

How Ideas Become Laws: The Legislative Process in Alaska



Karolina Bednarska
GCDSE Legislative Committee Intern
Juneau Council Meeting
January 22-24, 2007

What are the differences between:

Laws- Rules formally recognized as binding and enforced by controlling authorities. Statute law is law enacted by the legislature. Common law is law set by precedent in court and by interpretation of the Constitution and statute law.

Regulations- Rules, standard or order of an executive state agency adopted under authority of a statute passed by the Legislature; the regulation implements, interprets, or makes specific the law.

Procedures- Methods of the legal process; filing complaints, serving documents on the opposition, setting hearings, motions, petitions, preparing orders, giving notice to the other parties, and all the rules and laws governing that process. Every state has a set of procedural statutes, (a.k.a. Codes of Civil Procedure and Criminal Procedure).

The Idea

Bills and ultimately laws all begin as ideas.

These ideas may come from a legislator, a State or local agency, even an individual citizen.



The idea must be communicated to a legislator, legislative committee or governor for further action via the Rules Committee.

So, your idea must be communicated to individuals who will sponsor the bill.

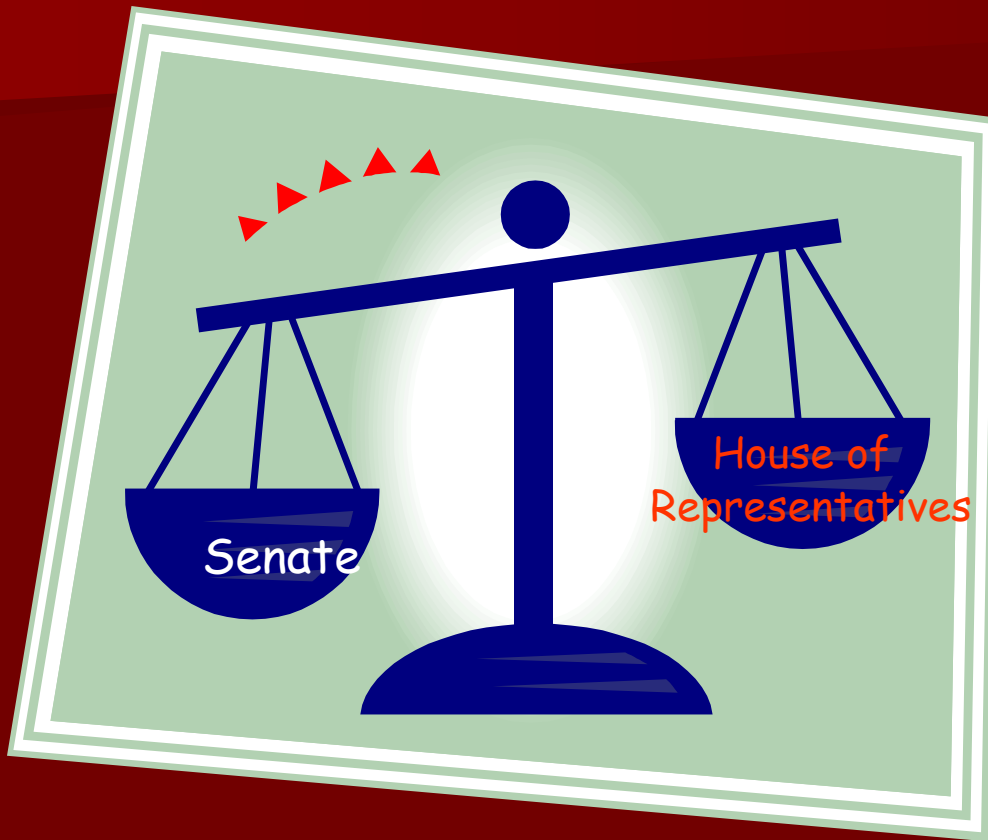
Alaska Legislature

The Alaska Legislature consists of sixty members.

The legislature is bicameral, meaning that it consists of two chambers:

The Senate is composed of twenty members.

The House of Representatives is composed of forty members.



Bill Introduction...

Once a bill has been prepared by the Legislative Affairs Agency Legal Services, the prime sponsor receives the bill with necessary copies.



Depending on which house the bill originated in, the sponsor introduces the bill by reading it for the first time during floor session. This is known as the **First Reading**.

During the reading, the bill is referred to committee(s).

Each house has the following standing committees:

- Finance
- Health, Education and Social Services
- Judiciary
- Labor and Commerce
- Community and Regional Affairs
- Resources
- Rules
- State Affairs
- Transportation



Referral to Committees...

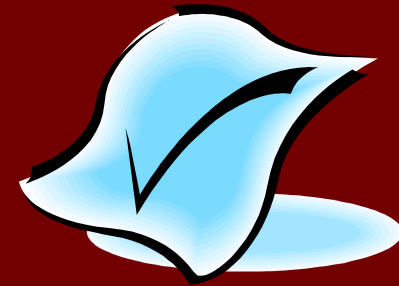


Once a bill has been referred to a committee, regular meetings are held or combined with public hearings to discuss the bill.

Modifications, additions, or deletions to the bill may be suggested and adopted; these are called **amendments**.



When formal debate has concluded, the members vote to move the bill out of the committee to its next committee of referral.




After a bill has moved through all of its committees of referral, it is scheduled for floor action in the house of origin by the Rules Committee for a **Second Reading**.

Second Reading...


 Any amendments to the bill are offered and voted on at this time.


 A bill which has been read a second time will be considered engrossed and advanced to Third Reading for final passage on the same day.

(Requires approval by three-fourths vote of the membership: 30 in House, 15 in Senate).

 If a bill has not advanced to Third Reading on the same day it was read in Second Reading, it automatically appears on the Calendar in Third Reading on the next day the legislature appears.

Third Reading...

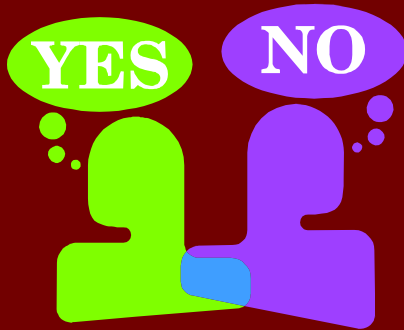
 After the bill is read for a third time, a motion may be made to return the bill to Second Reading for a specific amendment. This motion requires the affirmative vote of the majority of the full body, (21 in the House, 11 in the Senate).

 The bill is passed for consideration of the other house, if it receives an affirmative vote of a majority of the members from the first body.

Consideration in the Other House

After final passage in one house, the bill is then engrossed and sent to the other house where it goes through the same introduction, committee referral, and three readings.

If the second house amends the bill and adopts the amended version, the bill is returned to the house of origin.



If the house of origin fails to agree to the amendments, a message is sent asking the other body to recede.



If the other body refuses to recede, it advises the presiding officer in the house of origin.




Conference Committee...

The presiding officers in each house appoint three members to a conference committee to resolve the differences and bring in a report offering a solution.



The vote of adoption of the conference committee requires a majority vote of the full membership of each body (21 in the house, 11 in the Senate).

Enrollment and Signature...

-  When a bill has been passed by both houses, it is sent to the Legislative Affairs Agency, Legal Services where it is rechecked by the legal editor and revisers.
-  The bill in final form is returned to the house of origin where it is signed by the presiding officer and Chief Clerk or Secretary and sent to the other house for like signatures.
-  The bill is returned to the house of origin and given to the governor for review and action.

Role of the Governor...

By Constitutional mandate, the Governor must:

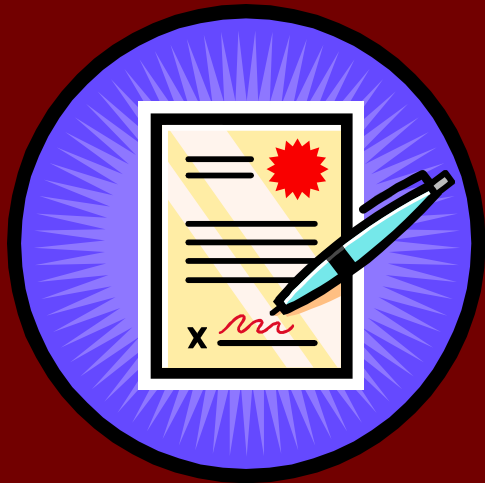
- sign the bill
- veto the bill
- let it become law without his/her signature by advising the legislature with a special message as required by the Alaska Constitution.



If the bill has an effective date clause,
a separate two-thirds vote of the
membership is required
(27 in the House, 14 in the Senate).



An effective date clause causes the bill to
become law the day following the Governor's
signature or day of enactment without the
Governor's signature.



Without an effective date clause,
the bill becomes law ninety days
after it is signed by the Governor
or permitted to become law without
his/her signature.

From a Bill to an Act of Law...

The Bill becomes an Act and is given a chapter number.

The session law is returned to the Legislative Affairs Agency and sent to be published.

The Act is part of the codified body of laws enacted by the legislature and is in the Alaska Statutes.

When an Act becomes effective it is subject to enforcement, observance, and administrative action. The Act is now a LAW.

