

Rep. Max Gruenberg



Rep. Bryce Edgmon

Rep. Paul Seaton, Chairman  
**HOUSE 90-DAY SESSION EVALUATION SUBCOMMITTEE**

**The following report is submitted with the unanimous consent of the House 90-Day Session Evaluation Subcommittee.**

**Introduction**

In 2007 the Legislature passed HB 171 requiring Legislative Council to deliver a report to the full Legislature before the start of the 2010 session “considering issues related to the duration of the regular session and making recommendations regarding the amendment or repeal of any statutes or Uniform Rules implementing the 90-day regular session.”

In 2008 Legislative Council created a subcommittee to assist in creating the 90-day session report. This subcommittee consists of three members of the House, appointed by the Speaker of the House, and three members of the Senate, appointed by the Senate President. House subcommittee members include Representative Seaton, Chair, Representative Edgmon, and Representative Gruenberg. Senate members are Senator Stevens, Senator Huggins, and Senator Wagoner.

House subcommittee members viewed our task as providing Legislative Council with a basis and recommendation for their report. House subcommittee members felt that we needed baseline information on which to base our recommendations. In order to gather this information the House members on the subcommittee submitted a “90-day Legislative Session Evaluation Survey” to all House members and House interim staff.

Senate members of the subcommittee determined that they would proceed on a different track and did not participate in the survey. This report exclusively discusses the deliberations of the House portion of the subcommittee hereafter referred to as “the subcommittee”. House members will hereafter be referred to as Representatives.

## **Survey**

An on-line survey provider called “SurveyMonkey” was utilized to deliver the survey. SurveyMonkey is the website of choice for entities such as Council of State Governments and the Western Interstate Commission for Higher Education. The survey site allows multiple answer surveys to be filtered and downloaded, at a cost of \$19 per month. The subcommittee maintained this website for three months in order to collect as many responses as possible. The survey was e-mailed to all Representatives, and all interim House staff.

In order to achieve a maximum degree of participation among Representatives and House staff, the subcommittee determined that the survey should be delivered on an anonymous basis. However, it did include the option for respondents to provide their name if they wished.

For purposes of delineating staff responses regarding the impact of the 90-day session on moving expenses and other “personal” issues, the subcommittee determined that staff responses should be segregated between House staff residing in Juneau during the interim, and House staff residing elsewhere in Alaska during the interim, as these personal impacts would likely be different for the two groups.

The survey took into account that some Representatives, as well as many staff members may not have worked prior to the imposition of the 90-day session. An answer option was added to applicable comparative questions stating that the respondent was “unsure” as they have not worked during a 120-day session. In order to achieve objectivity the options for answering the “yes or no” questions were alternated so that one answer or the other was not listed first in order of preference. The subcommittee was also careful to give respondents the option to answer “no opinion” on pertinent questions so that they were not forced into picking one answer or the other if they did not have a position.

The survey contained 40 questions, in four general categories:

1. Impacts of the 90-day session on aspects of the personal lives of Representatives and staff such as moving expenses, housing, recreation time, health, etc;
2. Impacts of the 90-day session on the legislative office and constituent relations;
3. Impacts of the 90-day session on public participation and the committee process; and
4. Impacts of the 90-day session on miscellaneous aspects of the legislative process, as well as suggested changes to session structure, and length.

## **Results**

The same survey was given to all Representatives and interim staff. The survey results are presented filtered into three groups: Representatives; House staff; and a combination of both. These surveys are attached as are all additional comments to survey questions.

The surveys presented with this report are largely self-explanatory so this report will not go into great detail discussing the survey results with a few exceptions. In the following narrative the number in parenthesis refers to the question number in the Representative survey. Although the staff survey has some different percentages there was not a difference on the main issues discussed below.

Thirty-one Representatives responded to this survey, as well as 47 non-Juneau House staff, and 23 Juneau-based House staff. Of the 31 Representatives, a large majority expressed displeasure with the 90-day session. Twenty Representatives prefer the session length at 120-days, 4 prefer the session to be set at 90-days, and 4 prefer it to be structured as 45-days, a 30-day break, and then another 45-days.

General trends can be seen by looking at the majority of responses to a number of issues. Sixty percent of responding Representatives answer that the 90-day session had a negative or somewhat negative effect on their health and sleep habits (question 9). Sixty-seven percent say the 90-day session had a negative or somewhat negative impact on their hiring and retention of staff (q.11) while only 3 percent say it had a positive or somewhat positive impact.

Communication and interaction with constituents is generally seen as negatively impacted, with 83 percent saying they communicated less well (q.14), 79 percent saying they traveled less to the district (q.15), and 85 percent stating that they consider a 90-day session to be detrimental to their legislative effectiveness. Sixty percent heard a majority of negative comments about the 90-day length from their constituents compared to 7 percent hearing positive comments (q.17). The effect of the 90-day session is generally seen as disadvantageous to constituents, with 93 percent of responding Representatives feeling that they have less time to schedule meetings (q.18), and 97 percent believe there is less public testimony and more time constraints on public testimony (q. 22). Ninety percent also feel there is less than adequate evaluation of their personal legislation (q. 21); with 83 percent believing the 90-day session gives special interest groups more power to kill legislation (q.23), and 76 percent say committee chairs have more power to kill legislation (q.24). Seventy-nine percent say bills were not heard because they might take up too much committee time (q.26) while 87 percent feel there is more pressure to move bills with a single hearing because of the shortened session (q.25).

Representatives generally disagree with the validity of 90-day initiative proponent claims. Ninety-three percent do not think the shorter session cuts down legislative operating costs (q.13). Sixty-six percent do not believe the reduced number of session days leads to a greater number of people willing to run for office (q.32), and 83 percent do not see value in comparing the length of sessions to other states (q.31). Eighty-six percent of the responding Representatives feel the 90-day session cedes some of the power of the legislature to the Governor or the bureaucracy (q.33).

There is no majority opinion about the public desire for legislators to work longer sessions because of the change in legislators' compensation calculation from long-term per diem to salary (q.34), but 73 percent say the fact that the 90-day session was enacted by an initiative would have no effect on their willingness to change the session length (q.36). Sixty-seven percent of responding Representatives when combining all factors prefer the legislative session to be a 120-day structure.

### **Recommendations**

Consistent with the above findings, the House subcommittee recommends that the Legislative Council introduce legislation to return legislative session duration to the constitutional specification of "...no later than one hundred and twenty consecutive calendar days from the date it convenes...."

If Legislative Council chooses to not follow the above recommendation, it should note that the survey polled respondents on three other measures the Legislature might take to improve a 90-day session. These results show that 65 percent of the responding Representatives support decreasing the length of time allowed to the Governor to submit budget amendments from 45 to 30 days. Twenty-two percent support a limit on the number of bills sponsored or co-sponsored, and 13 percent endorse a limit on the number of legislative citations an individual legislator can introduce (q.39). Five separate suggestions for uniform rule changes by individual Representatives are listed in the comment section (q.37).

A handwritten signature in black ink, reading "Paul K. Seaton", with a horizontal line extending from the end of the signature.

Representative Paul Seaton, House Subcommittee Chair