

ALASKA STATE LEGISLATURE
UNIFORM RULES



ADOPTED 1981

by the

TWELFTH LEGISLATURE - FIRST SESSION

AS AMENDED 1985, 1988, 1989, 1991, 1998, 2001

Legislative Affairs Agency

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LEG. AFFAIRS

FOREWORD

The Constitution of the State of Alaska (sec. 12, art. II) provides: "The houses of each legislature shall adopt uniform rules of procedure." It is noteworthy that the drafters of the constitution did not say "each house" shall adopt, but rather emphasized that the "houses" should adopt uniform rules. It was the intention of the writers that Alaska should avoid the circumstances of many state legislatures where one finds house rules, senate rules, and joint rules. The uniform system is intended to permit the members and the public to follow or conduct the legislative process without a confusion of rules. The rules are adopted by both houses sitting in joint session as one body. The law on the subject of rules reads:

Sec. 24.05.120. Rules. At the beginning of the first regular session of each legislature, both houses shall adopt uniform rules of procedure for enacting bills into law and adopting resolutions. The rules in effect at the last regular session of the immediately preceding legislature serve as the temporary rules of the legislature until the adoption of permanent rules.

The rules are meant as an aid to legislators and both houses in the conduct of their business in the formal processing of legislative documents and the exercise of other powers and duties assigned the legislature by constitutional and statute law.

Copies of the Uniform Rules are distributed at the direction of the Legislative Council by the Legislative Affairs Agency.

Executive Director
Legislative Affairs Agency

UNIFORM RULES
ALASKA STATE LEGISLATURE
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AMENDMENTS TO UNIFORM RULES

<u>Year</u>	<u>Rule</u>	<u>Resolve No.</u>	<u>Measure</u>
1981	24(c), 35, 41, 42	LR 24	SCS CSHCR 3(RLS)
1985	17	LR 23	HCR 31
1988	1(e)	LR 109	CSHCR 42(JUD)
1989	23(f)	LR 25	CSHCR 10(RLS)
1991	41, 42(b), 42(c)	LR 37	SCS CSHCR 1(FIN)
1998	23(a)	LR 45	HJR 7
2001	20(a), 37, 49(a)(4)	LR 17	SCS HCR 5(STA)

**VOTING REQUIREMENTS OF THE UNIFORM RULES
AND THE ALASKA CONSTITUTION**

<u>Rule No.</u>	<u>Question</u>	<u>Vote Requirement</u>	<u>Minimum No. Votes Needed</u>	
			<u>HOUSE</u>	<u>SENATE</u>
1(b)	Selection of temporary presiding officer	majority/full house	21	11
1(b)	Selection of permanent presiding officer	majority/full house	21	11
1(e)	Committee on Committees' report subject to approval by	majority/full house	21	11
3(a)	Election of chief clerk of house and senate secretary	majority/full house	21	11
8(a)	Granting personal/special privilege of the floor	2/3 of those present	--	--
9	Expunging of matter from journal	majority/full house	21	11
11(c)	Admission to chamber during session or brief recess of person not otherwise allowed in chamber	presiding officer or majority/present	--	--
13	Change in hour of convening	majority/present	--	--
14(a) (Art. II, sec. 12)	Members required to do business	majority/full house	21	11
14(b)	Ordering use of electric voting machine for election of officers/other business	majority/full house	21	11
16(a)	Excuse from call of the house	majority/full house	21	11

<u>Rule No.</u>	<u>Question</u>	<u>Vote Requirement</u>	<u>Minimum No. Votes Needed</u> <u>HOUSE</u>	<u>SENATE</u>
16(a) (Art. II, sec. 12)	Placing call of the house	any member	1	1
16(d)	Termination of call of the house by a vote to adjourn	majority/present	--	--
17	Change daily order of business	2/3 of full house	27	14
18	Changes to a daily calendar or approval of supplementary calendar	2/3 of those present	--	--
18	Order bill in rules committee to be placed on calendar for next day	majority/full house	21	11
19	Make a subject a special order of business, if not otherwise specifically provided for in uniform rules	2/3 of those present	--	--
22(c)	Calling an executive session	majority/present	--	--
23(a)	Waiver of five-day notice of first public hearing on bill or resolution	majority/full house	21	11
24(b)	Referring to the rules committee (for calendaring) a bill reported out of all committees of referral without at least one "Do Pass" recommendation NOTE: bill dies if a majority of the full house votes "NO"	majority/present	--	--
27(a)	Oral motion required to be reduced to writing upon request of	majority/full house	21	11
	any member	any member	1	1

<u>Rule No.</u>	<u>Question</u>	<u>Vote Requirement</u>	<u>Minimum No. Votes Needed</u> <u>HOUSE</u>	<u>SENATE</u>
27(b)	Withdrawal of bill, resolution, or motion for amendment by member introducing it or reporting it requires consent of	majority/full house	21	11
29	Indefinite postponement of a measure	majority/full house	21	11
30(a)	Reconsideration on same day notice given	2/3 of full house	27	14
30(b)	Extension of time for reconsideration	majority/present	--	--
31(c)	Motion to rescind	same vote as required to pass measure originally	--	--
32(a)	Ordering the previous question	2/3 of those present	--	--
33	Appeal of presiding officer's decision that division of a question cannot be made	majority/present	--	--
34(a)	Requiring roll call vote on a measure	any member	1	1
34(b)	Permission for member to abstain from voting	unanimous consent	--	--
35	Return a bill from third reading to second reading	majority/full house	21	11
35	Amendment to a title (where allowed) or sponsor change; see Rules 24(c), 35, 41(b) and 42(e)	majority/present	--	--
39(a) (Art. II, sec. 14)	Advance from second reading to third reading on same day NOTE: advancement automatic after action on specific amendment, Rule 35	3/4 of full house automatic	30 --	15 --

<u>Rule No.</u>	<u>Question</u>	<u>Vote Requirement</u>	<u>Minimum No. Votes Needed</u> <u>HOUSE</u>	<u>SENATE</u>
39(b)	Committee referrals in addition to those made by presiding officer	majority/full house	21	11
39(c)	Require bill in second reading to be read in full by chief clerk or secretary	majority/full house	21	11
39(c) (Art. II, sec. 14)	Advance bill from second reading to third reading on the same day	3/4 of full house	30	15
39(d) (Art. II, sec. 14)	Final passage of a bill	majority/full house	21	11
39(e) (Art. IV, sec. 15)	Change in a Supreme Court Rule	2/3 of full house	27	14
39(f) (Art. II, sec. 18)	Adopt effective date other than 90 days	2/3 of full house	27	14
41	Concurrence in amendments of other house	majority/full house	21	11
42(a)	Receding from amendments	majority/full house	21	11
42(a)	Adoption of conference committee report	majority/full house	21	11
42(b)	Adoption of free conference committee report	majority/full house	21	11
45 (Art. II, sec. 16; art. IX, sec. 16)	Override of veto of appropriation bills or items and bills to raise revenue	3/4 of legislature in joint session		total of 45 votes

<u>Rule No.</u>	<u>Question</u>	<u>Vote Requirement</u>	<u>Minimum No. Votes Needed</u> <u>HOUSE</u> <u>SENATE</u> total of 40 votes
45 (Art. II, sec. 16)	Override of veto of other bills	2/3 of legislature in joint session	
46 (Art. III, secs. 19, 25, & 26; art. IV, secs. 8 & 10; art. VII, sec. 3)	Confirmation of governor's appointments	majority of legislature in joint session	total of 31 votes
49(a)(1)	Simple resolution	majority/full house (house of origin)	21 11
49(a)(2) (Art. II, sec. 12)	Special resolution (expulsion of member)	2/3 of full house (house of origin)	27 14
49(a)(3)	Concurrent resolution	majority/full house	21 11
49(a)(4) (Art. III, sec. 23)	Special concurrent resolution (disapproval of executive order)	majority of legislature in joint session	total of 31 votes
49(a)(5) (Art. XIII, sec. 1)	Joint resolution proposing amendment to Alaska constitution	2/3 of full house	27 14
49(a)(5) (Art. X, sec. 12)	Resolution disapproving boundary change proposed by boundary commission	majority/full house	21 11
49(a)(5)	Joint resolution other than proposed amendment to Alaska constitution	majority/full house	21 11

<u>Rule No.</u>	<u>Question</u>	<u>Vote Requirement</u>	<u>Minimum No. Votes Needed</u> <u>HOUSE</u>	<u>SENATE</u>
51	Motion to call a joint session	both presiding officers or majority/full house (one house only)	21	11
51	Use of electric voting machine by members of the House of Representatives during joint session	majority/House of Representatives	21	--
52 (Art. II, sec. 10)	Adjournment or recess longer than three days	concurrent resolution adopted by majority/full house	21	11
52 (Art II, sec. 12)	Adjournment from day to day	majority/present	--	--
53	Adoption of Uniform Rules by each legislature	majority/full membership of each house in joint session	21	11
53	Further amendments during same legislature	concurrent resolution adopted by 2/3 of full house	27	14
54	Suspension of Uniform Rules, unless otherwise specifically provided in a particular rule	concurrent resolution adopted by 2/3 of full house	27	14
Art. II, sec. 8	Extend regular session	2/3 of full house	27	14
Art. II, sec. 9	Call a special session	2/3 of full house	27	14
Art. II, sec. 20	Impeach a civil officer of the state	2/3 of Senate	--	14

<u>Rule No.</u>	<u>Question</u>	<u>Vote Requirement</u>	<u>Minimum No. Votes Needed</u> <u>HOUSE</u>	<u>SENATE</u>
Art. II, sec. 20	Return a judgment of impeachment of a civil officer of the state	2/3 of House of Representatives	27	--
Art. III, sec. 20	Approve declaration of martial law for a period longer than 20 days	majority of legislature in joint session		total of 31 votes
Art. IV, sec. 12	Impeach a justice or judge	2/3 of Senate	--	14
Art. IV, sec. 12	Return a judgment of impeachment of a justice or judge	2/3 of House of Representatives	27	--
Art. IX, sec. 17(b)	Make an appropriation from the budget reserve fund under art. IX, sec. 17(b)	majority/full house	21	11
Art. IX, sec. 17(c)	Make an appropriation from the budget reserve fund under art. IX, sec. 17(c)	3/4 of full house	30	15
Art. XII, sec. 14	Approve amendment to Alaska Statehood Act	2/3 of full house (or majority vote of the people)	27	14
Art. XII, sec. 14	Resolution to place question of approval of amendment to Alaska Statehood Act before the voters	majority/full house	21	11

NOTE: Except in the case of adjournment, the phrases "majority of those present" and "2/3 of those present" assume that a quorum is present.

MINIMUM MINORITY MEMBERSHIP

ON STANDING COMMITTEES

(Uniform Rule 1(e))

HOUSE

SIZE OF MINORITY	SIZE OF COMMITTEE				
	5	7	9	11	13
19 (.475)	2	3	4	5	6
18 (.45)	2	3	4	4	5
17 (.425)	2	2	3	4	5
16 (.4)	2	2	3	4	5
15 (.375)	1	2	3	4	4
14 (.35)	1	2	3	3	4
13 (.325)	1	2	2	3	4
12 (.3)	1	2	2	3	3
11 (.275)	1	1	2	3	3
10 (.25)	1	1	2	2	3

SENATE

SIZE OF MINORITY	SIZE OF COMMITTEE				
	5	7	9	11	13
9 (.45)	2	3	4	4	5
8 (.4)	2	2	3	4	5
7 (.35)	1	2	3	3	4
6 (.3)	1	2	2	3	3
5 (.25)	1	1	2	2	3

ORGANIZATION OF FIRST SESSION

Rule 1. 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 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 selects a temporary presiding officer, the temporary presiding officer assumes the chair and the lieutenant governor withdraws. The temporary presiding officer then calls for nominations for a permanent presiding officer and the nominee receiving a majority vote of the full membership of the house becomes the permanent presiding officer 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 persons nominated. Election of a permanent presiding officer requires a majority vote of the full membership of the house.

(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 election, the appointment of a Committee on Committees consisting of five members including the presiding officer. The presiding officer chairs the Committee on Committees. The committee is responsible for nominating the members of the standing committees as set out 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. On each standing committee the minority is entitled to the number of seats that is proportional to the number of minority members compared to the total house membership or to one seat, whichever is greater. In calculating the number of seats the minority is entitled to, fractional numbers that represent the minority proportional entitlement to a seat shall be ignored. The report of the Committee on Committees is subject to approval by a majority vote of the full membership of the house. For purposes of this subsection "minority" means a group of members who have organized and elected a minority leader and who constitute at least 25

percent of the total house membership.

ORGANIZATION OF SECOND SESSION

Rule 2. Organization of Second Session. The presiding officer of each house during the first regular session presides during the second regular session or any special session and administers the oath to any new members.

LEGISLATIVE SESSION STAFF

Rule 3. Legislative Session Staff. (a) Each house elects an internal administrative 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 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, 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.

DUTIES OF THE PRESIDING OFFICER

Rule 4. 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.

ADMINISTRATIVE SERVICES

Rule 5. 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, 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.

EXPENDITURES

Rule 6. 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 officers. No member may spend or obligate state funds for or on behalf of any committee unless authorized by the chair of the committee with approval of the presiding officer of the house within the limits of available funds.

COMMUNICATIONS

Rule 7. 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 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.

PRIVILEGE OF THE FLOOR

Rule 8. Privilege of the Floor. (a) A member may request of the presiding officer 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 remarks of the member are not recorded in the journal.

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

(c) 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.

JOURNAL

Rule 9. 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 the 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.

DRAFTING MANUAL

Rule 10. 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.

ADMISSION TO FLOOR

Rule 11. Admission to Floor. (a) Except as provided in (b) - (d) of this rule, a 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 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 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 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.

USE OF CHAMBERS AND OFFICES

Rule 12. Use of Chambers and Offices. Legislative chambers 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 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.

HOUR FOR CONVENING

Rule 13. Hour for Convening. Each house shall convene daily, except Sunday, at 10:00 a.m., unless otherwise ordered by a majority vote of the members present.

QUORUM AND ROLL CALL

Rule 14. Quorum and Roll Call. (a) A majority of the full membership of the 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 be used for the daily roll call and any quorum call and shall be used for the election of officers and other business of the house if 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 be made by the calling

of the roll.

ABSENCE OF MEMBERS

Rule 15. Absence of Members. A member may not be absent from sittings of the house unless the member has the leave of the house to be absent or is ill and unable to attend. A member who is consistently absent from meetings of a standing committee to which assigned may be removed from that committee by the Committee on Committees upon a showing that the member's absence is unwarranted.

CALL OF THE HOUSE

Rule 16. Call of the House. (a) 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) 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.

DAILY ORDER OF BUSINESS

Rule 17. Daily Order of Business. Unless changed by a two-thirds vote

of the full membership of the house the daily order of business of each house is as follows:

- (1) Roll call
- (2) Invocation or meditation
- (3) Pledge of Allegiance
- (4) Certification by the chief clerk or secretary to the house as to the correctness of the journal of the previous day, journal approved or ordered changed
- (5) Introduction of guests
- (6) Messages from the governor
- (7) Messages from the other house
- (8) Communications
- (9) Reports of standing committees
- (10) Reports of special committees
- (11) Introduction of resolutions
- (12) Introduction, first reading and reference of bills
- (13) Consideration of daily calendar
 - (A) Second reading of bills of house
 - (B) Second reading of bills of other house
 - (C) Third reading of bills of house
 - (D) Third reading of bills of other house
 - (E) All other matters up for final action in the house
- (14) Unfinished business
- (15) Announcement of committee meetings
- (16) Special orders (not set for a particular hour)

(17) Adjournment.

DAILY CALENDAR

Rule 18. Daily Calendar. The Rules Committee of each house is responsible for the preparation of the daily calendar. Pending the printing of the calendar the contents of the calendar shall 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 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 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.

SPECIAL ORDER OF BUSINESS

Rule 19. Special Order of Business. Any subject not otherwise specifically provided for in the rules may, by a vote of two-thirds of the members present, be made a special order of business, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the house.

STANDING COMMITTEES

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 Early Development, 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 Workforce Development relating to labor-management relations, industrial safety, unemployment compensation, and workers' compensation and the programs and activities of the Department of Community and Economic Development that do not primarily relate to local government or to government services or functions in the unorganized borough)

Community and Regional Affairs (the programs and activities of the Department of Community and Economic Development that primarily relate to local government and government services or functions in the unorganized borough, 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 and Veterans' Affairs, Corrections, 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).

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

SPECIAL AND JOINT COMMITTEES

Rule 21. Special and Joint Committees. (a) A special committee is a committee of one house. A special committee may be established only by the adoption of a simple resolution. The presiding officer of each house appoints the members of a special committee and designates a member to chair the special committee unless otherwise ordered by the house. The persons who chair 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.

(b) A joint committee is a committee of both houses. A joint committee 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 persons who co-chair a joint committee shall be chosen in the manner provided by the presiding officers.

(c) A resolution establishing a special or joint committee shall specify the date or conditions of termination of the committee. A standing committee may 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.

OPEN AND EXECUTIVE SESSIONS

Rule 22. Open and Executive Sessions. (a) All meetings of a legislative body are open to all legislators, whether or not they are members of the particular legislative body that is meeting, and to the general public except as provided in (b) of this rule.

(b) A legislative body may call an executive session at which members of the general public may be excluded for the following reasons:

(1) discussion of matters, the immediate knowledge of which would adversely affect the finances of a government unit;

(2) discussion of subjects that tend to prejudice the reputation and character of a person;

(3) discussion of a matter that may, by law, be required to be confidential.

(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 not be interpreted as permitting the exclusion of a legislator from an executive session, whether or not the legislator 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.

COMMITTEE MEETINGS

Rule 23. 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 Thursday preceding the week of the meeting,

except that, during the first week of the first regular session, not less than 24 hours notice must be given. 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 the 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) - (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 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;

(4) 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;

(5) at the end of the second session of each legislature, deliver to the legislative reference library

(A) a binder that contains an index and copies of all minutes filed by date;

(B) tapes of committee meetings and logs for those tapes prepared under (1) of this subsection; and

(C) a file for each bill or subject considered by the committee that includes written testimony submitted to the committee, state agency position papers and memoranda, bill drafts considered by the committee, letters of intent adopted by the committee, and other materials of research value.

COMMITTEE REFERRAL AND ACTION

Rule 24. Committee Referral and Action. (a) A committee acts on all bills referred to it and reports its actions and recommendations to the house 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 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 of the second house may not report 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 the title was enacted 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.

COMMITTEE OF THE WHOLE

Rule 25. Committee of the Whole. When the house forms itself into a Committee of the Whole the presiding officer vacates the chair and calls upon a member to preside. The Uniform Rules are observed in the Committee of the Whole but no member shall be recognized a second time until every member wishing to speak has spoken. When a bill is considered in the Committee of the Whole it shall be read and debated by sections and amendments adopted shall be noted on paper separate from the bill. When the committee rises and reports, the amendments proposed by the committee and other amendments may be adopted.

DECORUM IN DEBATE

Rule 26. Decorum in Debate. Decorum in debate is governed by the provisions of Sections 120 through 127, MASON'S MANUAL OF LEGISLATIVE PROCEDURE, 1979 edition, when not inconsistent with these Uniform Rules.

MOTIONS

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 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.

(c) When a question is under debate no motion may be made except for the following privileged motions which have precedence in the order listed:

- (1) to adjourn
- (2) for a call of the house
- (3) to recess
- (4) to lay on the table
- (5) for the previous question
- (6) to limit or to extend the limits of debate
- (7) to postpone to a day certain
- (8) to commit or recommit
- (9) to amend
- (10) to postpone indefinitely
- (11) to advance from second to third reading on the same day.

FORM OF QUESTION

Rule 28. Form of Question. The presiding officer shall put the question to the body by stating: "As many as are in favor of (state the motion) say 'yes'", and after the affirmative vote is expressed, "As many as are opposed say 'no'". If the presiding officer is in doubt about the result of the voice vote and calls for a roll call vote, the house shall vote.

INDEFINITE POSTPONEMENT

Rule 29. Indefinite Postponement. A measure may be indefinitely postponed by a majority vote of the full membership of the house. 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.

RECONSIDERATION

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 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 the members 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) No notice of reconsideration may be given at a joint session or on the last date on which action could be taken on the subject under consideration.

(d) Reconsideration shall be once automatically extended one legislative day if the house meets but there is no calendar of bills and resolutions prepared for that day due to the management policies of that house.

(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 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 reconsideration is given, the motion that reconsideration be taken up on the same day shall 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.

RESCINDING ACTION

Rule 31. Rescinding Action. (a) The motion to rescind has the effect of making ineffective the action previously taken. The motion is not in order when

the question can be reached by giving notice of intent to reconsider or if notice of reconsideration has already been given. The motion to rescind is not in order unless the bill or measure is in the possession of the house, but the second house may be requested to return the bill or measure for that purpose at any time before final action on the bill or measure by the second house. Adoption of the motion to rescind cancels the previous vote on the question as completely as though it had never been taken.

(b) The power to rescind is lost when an authorized act is carried out or the legislature has ratified a contract.

(c) Any member may move to rescind whether the member 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.

PREVIOUS QUESTION

Rule 32. Previous Question. (a) The previous question 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 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.

(b) If the motion is defeated the consideration goes on as if the motion had not been made. If the motion is sustained the presiding officer at once and without debate puts the motion or amendment as ordered. If an adjournment is had after the previous question is ordered, the subject comes up in its regular order on the next legislative day and the previous question still operates.

DIVISION OF A QUESTION

Rule 33. Division of a Question. A division of a question cannot be demanded as a right by any member. It must be made pursuant to a motion stating precisely the division asked for. This motion may be amended. The presiding officer may decide, subject to an appeal to the house, that the division proposed cannot be made. If appealed to the house, the house decides if it can be divided.

VOTING PROCEDURE

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 and nays in the journal. A roll call vote on any measure may be

demanded by any member of the house. In case of an equal vote on any roll call the motion is lost. Except for the name of the presiding officer, who always votes last, the roll call of members of the house 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 divides or before the call for the yeas and nays is commenced. A member requesting to be excused from voting may make a brief oral statement of the reasons for the request and the question of granting permission to abstain shall be taken without further debate. A member may not explain a vote, may not discuss the question while the yeas and nays are being called, and may not change a vote after the roll call result has been announced. Upon division and count of the house of any question a member who is not within the chamber may not be counted. A member may not 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 by the chief clerk or secretary or designated deputy of the 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 vote, the member shall rise in place and address the chair, and upon being recognized by the chair, shall state a desire 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 member may not vote when the rolls are so opened unless the member is recognized and permitted to vote or to change a 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 member may not be permitted to change a 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 shall announce the vote. The result shall

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 desk. When a member other than the regular presiding officer is presiding, the presiding officer, if present, and the other member may direct the chief clerk or secretary to indicate their votes.

(6) Misuse of voting station. A member may not vote for another member. A 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.

AMENDMENT

Rule 35. Amendment. A motion or proposition on a subject may not be admitted under color of amendment if the subject matter is different from that under consideration. 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. An amendment may not 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. An amendment may not 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. When action on a specific amendment in second reading is completed, the bill automatically advances to third reading. Except as provided in this rule, 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 the title amendment or sponsor change must be accomplished before the measure acted upon has been 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 the changes shall be noted in the journal. Resolutions may be amended in the same manner as a bill.

PREFILING OF BILLS

Rule 36. Prefiling of Bills. (a) Bills or proposals for bills may be prefiled with the executive director of the Legislative Affairs Agency at any time

before January 1. All requests are confidential and are limited to bills and those joint resolutions proposing amendments to the state or federal constitutions. Bills given final approval by the sponsor will be assigned a number and duplicated during the week prior to the convening date of the session and made available to the press and public. A member may request no more than 10 bills for pre-filing. Drafts of prefiled bills not receiving sponsor approval prior to the convening day of the session will not be introduced as prefiled bills, but, at the direction of the sponsor, will be prepared in final form by the agency staff, subject to the demands of assigned interim and pre-session work.

(b) Prefiled bills are submitted to each house for formal introduction and first reading at the commencement of the first regular session on the day when the house is organized to the point where it has committees to receive bills, or on the first day of the second regular session. Prefiled bills are read and referred to committee in advance of other bills.

INTRODUCTION OF BILLS

Rule 37. Introduction of Bills. (a) Any member, group of members, standing, 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 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. The first copy 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.

HISTORY OF BILLS

Rule 38. History of Bills. A separate history of the bills of each house shall be maintained for both houses by the Legislative Affairs Agency. The agency shall, in cooperation with the legislators who chair 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.

ACTION ON BILLS

Rule 39. Action on Bills. (a) Number of readings. A 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 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. 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 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 vote of the full membership of the house, 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 the majority of the membership of each house. The yeas and nays 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 house. 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.

(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.

(g) A bill may be recommitted any time before passage.

COURSE OF BILLS

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 for subsequent action by that house.

AMENDMENTS IN OTHER HOUSE

Rule 41. Amendments in Other House. (a) 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 the 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.

(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.

(c) The house of origin may not vote on concurrence in amendments to an appropriation bill until at least 24 hours after the bill with amendments is

delivered to that house. The chief clerk or secretary shall certify the time of delivery for recording in the journal.

CONFERENCE AND FREE CONFERENCE COMMITTEES

Rule 42. Conference 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 amendments. The vote on receding from amendments is taken by the 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. The committee meets when mutually agreeable to its members. If the committee reaches agreement on previously adopted amendments to a bill adopted by either house, 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 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. If the members of a Conference Committee with limited powers of free conference cannot agree on amendments, or one or both houses refuses to adopt the committee report, it is then in order to appoint a Free Conference Committee. 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 the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership of each house.

(b) A Free Conference Committee is appointed in the same manner as a Conference Committee and may suggest in its report any new amendments clearly germane to the question. When a majority of the membership of the committee from each house agrees on amendments, 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, the bill is then ordered enrolled by its house of origin. If the members of a Free Conference Committee fail to agree on amendments or one or both houses refuses to adopt the free conference report, a second Free Conference Committee may be appointed, but no member of the first committee may be reappointed. A free conference report on a measure other than an appropriation bill 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 the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership of each house.

(c) 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. An item in an appropriation bill includes a line item, an allocation, and an appropriation. The report on an appropriation bill of a Conference Committee, a Conference Committee with limited powers of free conference, or a Free Conference Committee 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.

(d) Notwithstanding the provisions of (c) of this rule, a Free Conference Committee may consider and include in its report on an appropriation bill appropriations as requested by attached fiscal notes on new legislation and resolutions that have been passed by both houses.

(e) A Conference Committee, a Conference Committee with limited 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 a clerical or technical change.

ENROLLMENT

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 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 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 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.

TIME LIMIT ON INTRODUCTION

Rule 44. Time Limit on Introduction. No bill or resolution other than one sponsored by a standing committee may be introduced after the thirty-fifth day of the second regular session of the legislature.

VETOED BILLS

Rule 45. Vetoed Bills. The governor may veto a bill or by veto strike or reduce an item in an appropriation bill. The governor shall return the vetoed bill or the bill in which an appropriation item was stricken or reduced with a statement of 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 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.

CONFIRMATION OF APPOINTMENTS

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 in joint session. (Secs. 25 and 26, Art. III, State Constitution.)

BILLS AND RESOLUTIONS CARRY OVER

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.

DISCHARGE OF BILLS FROM COMMITTEE

Rule 48. Discharge of Bills from Committee. (a) If the majority of the full membership of a standing, 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 affected shall schedule the specified legislation for consideration within three days after transmittal of the request by the presiding officer to the committee chair.

(b) If the chair does not adhere to the provisions of (a) of this rule, 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.

(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 majority of the full membership of the committee and the presiding officer following the procedure provided in (a) of this rule to place a particular item of legislation on the calendar.

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

RESOLUTIONS

Rule 49. Resolutions. (a) The only type of instrument other than a bill or citation authorized under these Uniform Rules is a resolution. The types and uses of resolutions are as follows:

(1) 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) 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 two-thirds vote of the full membership of the house for approval.

(3) 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. This resolution does not require committee referral, three readings, or anything other than approval of a majority vote of the full membership of each house unless otherwise required by the rules.

(4) A special concurrent resolution is employed to consider 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 standing committee of each house and may be adopted by a majority vote of the full membership of the legislature in joint session without recourse to three readings.

(5) 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.

LEGISLATIVE CITATIONS

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 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.

(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.

JOINT SESSIONS

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 full membership of the house of representatives, agree to the use of the electric voting machine in place of the oral roll call.

ADJOURNMENT

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.

ADOPTION AND AMENDMENT OF RULES

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.

SUSPENSION OF RULES

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.

INTERPRETATION AND IMPLEMENTATION OF RULES

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 representatives, 11 votes in the senate.

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