 4:10 p.m.

IN THE SENATE

The Senate reconvened at 4:15 p.m.

Senator Rodey moved and asked unanimous consent that the Senate adjourn until 10:00 a.m., June 1, 1981. Without objection, the Senate adjourned at 4:16 p.m.

Peggy Mulligan
Secretary of the Senate

May 1981