

CLERK'S OFFICE

APPROVED

Submitted by: ASSEMBLY VICE CHAIR COFFEY

Prepared by: Assembly Counsel

For reading: March 24, 2009

Date:

4-14-09

ANCHORAGE, ALASKA

VETOED 4-20-09; NO ACTION
TAKEN 5-11-09

AO NO. 2009-36

**AN ORDINANCE AMENDING ANCHORAGE CODE SECTION 2.30.080 GOVERNING
ASSEMBLY PROCEDURAL MATTERS NOT COVERED BY MUNICIPAL CODE.**

WHEREAS, Charter §4.04 authorizes the Assembly to determine by ordinance its own rules of procedure and order of business; and

WHEREAS, designed for more general parliamentary procedure, Robert's Rules of Order is not always applicable to ongoing legislative procedure of a governing body; and

WHEREAS, provisions of Robert's Rules of Order have been subject to differing interpretation among legal counsel, the Municipal Clerk, the Presiding Officer of the Assembly, and the Officer of the Mayor, leaving the Assembly without immediate recourse to determine its own procedure,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 2.30.080 is hereby amended to read as follows (*subsections not affected are not set out.*):

2.30.080 Conduct of debate and discussion.

I. In all matters not covered by this chapter, the following procedures shall apply:

1. By motion, and as approved by a majority, the Assembly shall determine the procedure to be followed by the Assembly.

2. If a majority of the Assembly is unable to determine the procedure to be followed, Robert's Rules of Order, Newly Revised, shall govern.

(AO No. 13-75; AO No. 78-49; AO No. 91-178(S))

Section 2. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 14th day of April, 2009.


Chair

ATTEST:


Municipal Clerk



Municipality of Anchorage

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Matt Claman,
Acting Mayor

Office of the Mayor

2009 APR 20 PM 2:18

CLERKS OFFICE

MEMORANDUM

DATE: April 20, 2009
TO: Anchorage Assembly
FROM: Acting Mayor Matt Claman

SUBJECT: Veto of Assembly Ordinance No. AO 2009-36, an ordinance amending Anchorage Code Section 2.30.080 governing **Assembly procedural matters** not covered by municipal code.

Pursuant to the authority vested in the Mayor by subsections 5.02(c) and 7.02(c) of the Charter, I hereby veto AO 2009-36 and submit this veto to the Assembly. AO 2009-36 was passed by the Assembly on April 14, 2009. The following is my written explanation of this veto:

General Henry M. Robert published the first edition of *Robert's Rules of Order* in 1876. Today, governments and businesses throughout our country routinely follow the tenth edition of *Robert's Rules*. The Municipality of Anchorage, including the Anchorage Assembly, has relied on *Robert's Rules* for its legislative process since unification in 1975. See AMC 02.30.080.I. The rules have changed over time to reflect changes in society while maintaining the core set of procedural rules that govern the actions of deliberative bodies. These core principles include:

- Full and free discussion of issues
- Protection of the rights of members of the legislative body
- Equal rights of all voting members

Robert's Rules provides for some actions by a majority vote and other actions by a two-thirds vote. When an action gives rights to members, *Robert's Rules* requires a majority to pass the action. When the action *takes away rights* from members, the rules require a two-thirds vote to pass.

When the Assembly approved AO No. 2009-36 on April 14, 2009, it abandoned the core principles established in *Robert's Rules*. This abandonment of *Robert's Rules* is not warranted. While there may be a limited number of specific rules that the Assembly may want to modify for carefully articulated reasons, the wholesale abandonment approach in AO 2009-36 fails to identify a single procedure in *Robert's Rules* with which the Assembly takes issue. The ordinance fails to support a reasoned approach to clear and transparent government.

Accordingly, I hereby veto AO 2009-36.

Community, Security, Prosperity