

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

March 29, 2007

9:04 a.m.

**MEMBERS PRESENT**

Senator Lesil McGuire, Chair  
Senator Gary Stevens, Vice Chair  
Senator Hollis French  
Senator Lyda Green  
Senator Con Bunde

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CONFIRMATION HEARING: Alaska Public Offices Commission  
Elizabeth Johnston Hickerson--Anchorage  
CONFIRMATION ADVANCED

SENATE BILL NO. 100

"An Act relating to substance abuse and mental health disorder prevention and treatment programs; and relating to long-term secure treatment programs for persons with substance abuse or co-occurring substance abuse and mental health disorders."

MOVED CSSB 100(STA) OUT OF COMMITTEE

SENATE BILL NO. 101

"An Act relating to private professional conservators and private and public guardians."

MOVED CSSB 101(STA) OUT OF COMMITTEE

SENATE BILL NO. 135

"An Act relating to the terms of legislators, the date and time for convening regular legislative sessions, certain procedures of the legislature, the date for organizing the Legislative Budget and Audit Committee, and deadlines for certain matters or reports to be filed or delivered to the legislature or a legislative committee; prohibiting bonuses for legislative employees; and providing for an effective date."

HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 100

SHORT TITLE: SUBSTANCE ABUSE/MENTAL HEALTH PROGRAMS

SPONSOR(S): SENATOR(S) ELLIS

02/28/07 (S) READ THE FIRST TIME - REFERRALS  
02/28/07 (S) HES, STA, FIN  
03/19/07 (S) HES AT 1:30 PM BUTROVICH 205  
03/19/07 (S) Moved SB 100 Out of Committee  
03/19/07 (S) MINUTE(HES)  
03/21/07 (S) HES RPT 4DP 1NR  
03/21/07 (S) DP: DAVIS, ELTON, THOMAS, DYSON  
03/21/07 (S) NR: COWDERY  
03/27/07 (S) STA AT 9:00 AM BELTZ 211  
03/27/07 (S) Heard & Held  
03/27/07 (S) MINUTE(STA)

BILL: SB 101

SHORT TITLE: GUARDIANSHIP AND CONSERVATORS

SPONSOR(S): LABOR & COMMERCE

02/28/07 (S) READ THE FIRST TIME - REFERRALS  
02/28/07 (S) L&C, STA, FIN  
03/08/07 (S) L&C AT 1:30 PM BELTZ 211  
03/08/07 (S) Heard & Held  
03/08/07 (S) MINUTE(L&C)  
03/13/07 (S) L&C AT 1:30 PM BELTZ 211  
03/13/07 (S) Moved CSSB 101(L&C) Out of Committee  
03/13/07 (S) MINUTE(L&C)  
03/14/07 (S) L&C RPT CS 3DP 1NR SAME TITLE  
03/14/07 (S) DP: ELLIS, BUNDE, DAVIS  
03/14/07 (S) NR: STEVENS  
03/27/07 (S) STA AT 9:00 AM BELTZ 211  
03/27/07 (S) Heard & Held  
03/27/07 (S) MINUTE(STA)

BILL: SB 135

SHORT TITLE: ACCOMMODATE 90-DAY SESSION

SPONSOR(S): STATE AFFAIRS

03/23/07 (S) READ THE FIRST TIME - REFERRALS  
03/23/07 (S) STA, FIN  
03/29/07 (S) STA AT 9:00 AM BELTZ 211

**WITNESS REGISTER**

ELIZABETH JOHNSTON HICKERSON, Designee  
Alaska Public Offices Commission

Anchorage, Alaska

**POSITION STATEMENT:** She presented herself as designee.

SENATOR JOHNNY ELLIS  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 100 as sponsor.

BILL HOGAN, Deputy Commissioner  
Department of Health and Social Services (DHSS)  
Juneau, Alaska

**POSITION STATEMENT:** Spoke in favor of SB 100.

KATE HERRING, Staff  
to Senator Johnny Ellis  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions regarding SB 100.

JOSH FINK, Director  
Office of Public Advocacy  
Department of Administration  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions regarding SB 101.

RYNNIEVA MOSS, Staff  
to Representative Jack Coghill  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions on SB 135 and HB 171.

JOHN BOUCHER  
Office of Management and Budget  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions on SB 135 and HB 171.

TAMARA COOK, Director  
Legislative Legal and Research Services  
Legislative Affairs Agency  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions on SB 135 and HB 171.

#### **ACTION NARRATIVE**

**CHAIR LESIL MCGUIRE** called the Senate State Affairs Committee meeting to order at [9:04:02 AM](#). Senators Green, Stevens, French, Bunde, and McGuire were present at the call to order.

**Confirmation Hearing, APOC: Elizabeth Hickerson**

CHAIR MCGUIRE announced the consideration of the confirmation of Elizabeth Johnston Hickerson for a seat on the Alaska Public Offices Commission (APOC).

ELIZABETH JOHNSTON HICKERSON, Designee, Alaska Public Offices Commission, said she is interested in the position because it is important to make sure people follow the rules, especially while representing constituents. It is somebody's responsibility to make the hard calls, and she is willing to do it. She said she is honest, fair and reasonable. The law should be followed by all people regardless of their politics, she stated.

SENATOR BUNDE said once a person runs for office, he or she is presumed guilty. The public judges legislators unfairly and harshly, but since Ms. Hickerson has a sense of humor, she might apply the laws with common sense and a sense of humor.

[9:07:49 AM](#)

SENATOR STEVENS asked about her membership in the Alaska Bar Association and Alaska Rules of Professional Conduct and if that experience will assist her in this role.

MS. HICKERSON said she served on the disciplinary committee for the third judicial district for about 20 years, reviewing complaints against attorneys. Sometimes the committee gives advice to bar council on paper and other times it has administrative hearings to cross examine witnesses and to reach a decision. That experience has helped her understand due process, she said. She is trained as an attorney, but determining conduct is different from a criminal trial. She said she has attempted to understand people and their behavior. Her position has given her experience sitting in judgment. With the Alaska Rules of Professional Conduct she is revising rules that apply to attorney behavior with clients and the public. It has been an ongoing process, and she has sat with attorneys going over rules and how they would be applied. It has her thinking about ethical behavior and how it should be applied, she said.

[9:11:03 AM](#)

CHAIR MCGUIRE said people have similar opinions of politicians and lawyers, but most are good people. The legislature is trying to redefine its rules to align with public expectations. She said APOC has been very helpful in guiding legislators through the form requirements. It is important to frame the rules to

ensure the public trust and let the members know how they can do the job better.

MS. HICKERSON said she hopes APOC will continue to be helpful. Politicians are under scrutiny, but that is the public's right. She said she worked for the Senate and there are very honorable people serving the public, and it is unfortunate that the good work is overlooked by the indiscretion of others.

[9:13:16 AM](#)

CHAIR MCGUIRE said she appreciates Mr. Hickerson's desire to serve and she moved to recommend that her name be forwarded to a joint session for consideration for the Alaska Public Offices Commission. Hearing no objection, it was so ordered.

The committee took an at-ease from [9:13:52 AM](#) to 9:15 AM.

**SB 100-SUBSTANCE ABUSE/MENTAL HEALTH PROGRAMS**

CHAIR MCGUIRE announced the consideration of SB 100.

[9:15:21 AM](#)

JOHNNY ELLIS, Alaska State Legislature, Sponsor of SB 100, said Senator Bunde had earlier asked the daily cost for patients in the non-secure "detox" facility, and that is yet to come. The number of calls regarding "high flyers" in Anchorage is forthcoming as well. The question of whether a person must hit rock bottom before treatment can be effective is answered in studies that he has provided to the committee. He said the bill goes to finance committee next, and the main rub will be the costs of the pilot project. The bill will need broad support in the body, he surmised.

[9:17:14 AM](#)

SENATOR STEVENS noted that he received a letter saying that Senator Ellis should be the first one committed.

SENATOR ELLIS said that person corresponds frequently with the legislature and has feelings about conspiracies. He said everyone is entitled to their opinions. There is a misunderstanding; the bill will use an existing statute, and judges, not politicians, will commit people. It is for the most extreme cases and he has taken time to educate people.

CHAIR MCGUIRE said she has had constituents in favor of involuntary commitment. One has had tremendous difficulty getting a family member committed, she stated.

SENATOR ELLIS said it is often family members that ask for help getting someone committed, and the statute should be stronger. He said the American Civil Liberties Union would likely oppose the legislation if the bill changed the balance of power. "If people perceive that someone is out to get them or that the system is totally corrupt and people are after them...I've heard from two individuals that have concerns that this bill might pass and someone might try to involuntarily commit them. I've gone to great pains to explain to people it is extreme circumstances that we're talking about."

[9:20:23 AM](#)

SENATOR FRENCH noted a handout with a cost and health comparison of babies born to untreated and treated substance-abusing women. For the one-week treatment for substance abuse, the average savings to the system was over \$30,000 per birth [because the babies were born larger and healthier and their stay in the hospital was shortened]. Looking at it from a purely economic standpoint--without even considering the long-term consequences of being a small baby--the system is money ahead, he stated.

CHAIR MCGUIRE said the part of the bill she likes is putting pregnant women at the top of the treatment list. She thought that was already the mandate and didn't know the state wasn't following it. It is two lives being impacted. It is not 100 percent, but the hope is the mother can be treated and the baby benefits, she said.

SENATOR ELLIS said federal grants require priority for pregnant women, but the state doesn't for its grants. The bill would make it clear in state statute. One discussion got caught up in an abortion debate, he said, and "I hope we've transcended that."

[9:23:16 AM](#)

CHAIR MCGUIRE said whether a person is pro-life or pro-choice, it is in everybody's best interest.

SENATOR BUNDE clarified that giving pregnant women priority treatment doesn't mean they will be sent involuntarily.

SENATOR ELLIS said there is a committee substitute (CS).

SENATOR GREEN moved to adopt the CS for SB 100, labeled 25-LS0151\N, as the working document. Hearing no objection, Version N was before the committee.

BILL HOGAN, Deputy Commissioner, Department of Health and Social Services (DHSS), said he was once with the Division of Behavioral Health. The change made by the CS is simple and mandates that DHSS coordinates with existing community resources to ensure an adequate number of trained crisis responders and medical and legal support.

[9:25:45 AM](#)

MR. HOGAN said there are many aspects of the bill that DHSS feels strongly about, including identifying people with co-occurring disorders. Up to 70 percent of people receiving services have co-occurring disorders. The department is working on an integrated behavioral health service delivery system, and SB 100 supports those efforts. He said he likes the focus on evidence-based practice and the use of research to determine the most effective services. Some federal block-grant money has been used on evidence-based practices lately, and this will reaffirm that focus. He said he likes focusing on outcomes. Just being sober is not good enough; "we really want folks to be productive and contributing members of society." He supports the pilot project for involuntary commitment. He has worked with a lot of individuals forced into treatment, and it is not necessary that they have hit rock bottom to be successful. Forcing treatment really helps people achieve sobriety and maintain it, he stated.

[9:28:29 AM](#)

CHAIR MCGUIRE said it will particularly help people whose family members and friends are involved due to their love for them.

SENATOR STEVENS assumed the fiscal note includes the needed personnel. But the CS speaks to existing community resources. He asked, "What are we buying for \$2 million?"

KATE HERRING, Staff to Senator Ellis, said the first version discussed the pilot program coordinating with community resources, and the program should fund its own staff, but the department was concerned that it would need to extend community service patrols and policing. "We basically inserted the word 'existing.'" The intent is to clarify no expansion.

[9:30:45 AM](#)

SENATOR FRENCH said the bill doesn't change the legal standards for involuntary commitment. The difference is being committed to a treatment program instead of a mental institution.

MS. HERRING said yes. She understands that the involuntary commitment statute was underutilized because there was no where to put people who were incapacitated by their addiction.

SENATOR ELLIS said he has been impressed with the Department while working on this legislation, and they are willing to try something new. The legislature has been frustrated with money put into treatment programs that sound good, but it takes longitudinal studies and statistical reporting beyond simply intuition or hope to know the results. So evidence-based programming is the way the country is going, because policy makers are sick and tired of investing in programs that don't work. The legislature was shocked to find that the D.A.R.E. program is not a good investment. "We all stood there, had our photos taken with the kids and the canine units and the police." It seemed to be a good program, but studies showed it didn't work. He said we are not giving up on young people but trying to put money in things that truly work. He understands that one would want a program to have an 80 or 90 percent success rate. Maybe 45 percent is the best to expect, he said. "But we don't know unless we require that these programs that we invest our public dollars in are evidence-based." That way there will be no flying in the dark on good intentions, he concluded.

CHAIR MCGUIRE said the big decision will be made on the fifth floor. She said she doesn't know how much money they have.

[9:34:15 AM](#)

SENATOR ELLIS said he is committed to work with all senators to get the bill through. This is a partnership, and he is calling everyone to the table to help whittle down the legislative fiscal note. The status quo has gone on too long with a ridiculous waste of money, he said.

[9:35:33 AM](#)

SENATOR BUNDE said the bill is sound, but he is disappointed that the Mental Health Trust won't support it. It is a general fund responsibility. Mandated treatment does not work in the state, he said. Looking at \$2 million for only 20 people a year is not a gamble he is willing to take. It might speed the bill up to take out the financial implication, he stated. He moved Amendment 1 to remove Section 8, the pilot program.

SENATOR FRENCH objected because it guts the bill and leaves nothing but a wish list. The real test of the bill is if the state can save money and save lives by intensive treatment for people with co-occurring disorders. Senator Bunde doesn't think

the programs work, but there is a study by Johns Hopkins that a period as short as one week can save the system \$30,000 by focusing on pregnant women. There is evidence that it does work.

[9:38:22 AM](#)

SENATOR ELLIS encouraged the committee to not adopt the amendment. If the bill moves, "we would have the opportunity to work with all the parties, and discussions are ongoing." The Mental Health Trust is supportive, and he is telling them to put money in. The bill will have to satisfy the body and the finance committee. There are other sources of money as well, he stated. If the pilot project is left in the bill, the finance committee is where people can come to the table. If that doesn't work, it won't pass. Please give him the chance to work on it, he asked.

SENATOR BUNDE said the care for pregnant women doesn't involve involuntary commitment, so there is value in the bill without Section 8. Section 8 is just a gamble; there is no evidence until \$11 million is spent, he stated.

[9:40:06 AM](#)

CHAIR MCGUIRE said she shares some of his concerns but she will let the idea go to the finance committee. Innovation may be needed to get the repeat folks that cost so much money. It is a big bite for the state, especially when trying to figure our fiscal stability. Section 8 is a big part of the bill, she said.

A roll call vote was taken on Amendment 1. Senator Bunde voted in favor, and Senators French, Green, Stevens, and McGuire voted against. Amendment 1 failed on a vote of 1 to 4.

SENATOR FRENCH moved the CS for SB 100, labeled 25-LS0151\N, Mischel, from committee with individual recommendations and accompanying fiscal notes.

SENATOR BUNDE objected. He said there were some good ideas in the bill but the price tag is far too high.

A roll call vote was taken. Senators French, Green, Stevens, and McGuire voted in favor of moving the CS and Senator Bunde voted against. Therefore CSSB 100(STA) moved from committee on a vote of 4 to 1.

[9:42:26 AM](#)

**SB 101-GUARDIANSHIP AND CONSERVATORS**

CHAIR MCGUIRE announced the consideration of SB 101. [The committee was working off of the committee substitute (CS) to SB 101, labeled 25-LS0559\K.]She suggested an amendment for page 4, lines 14-16. Past testimony indicated that that is a remnant of the old licensing structure.

JOSH FINK, Office of Public Advocacy, Department of Administration said it does appear to be a remnant.

CHAIR MCGUIRE moved Amendment 1 "to remove Section 4, lines 14-16, and whatever cleanup language is needed by the drafter to make that flow well." Hearing no objection, Amendment 1 was adopted.

[9:44:19 AM](#)

MR. FINK said the bill is in good shape.

SENATOR STEVENS moved the CS to SB 101, labeled 25-LS0559\K, as amended, from committee with individual recommendations and attached fiscal note(s). There being no objection, CSSB 101(STA) moved from committee.

#### **SB 135-ACCOMMODATE 90-DAY SESSION**

[Comparison to HB 171 is included in the discussion.]

CHAIR MCGUIRE announced the consideration of SB 135. She noted that there is a comparison with the companion bill, HB 171, in the committee packet. She also said there were three amendments passed in the House State Affairs committee this morning.

SENATOR STEVENS noted that only two amendments passed.

[9:47:13 AM](#)

CHAIR MCGUIRE referred to the side-by-side comparison of the house and senate bills and said Section 3 is still in the house bill, and it adds a section that the first regular legislative session would start on the second Monday in January and the second session on the second Monday in February. Representative Johnson offered that language because with a late start date in an election year, there is the potential for the governor to call a lame duck session of people who are only technically serving because the newly elected members have not yet been sworn in. If the newly elected members aren't aligned with the governor, such a situation could upset the public's will. She said she has no opinion.

[9:50:22 AM](#)

SENATOR GREEN said that happened in the third special session with non-re-elected members participating. "This makes it so difficult." She asked if the bill changed the reporting date of the governor. That may solve the problem, she said.

CHAIR MCGUIRE said it is commiserate.

RYNNIEVA MOSS, Staff to Representative Jack Coghill, said Amendment 2 that passed in the house this morning addresses some of the reporting dates. "I hope this matches your bill." She referred to Page 6, line 18. It addresses the supplemental appropriations and the budget amendments. The first year was adjusted to allow 30 days to submit the supplemental budget, and it is 5 days in the second year.

[9:52:35 AM](#)

JOHN BOUCHER, Office of Management and Budget (OMB), said he has been working with the house regarding the deadlines, and there is only one OMB suggestion that the house has not adopted. In the odd-number years, OMB proposed to have the amended budget by the 45th day, and the house has it on the 30th day. He understands it would be half way through the 90-day session, but "in terms of the calendars that are set up in the odd year, which would begin in January, they provide adequate time for us to prepare a budget."

CHAIR MCGUIRE said there have been lame duck sessions and the earth didn't fall off the axis. The governor is still sworn in on December 4, so he or she could still call a lame duck session even with the house language. She asked Mr. Boucher if the staggered dates would cause OMB any difficulty.

[9:55:17 AM](#)

MR. BOUCHER said the only real concern is moving the deadline for the final budget up with a January start date, because the revenue forecast for the current year won't be quite as robust. There may be a slightly larger group of amendments the following year, he surmised. But revenue forecasts can change dramatically based on the price of oil, so the budget release is timed to be as close to the end of the fiscal year as possible. It will be best to give the Department of Revenue the advantage of having the time to incorporate the tax information from the previous year into the spring forecast.

SENATOR BUNDE asked the rationale for starting later instead of the normal time. He has heard that airport problems are worse in

January, but he is not sure that is a reason to establish public policy. With a 90-day session members may not be leaving Juneau as often. There may be more special sessions, which may have less impact to families if they happen in April or May, rather than June. He asked the reason for beginning the session later.

9:58:05 AM

CHAIR MCGUIRE said the Senate bill also calls for a February start date, "but this is wide open; it's for us to decide."

SENATOR STEVENS said it would be nice to have a little more time at home during the winter holidays.

SENATOR GREEN said it had more to do with deadlines for reports and the governor's budget. It reduces pressure, especially during an election year, and it will result in fewer substitutes and amendments.

9:59:27 AM

CHAIR MCGUIRE said the staggered start dates are confusing. If it is a citizen legislature and members have jobs, it is nice to have a predictable schedule. She said, "I don't share the heightened degree of paranoia that something terrible is going to happen, maybe because I lived through it this last year." There were only 12 people that were not re-elected who were making decisions [during that lame duck special session].

MS. MOSS said the February date is for the revenue forecast, and the January amendment was added when Representative Gruenberg noted that the constitution defines the term of a representative as two years. Starting the session on the second Monday of February, "the term of the outgoing representatives would end on January 15, so technically you would have no members of the house. Their term has expired." Currently that situation exists for about eight days in the gubernatorial election years, and it hasn't been a problem. "This would only occur once, because if you had a session in February, they would be sworn-in in February, and the two-year term would match."

10:02:11 AM

TAMARA COOK, Director, Legislative Legal and Research Services, said Ms. Moss is correct. The constitution says that the term of office for house members is two years and four for the senate, so with a staggered start date on gubernatorial election years, some members have a term that expires early. She said this might not be a problem. As an administrative matter, the legislative affairs agency has treated legislators as if they remain in

office until their successors are sworn in. It has not come before the court, she said. If the term is moved radically backward, then there is a bigger gap for one cycle. The convening date can be changed by law. The problems are inherent in the constitutional language, which says that the term is a set period of years, but it also gives the legislature the opportunity to change the beginning date. "I'm inclined to think that a court would somehow...construe those two provisions together to avoid a situation where we had a lot of empty seats during a critical period."

10:04:40 AM

SENATOR FRENCH recalled testimony saying the revenue forecast can be moved. "There is nothing fixed about the world economic cycle or other reporting agencies that bring us the raw data for preparing the revenue forecast. That date can be pushed around," he said. The real problem is the fiscal year is set at a certain date. He surmised that the revenue folks would like to wait until as close as possible to the beginning of the fiscal year before they give the forecast. He said that makes sense, but it is July 1. So why not move up the revenue forecast?

MR. BOUCHER said the forecast can be moved; it is a matter of what information is available at the time. With a new tax structure and other new components, "you want to have the best, most latest information available, and I believe that those would be provided for in the annual tax return." Forecasting should begin shortly after those are filed.

CHAIR MCGUIRE said that is in April.

SENATOR FRENCH asked if he is referring to the PPT [profit-based petroleum tax of 2006] law or just the general list of laws passed each year.

MR. BOUCHER said in this case it is the PPT. Regarding this spring forecast, the true-up payments are coming in around the first of April, and that is critical information for this fiscal year and next. This is unique, and once comfort is developed with the PPT tax structure, it won't be so important.

10:07:32 AM

CHAIR MCGUIRE said the state is so dependent on oil and gas revenue, and the filing deadline is in April. That is when the legislature gets the most accurate information.

SENATOR FRENCH said the PPT question will go away soon. He asked if there are other April reports, because the PPT payments come every month.

MR. BOUCHER said he believes that there is a true-up at the end of the year.

SENATOR FRENCH said that on April 2 there will be the true-up from the transition to the PPT, and it is a one-time event. "We're looking for a billion dollars to enter the state bank account on Monday," but it is a one-time event.

10:09:00 AM

SENATOR STEVENS asked if the law states that legislators remain in office until the successors are in.

MS. MOSS said the only law is the constitution that defines a term as two years.

SENATOR STEVENS suggested clarifying that a person is in office until a successor is sworn in.

CHAIR MCGUIRE said that is a great idea and she asked for that amendment from legal services.

MS. COOK said she presumes that would be limited to the period at the end of a session. "You would not want a person to remain in office until a successor is appointed by the governor in case of vacancies that occur mid-term." If someone resigns, there is a system for filling vacancies.

10:11:15 AM

CHAIR MCGUIRE said yes, and she asked for a draft for both bills in that narrow context, because it will likely be the house bill that moves forward.

SENATOR BUNDE said the ability of committees to take action while not in regular session is not addressed in the bill.

MS. MOSS said in the House State Affairs Committee this morning there was an amendment that a person could vote telephonically and move a bill out of committee, but it failed. The committees can now meet in the interim but cannot move a bill. The bill would sit in limbo because it needs to be read across the floor before going to the next committee.

MS. COOK said both standing and special committees are allowed under the uniform rules to meet and hold hearings on bills. There is nothing prohibiting a committee from reporting a bill from committee, but there is no mechanism to deliver the report to the Chief Clerk or Senate Secretary. If the matter remains unaddressed in the bill, then there is the problem that the uniform rules require the physical presence at the site where a committee is held for a vote to report a bill from committee. A member attending by teleconference cannot vote, and that may be a greater problem in the interim when members are scattered.

[10:14:46 AM](#)

CHAIR MCGUIRE said the legislature would have to call itself back in for technical sessions.

SENATOR STEVENS asked why Amendment 3 by Representative Gruenberg did not pass because it addresses those issues.

MS. MOSS said the members want eye-to-eye contact with other members. A legislator may call in from home and have someone passing notes and providing information or influence that other members would not have access to or have knowledge of.

[10:17:03 AM](#)

SENATOR STEVENS said he understands that, but he asked about the issue of reporting the bill from committee.

MS. MOSS said there was no concern about that, it was just about having the same information and access to people. "The only thing this amendment really does is it allows a telephonic vote to move the bill out of committee."

SENATOR BUNDE said this is interesting that in the internet age, eye contact is needed. Members have wanted to participate from a hospital and haven't been allowed to. "How many times on the floor would a fellow legislator or a staff member give you a note?" The members in the front might not be privy to that, he stated. If the 90-day session is to save money, requiring flights and per diem of far-flung members needs more discussion.

[10:19:36 AM](#)

SENATOR FRENCH asked about the requirement of reading a bill across the floor before moving it to the next committee, and if that is in the constitution or in the uniform rules.

MS. MOSS said it is in the uniform rules.

MS. COOK said the constitution requires three readings, but it is silent with regard to moving the bill to the next committee. The bill is not in second reading until it appears on the floor having been calendared. It is public policy because the legislature can control its own internal procedure, including the referral of bills to committees and the accepting of reports. If a committee report travels from one committee to the next without going to the floor, there is no opportunity for a member to object to that report. That will be lost, she stated.

SENATOR FRENCH said he has never seen that happen in his short experience. He asked, "Are we recreating the wheel?" The voters said they wanted a 90-day session. What does it mean to do an enormous amount of interim work? Did the voters not want the members in Juneau for very long, did they want them not legislating for very long, or did they want to save money? He said there will be pressure to get the work done in 90 days.

[10:22:02 AM](#)

SENATOR STEVENS said the public said a 90-day session, and we have to find a way to cut a quarter out of the time spent. He said there must be a way to allow committees to operate [in the interim], or else the legislature is setting itself up for failure. Serious consideration needs to be given to allow bills to move between committees.

CHAIR MCGUIRE said the committee may want to incorporate that into the bill.

SENATOR BUNDE said lobbyists would love the provision that a bill dies if it doesn't move out of its originating house the first year because "it will give them another pressure point to really focus on." The voters may want less legislation. If that can't be done, perhaps the number of bills should be limited.

[10:24:38 AM](#)

MS. MOSS said that provision of a bill dying in the first session died quickly. There has been discussion on limiting the number of bills a legislator could file.

SENATOR STEVENS said there is a lot of opposition to limiting the number of bills, but the next step is requiring bills to be introduced prior to session. That would reduce the number of bills, he said. Perhaps only committee bills could be introduced after the beginning of session.

CHAIR MCGUIRE said there is a version of that after the 24-hour rule goes into effect.

MS MOSS said that is in the second session only, and that deadline may be about the 45th day.

[10:26:26 AM](#)

MS. COOK said she thinks the personal bill deadline is the 35th day after convening the second session.

CHAIR MCGUIRE said there is some precedence for it.

SENATOR BUNDE said Senator Steven's idea would increase the influence of the committee chair. He expects there could be a lot of slippage.

CHAIR MCGUIRE announced she would hold SB 135 for further consideration.

There being no further business to come before the committee, Chair McGuire adjourned the meeting at [10:28:12 AM](#).