

ALASKA STATE LEGISLATURE

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SB 31 -Sponsor Statement

PROHIBITING BINDING CAUCUSES

"An Act relating to binding votes by or for a legislator under the Legislative Ethics Act."

SB 31 addresses the ethics statute and bans the practice commonly known as a "binding caucus." The tradition of the binding caucus in the Alaska State Legislature has been used to suppress the voice of the people, the use of coercion and enticements to manipulate the actions and votes of their elected Representative or Senator. The caucuses are formed with the enticement of perks of being a majority member, including but not limited to: influence within the organization, chairmanships of important committees, better office space, more staff to help you be effective. All of these are not nefarious on their face, but as applied in the binding caucus, they are exchanged for the participating Representative(s) or Senator(s) vote on key issues such as the budget.

AS 24.60.039(g)1 "Caucus" means a group of legislators that share a political philosophy or have a common goal or who organize as a group. Ultimately it is a caucus of ideas. Because it does not state the use of coercion or enticements are not prohibited should not be misconstrued that it is permissible, especially since these two activities are prohibited for private citizens under Alaska Criminal statutes.

Where the nefarious intent creeps in is the quid-pro-quo required to join the club. In exchange for the "enticement" of the associated perks, under a binding caucus, a legislator is expected to blindly vote for a budget before it exists and has never seen that a small group of "leadership" members supports. It has also been used as an arbitrary tool for supporting any floor vote the presiding officer decides is a "procedural vote."

Control of legislators through a binding caucus consolidates power into a tiny group of legislators, those in leadership, the presiding officer, the majority leader, the rules chair, the finance co-chairs. When a caucus member capitulates to the pressure, their constituents are compromised. When a caucus member is "disciplined," it also disenfranchises that elected official that the voters put into the majority party.

This practice is only accepted in the State of Alaska. The sponsor contacted a Senator from 49 other states, and all but one stated they do not use or permit the practice of a binding caucus in their state.

Public pressure has forced the Senate to not organize under the binding caucus. It's time to codify this unethical practice of forcing legislators to vote against their conscience, and ultimately their constituents. If the 49 other states in the union can do business without a binding caucus and coercion to pass legislation, Alaska can too.