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Re: Proposed Uniform Rules Changes  
Markup Session

The following list of Rules have been requested for discussion. Representative Phillips submitted the attached proposed Rules changes. The list following list includes the supplement Rules changes submitted by the Rules Chair and circulated last Thursday, May 7th.

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|----------|---|----------------------------|
| Rule: 1. | <u>Organization of First Session.</u>   | Phillips<br>Rules          |
| 3.       | <u>Legislative Session Staff.</u>       | Hayes                      |
| 8.       | <u>Privilege of the Floor.</u>          | Hayes                      |
| 10.      | <u>Drafting Manual.</u>                 | Rules                      |
| 12.      | <u>Use of Chambers &amp; Offices.</u>   | Hayes                      |
| 16.      | <u>Call of the House.</u>               | Hayes                      |
| 17.      | <u>Daily Order of Business.</u>         | Hayes<br>Rules             |
| 18.      | <u>Daily Calendar.</u>                  | Phillips                   |
| 20.      | <u>Standing Committees.</u>             | Hayes<br>Phillips          |
| 21.      | <u>Interim Committees.</u>              | Phillips                   |
| 23.      | <u>Committee Meetings.</u>              | Hayes<br>Rules             |
| 24.      | <u>Committee Referral &amp; Action.</u> | Hayes<br>Phillips          |
| 30.      | <u>Reconsideration.</u>                 | Hayes<br>Phillips          |
| 34.      | <u>Voting Procedure.</u>                | Hayes                      |
| 35.      | <u>Amendment.</u>                       | Hayes<br>Phillips          |
| 37.      | <u>Introduction of Bills.</u>           | Phillips                   |
| 38.      | <u>History of Bills.</u>                | Phillips<br>Rules          |
| 39.      | <u>Action on Bills.</u>                 | Hayes                      |
| 41.      | <u>Amendments on other House.</u>       | Phillips                   |
| 42.      | <u>Conference Committee</u>             | Hayes<br>Phillips<br>Rules |
| 43.      | <u>Enrollment.</u>                      | Hayes<br>Rules             |
| 49.      | <u>Resolutions.</u>                     | Hayes                      |

AMENDMENT

Before the HOUSE RULES COMMITTEE 90

Offered by PHILLIPS

RULE 1. ORGANIZATION OF FIRST SESSION. (a) At the time established by AS 24.050.082 [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 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 assumes the chair for the two-year duration of the legislature. If a presiding officer is not elected by the fourth legislative day, the members shall meet and elect a presiding officer by secret ballot by a plurality of the votes cast.

*Proposed  
Op: "by 7th day  
same process  
to start on  
the 1st day*

(c) Pending the organization of the house a secretary assigned by the Legislative Council assists the lieutenant governor and the temporary and permanent presiding officers in the performance of their duties.

(d) The Uniform Rules of the Legislature of the previous regular session or any authorized revision of those rules are used as the temporary rules until the Rules Committee reports on and the legislature in joint session adopts permanent uniform rules.

(e) The presiding officer shall announce, not later than the day following [HIS] election, the appointment of a Committee on Committees consisting of the presiding officer [HIMSELF] as chairman and four other members. The committee is responsible for nominating the chairman and members of the standing committees as set out [FORTH] in Rule 20 to serve for the two-year duration of the legislature. The membership of each committee shall total to an uneven number. Each standing committee shall be composed of members of the majority and minority in the ratio which reflects the majority and minority membership in the house. [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.

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AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 18. DAILY CALENDAR. [(a)] The Rules Committee of each house is responsible for the preparation of the daily calendar for distribtuion to each member at least 24 hours [ON THE DAY] preceding the legislative session to which the calendar applies [NEXT LEGISLATIVE DAY. PENDING THE PRINTING OF THE CALENDAR THE CONTENTS OF THE CALENDAR MAY BE ANNOUNCED OR POSTED). Changes to the 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 to be placed on the calendar for the next legislative day by a majority vote of the full membership of the house.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 20. 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 and other matters 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).

(b) The committee chairmen are authorized to form such subcommittees as they determine to be necessary.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

Repeal and reenact Rule 21 to read as follows:

RULE 21. INTERIM COMMITTEES. ~~20~~ An interim committee may not be established unless it is a joint interim committee. A joint interim committee is ~~proposed by the Legislative Council and approved by~~ <sup>introduced</sup> a concurrent resolution adopted by a <sup>majority</sup> vote of ~~two-thirds~~ of the membership of each house of the legislature. When a joint interim committee is established, one-half of the members of the committee shall be appointed from each house by the presiding officer of that house. At least one member from each house shall be a member of a minority party of that house. [The members appointed to a joint interim committee shall elect a chairman.] Before an interim committee may spend money, its budget must be proposed by the Legislative Council and approved by a concurrent resolution adopted by a vote of <sup>A majority</sup> ~~two-thirds~~ of the membership of each house of the legislature. A joint interim committee exists for the duration of the legislature during which established.

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AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

Repeal and reenact Rule 21 to read as follows:

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AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 24 [23]. COMMITTEE REFERRAL AND ACTION. (a) A committee acts on all bills referred to it and reports its actions and recommendations to the house within 30 legislative days of referral [AS SOON AS PRACTICABLE]. Committee reports must be in writing [AND THE REPORT MUST BE SIGNED BY A MAJORITY OF THE MEMBERS OF THE COMMITTEE]. The report will note the recommendation of each member signing the report.

(b) When a bill is reported back by a committee without at least one "Do Pass", unless the bill has a subsequent referral or referrals of record, the presiding officer shall put the question "Shall the bill be referred to the Rules Committee for placement on the calendar for second reading notwithstanding the report of the committee(s)?" If the bill has a subsequent referral or referrals of record, the question shall not be put until the last committee has reported and unless all reports are without at least one "Do Pass". The question is debatable and if a majority of the full membership of the house votes in the negative, the bill is lost.

(c) If a committee has more than one bill on the same subject or if it finds it necessary to revise a bill substantially, it may report out a substitute bill and recommend that the substitute be accepted for second reading in the place of the original bill. When a committee in the house of origin of a bill reports a committee substitute for a bill or an amendment to a bill that requires a change in the title of the bill, the bill may not be advanced to third reading until the prime sponsor of the bill agrees to the change in the title of the bill. The concurrence of the prime sponsor shall be noted in the journal. 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 as adopted in the house of origin. Substitute bills are duplicated and distributed when they are reported out by the committee. Committee substitute bills carry a notation of the source or sponsor of the original bill in the manner prescribed by the drafting manual unless the sponsor objects to the name so appearing.

(d) All bills involving appropriations, revenues or bonding must be referred to the Finance Committee before they can be advanced to second reading.

(e) When a member of a committee notifies the committee chairman that the member intends to recommend "Do Pass" on a bill, the bill shall be reported back to the house and shall be immediately advanced to the next committee of referral. When the bill is referred to the Rules Committee, that committee shall place the bill on the calendar in second reading within 30 legislative days.

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(b) When a bill is reported back by a committee without at least one "Do Pass", unless the bill has a subsequent referral or referrals of record, the presiding officer shall put the question "Shall the bill be referred to the Rules Committee for placement on the calendar for second reading notwithstanding the report of the committee(s)?" If the bill has a subsequent referral or referrals of record, the question shall not be put until the last committee has reported and unless all reports are without at least one "Do Pass". The question is debatable and if a majority of the full membership of the house votes in the negative, the bill is lost.

(c) If a committee has more than one bill on the same subject or if it finds it necessary to revise a bill substantially, it may report out a substitute bill and recommend that the substitute be accepted for second reading in the place of the original bill. A committee substitute that contains a change in the bill title or an amendment to a bill reported by a committee that requires a change in the bill title (other than a clerical or technical change) requires an affirmative vote of two-thirds of the house. 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. Substitute bills are duplicated and distributed when they are reported out by the committee. Committee substitute bills carry a notation of the source or sponsor of the original bill in the manner prescribed by the drafting manual unless the sponsor objects to the [HIS OR THEIR] name so appearing.

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(e) When a member of a committee notifies the committee chairman that the member intends to recommend "Do Pass" on a bill, the bill shall be reported back to the house and shall be immediately

advanced to the next committee of referral. When the bill is referred to the Rules Committee, that committee shall place the bill on the calendar in second reading within 30 legislative days.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

Amend Rule 30 [29]. RECONSIDERATION, section (e) as follows:

(e) 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 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.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

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RULE 35. [34]. AMENDMENT. No motion or proposition on a subject shall be admitted under color of amendment if the subject matter is different from that under consideration. The subject of an amendment shall be germane to the subject of the original bill and within the title of the original bill. A motion or proposition for an amendment that requires a change in the title of a bill (other than a clerical or technical change) requires an affirmative vote of two-thirds of the house. \*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. No amendment may be considered by the house unless submitted in writing and read aloud by the clerk or secretary. Amendments offered by a committee shall be included in its written report and attached to the original bill. A bill in second reading is subject to amendment and is treated section by section. No amendment may be made to a bill in its third reading but the bill may be returned to second reading by a majority vote of the full membership of the house for the purpose of specific amendment. The specific amendment is not subject to amendment. Upon completion of action on the specific amendment, the bill automatically advances to third reading. Except as provided in this rule, a [A] title may be amended or a change of sponsor made in third reading or after passage by a majority vote of the members present, but same must be accomplished before the measure acted upon has been engrossed [ENROLLED]. When amendments to the body of a bill affect the numbering of sections, or passage or failure of the effective date clause affects the title, the clerk or secretary may accomplish the necessary changes without formal motion, and such changes shall be noted in the journal. Resolutions may be amended in the same manner as a bill.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 37 [36]. INTRODUCTION OF BILLS. (a) Any member, group of members, standing or special committee may introduce a bill, subject to the provisions of these Uniform Rules. A bill must be introduced in proper form 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.

(b) The original copy of a bill or resolution, or any substitute therefor, remains at all times in the custody of the chief clerk or secretary. When the original copy has been photographed for duplication the first [EACH] page of the bill is marked or stamped "original copy". The first carbon of the original bill is jacketed and marked "committee copy" and is delivered on receipt to the chairman of the committee of first reference. The "committee copy" is the official copy used to accompany committee reports within a house. If the committee copy is lost or is not otherwise available a certified photocopy of the original copy may be used. The original of the enrolled copy is used for certification by each house for transmittal to the governor.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 38 [37]. 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 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.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 41 [40]. AMENDMENTS IN OTHER HOUSE. (a) When a bill passed in one house is amended in the other house, the bill 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 enrolled for certification and transmittal to the governor.

(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. The title of a bill may not be changed except in the house of origin with the concurrence of the prime sponsor or by report of a standing committee in the house of origin.

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(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. The title of a bill may not be changed other than by a clerical or technical change except by an affirmative vote of two-thirds of the house of origin.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 42 [41]. CONFERENCE COMMITTEE. (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 amendments. The vote on receding from amendments is taken by calling 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 Committee on Conference. The committee meets when mutually agreeable to its members and when agreement on previously adopted amendments to a bill adopted by either house is reached, the committee submits an identical report to each house. If the report is adopted by both houses the bill is enrolled, signed, and transmitted to the governor. If the members of the Committee on Conference cannot agree on amendments or one or both houses refuses to adopt its report, a second Committee on Conference shall be appointed but a member of the first committee may not be reappointed. [IT IS IN ORDER AT ANY TIME TO GRANT POWERS OF FREE CONFERENCE TO THE COMMITTEE ON CONFERENCE.] If the members of the second Committee on Conference cannot agree on amendments or one or both houses refuses to adopt its report, it is then in order to appoint a Committee on Free Conference. A member who served on either Committee on Conference may not be appointed to the Committee on Free Conference. 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 the house.

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AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

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(b) The Committee on Free Conference is appointed in the same manner as a Committee on Conference and may suggest in its report any amendments clearly germane to the question. When a majority of the membership on the committee from each house 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. The report is referred to the last committee in each house to which the bill was referred for consideration for its information; the committee shall report the bill

with its recommendations for or against passage of the report.  
If the report is adopted in both houses the bill is then  
ordered enrolled by its house of origin. If the Committee  
on Free Conference fails to agree or its report is not  
adopted, a second Committee on Free Conference may be appointed  
but no member of the first committee may be reappointed.  
A free conference committee report may not be voted on by  
the house until at least 24 hours after the report is  
printed and distributed to each member at the member's desk.  
The vote on adoption of a free conference committee report  
is taken by calling of the roll and recording of the yeas  
[AYES] and nays in the journal. Adoption requires a majority  
vote of the full membership of the house.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 42 [41]

Add new section to read:

The report of a Committee on Conference with powers of free conference or a Committee on Free Conference that requires a change in the title of a bill other than clerical or technical change requires an affirmative vote of two-thirds of the house of origin.

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AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

RULE 42 [41].

In section (a), after "If the report is adopted by both houses the bill is enrolled, signed, and transmitted to the governor." add:

Except as provided in (c) of this rule, it [IT] is in order at any time to grant powers of free conference to the Committee on Conference. Except as provided in (c) of this rule, if [IF] the members of the Committee on Conference cannot agree on amendments or one or both houses . . ."

Add section (c) as follows:

(c) A house of the legislature may not grant to a conference committee on an appropriation bill the power

- (1) to make a new appropriation or allocation; or
- (2) to report an appropriation or an allocation which exceeds the appropriation or allocation in either bill referred to the committee.

AMENDMENT

Before the HOUSE RULES COMMITTEE

Offered by PHILLIPS

Rule 42 [41].

Add section (c) as follows:

(c) A committee on Free Conference or a Committee on Conference with powers of free conference may not report out a bill which would require a change in the bill title or an amendment which would require a change of bill title except with the concurrence of the prime sponsor of the bill. The concurrence of the prime sponsor shall be noted in the journal.