

HJR

1

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. HJR1

Revision Date (Note if correction) _____	Dept. Affected <u>Office of the Governor</u>
Title <u>Const. Amend. Relating to the duration</u>	BRU <u>Elective Operations</u>
of a regular session _____	Component <u>General and Primary</u>
Sponsor <u>Representative Rokeberg</u>	
Requester <u>House State Affairs Committee</u>	Component Serial No. <u>#22</u>

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual	3.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	3.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF	3.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	3.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58, and the programming costs for counting votes cast on the measure. However, only four measures can be printed on a single ballot card. If this measure requires printing an additional ballot card, the costs will increase by \$56.0.

Prepared by <u>Gail Fenwick</u>	Phone <u>465-3935</u>
Division <u>Division of Elections</u>	Date <u>3/2/98</u>
Approved by C <u>Lt. Governor Fran Ulmer</u>	Date <u>3/2/98</u>
Agency <u>Office of the Lieutenant Governor</u>	

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ALASKA STATE LEGISLATURE

House of Representatives

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Representative Norman Rokeberg

SPONSOR STATEMENT REPRESENTATIVES NORMAN ROKEBERG AND JERRY SANDERS HOUSE JOINT RESOLUTION 1

Proposing an amendment to the Constitution of the State of Alaska relating to the duration of a regular session

House Joint Resolution 1 proposed an amendment to Alaska's Constitution that would limit regular legislative sessions to 90 consecutive calendar days. If this resolution passes, the proposed constitutional amendment would be presented to the voters at the 1998 general election. The voters would then decide the fate of this proposal.

Ninety days is more than enough time for the Legislature to complete its business. In an era of decreasing budgets, reducing the session by thirty days would save state funds. As an example, the amount expended for session per diem would decrease by some \$298,600. According to the fiscal note, personal services costs would be reduced by over \$1 million, as staff hired for session-only service would be kept on for a shorter period of time. Therefore, approximately \$1.5 million in savings would be realized by a shorter session.

Prior to 1984, the Legislature had no time limit on the number of days it could remain in session. The voters approved the present 120-day limit on November 6, 1984. Since that time, it has been amply proven that the Alaska Legislature can operate within a time limit. It is now time to shorten that session limit so that the business of the people can be addressed in a reasonable manner within a reasonable time limit.

Some have expressed concern that limiting the session to 90 days would limit the opportunity to review the Spring Revenue Forecast and make the necessary budget decisions. Alaska's Constitution currently provides that the Legislature convene on the **fourth Monday in January** but gives the Legislature the right to change that convening date by law. This date has been changed to the **second Monday of January** except after a gubernatorial election. A later start date, such as the one mentioned in the Constitution, would take care of some of the problems concerning Spring budget forecasts.

If Alaskans truly want a citizen-legislature, a 90-day session limit would assist in this goal. Currently, some that were elected to office have to give up their previous businesses in order to accomplish the business of the state. A wider pool of candidates would be attracted by a short legislative session. With a shorter session limit, a legislator could spend more time in their districts listening to their constituents, working at their chosen non-legislative profession, and just being home.

Your positive consideration of this measure would be appreciated.

ED2:3/3/98

ALASKA STATE LEGISLATURE

House of Representatives

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Representative Norman Rokeberg

SECTIONAL ANALYSIS HOUSE JOINT RESOLUTION 1

By Representatives Norman Rokeberg, Jerry Sanders and Vic Kohring

Section 1. Provides an amendment to the Constitution of the State of Alaska limiting legislative sessions to 90 consecutive calendar days.

Section 2. Instructs that this proposed amendment be placed before Alaskan voters for consideration at the next general election.

1997 LEGISLATIVE SESSION CALENDAR

*Legislature meets throughout the year

STATES	DATES	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
ALABAMA	Feb. 4-May 19													
ALASKA	Jan. 13-May 13													
ARIZONA	Jan. 13-April 26													
ARKANSAS	Jan. 13-mid-March													
CALIFORNIA	Jan. 6-mid-Sept.													
COLORADO	Jan. 8-May 8													
CONNECTICUT	Jan. 8-June 4													
DELAWARE	Jan. 14-June 30													
FLORIDA	March 4-May 2													
GEORGIA	Jan. 13-late March													
HAWAII	Jan. 15-early May													
IDAHO	Jan. 5-late March													
ILLINOIS	Jan. 8*													
INDIANA	Jan. 7-April 29													
IOWA	Jan. 13-late April													
KANSAS	Jan. 13-late May													
KENTUCKY	No regular session Organizational session Jan. 7													
LOUISIANA	March 31-June 23													
MAINE	Dec. 4, 1996-June 18													
MARYLAND	Jan. 1-April 7													
MASSACHUSETTS	Jan. 1*													
MICHIGAN	Jan. 15*													
MINNESOTA	Jan. 7-May 19													
MISSISSIPPI	Jan. 7-April 7													
MISSOURI	Jan. 3-May 30													
MONTANA	Jan. 6-mid-April													
NEBRASKA	Jan. 8-early June													
NEVADA	Jan. 20-early July													
NEW HAMPSHIRE	Jan. 8-mid-June													
NEW JERSEY	Jan. 14*													
NEW MEXICO	Jan. 21-March 22													
NEW YORK	Jan. 8*													
NORTH CAROLINA	Jan. 29-mid-July													
NORTH DAKOTA	Jan. 7-mid-April													
OHIO	Jan. 6*													
OKLAHOMA	Feb. 2-May 30 Organizational session Jan. 7													
OREGON	Jan. 13-late June													
PENNSYLVANIA	Jan. 7*													
RHODE ISLAND	Jan. 7-early July													
SOUTH CAROLINA	Jan. 14-June 5													
SOUTH DAKOTA	Jan. 14-mid-March													
TENNESSEE	Feb. 3-late May Organizational session Jan. 14													
TEXAS	Jan. 14-June 2													
UTAH	Jan. 20-March 5													
VERMONT	Jan. 8-late May													
VIRGINIA	Jan. 8-Feb. 22													
WASHINGTON	Jan. 13-April 27													
WEST VIRGINIA	Feb. 12-April 12 Organizational session Jan. 8													
WISCONSIN	Jan. 6*													
WYOMING	Jan. 14-March 10													
PUERTO RICO	Jan. 13-May 30 Reconvenes Sept.-Oct.													
DISTRICT OF COLUMBIA	Jan. 2*													



National Conference of State Legislatures

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THIS SESSION, CALL NCSL FOR ANSWERS TO YOUR QUESTIONS!

National Conference of State Legislatures
1996 LEGISLATIVE REGULAR SESSION CALENDAR
as of May 28, 1996

State	Regular Session		Comments
	Convenes	Adjourns	
Alabama	Feb-06	May-20	
Alaska	Jan-08	May-07	
Arizona	Jan-08	Apr-20	
Arkansas	No regular session		
California	Jan-03	Aug-31	
Colorado	Jan-10	May-08	
Connecticut	Feb-07	May-08	
Delaware	Jan-09	Jun-30	
Florida	Mar-05	May-04	
Georgia	Jan-08	Mar-18	
Hawaii	Jan-17	Apr-29	
Idaho	Jan-09	Mar-15	
Illinois	Jan-10	*	
Indiana	Jan-08	Mar-08	
Iowa	Jan-08	May-01	
Kansas	Jan-08	May-06	
Kentucky	Jan-01	Apr-15	
Louisiana	Apr-29	Jun-12	
Maine	Jan-03	Apr-04	
Maryland	Jan-10	Apr-08	
Massachusetts	Jan-03	Jul-31	
Michigan	Jan-10	*	
Minnesota	Jan-16	Apr-04	
Mississippi	Jan-02	Apr-19	
Missouri	Jan-03	May-17	
Montana	No regular session		
Nebraska	Jan-08	Apr-18	
Nevada	No regular session		
New Hampshire	Jan-03	Jul-01	
New Jersey	Jan-09	*	
New Mexico	Jan-16	Feb-15	
New York	Jan-03	*	
North Carolina	May-13	Jun-21	
North Dakota	No regular session		
Ohio	Jan-01	*	
Oklahoma	Feb-05	May-31	
Oregon	No regular session		
Pennsylvania	Jan-09	*	
Rhode Island	Jan-02	May-29	
South Carolina	Jan-09	Jun-06	
South Dakota	Jan-09	Mar-11	
Tennessee	Jan-09	Apr-26	
Texas	No regular session		
Utah	Jan-15	Feb-28	
Vermont	Jan-03	May-03	
Virginia	Jan-10	Mar-11	
Washington	Jan-08	Mar-07	
West Virginia	Jan-10	Mar-15	extended session by 6 days
Wisconsin	Jan-09	*	
Wyoming	Feb-19	Mar-15	
Puerto Rico	Jan-08	Jun-30	session extended from April 30 to June 30 by joint resolution
District of Columbia	Jan-03	*	

* Legislature meets throughout the year.

Highlighting indicates that the state has finished its regular session for 1996.

National Conference of State Legislatures
1997 LEGISLATIVE REGULAR SESSION CALENDAR
as of November 1996

State	Regular Session		Comments
	Convenes	Adjourns	
Alabama	Feb-04	May-19	
Alaska	Jan-13	May-13	
Arizona	Jan-13	Apr-26	
Arkansas	Jan-13	mid Mar	
California	Jan-08	mid Sept	Organizational session begins December 2, 1996
Colorado	Jan-08	May-08	
Connecticut	Jan-08	Jun-04	
Delaware	Jan-14	Jun-30	
Florida	Mar-04	May-02	Organizational session begins November 19, 1996
Georgia	Jan-13	late-Mar	
Hawaii	Jan-15	early May	
Idaho	Jan-08	late Mar	
Illinois	Jan-08	*	
Indiana	Jan-07	Apr-29	Organizational session begins November 19, 1996
Iowa	Jan-13	late Apr	
Kansas	Jan-13	late May	Organizational session begins December 2, 1996
Kentucky	No Regular Session		Organizational session begins January 7, 1997
Louisiana	Mar-31	Jun-23	
Maine	Dec-04-96	Jun-18	
Maryland	Jan-01	Apr-07	
Massachusetts	Jan-01	*	
Michigan	Jan-15	*	
Minnesota	Jan-07	May-19	
Mississippi	Jan-07	Apr-03	
Missouri	Jan-08	May-30	
Montana	Jan-08	mid Apr	
Nebraska	Jan-08	early Jun	
Nevada	Jan-20	early July	
New Hampshire	Jan-08	mid Jun	Organizational session begins December 3, 1996
New Jersey	Jan-14	*	
New Mexico	Jan-21	Mar-22	
New York	Jan-08	*	
North Carolina	Jan-29	mid July	
North Dakota	Jan-07	mid Apr	Organizational session December 1996
Ohio	Jan-08	*	
Oklahoma	Feb-02	May-30	Organizational session begins January 7, 1997
Oregon	Jan-13	late Jun	
Pennsylvania	Jan-07	*	
Rhode Island	Jan-07	early July	
South Carolina	Jan-14	Jun-05	Organizational session is held following election certification
South Dakota	Jan-14	mid Mar	
Tennessee	Feb-03	late May	Organizational session begins January 14, 1997
Texas	Jan-14	Jun-02	
Utah	Jan-20	Mar-05	Orientation session November 22, 1996
Vermont	Jan-08	late May	
Virginia	Jan-08	Feb-22	
Washington	Jan-13	Apr-27	
West Virginia	Feb-12	Apr-12	Organizational session begins January 8, 1997
Wisconsin	Jan-08	*	
Wyoming	Jan-14	Mar-10	
Puerto Rico	Jan-13	May-30	Second portion of session runs Sept-Oct.
District of Columbia	Jan-02	*	

* Legislature meets throughout the year.

May 9, 1997

Vo

The Anchorage Times

Publisher: BILL J. ALLEN

"Believing in Alaskans, putting Alaska first"

Editors: DENNIS FRADLEY, PAUL JENKINS, WILLIAM J. TOBIN

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Too darned long

WITH THE end of the 1997 legislative session in sight, let's suggest again that it's time to make a fundamental change in the way Alaska lawmakers do their business.

We're not talking about the conduct or results of this session. We are not criticizing legislators, individually or collectively.

The change that's needed is in the system itself.

Simply put, the state's annual legislative sessions last too long.

As things now stand, lawmakers meet for four months every year.

For one-third of every year, the principal focus of government is on events happening in the state House and Senate. The workings of the bureaucracy may go on, albeit with some considerable distractions from the Capitol, but the attention of the top administration leaders — the commissioners, their deputies and various department heads — is riveted on what is happening in the Legislature.

Once adjournment is reached, each department of the government spends the next three months dealing with implementation of any new laws that affect their respective operations, and struggling with financial changes caused by budget cuts and changes in line-item appropriations.

And during the final one-third of the year the administration — all the departments, commissioners, deputy commissioners and workers down the line — must concentrate on planning for the next session, preparing new bills for introduction, working on the next budget, and generally gearing up to do battle all over again.

It's a wonder anything gets done.

THERE IS a solution.

By statute or by constitutional amendment, it should be mandated that the Legislature handle the state budget process on a two-year cycle — rather than dealing with appropriations annually.

Every other year, legislators should meet for a short session — 45 days at the maximum — to consider only a biennial budget. No other legislation would be considered, other than that required to address items that are judged to be absolute emergencies.

On the alternate years, the legislators would meet to consider general legislation — no budget work at all. Without the need to deal with budgets and funding, the work of this session would not require lawmakers to be in Juneau for four months of the year.

Maybe, under this scenario, they could get the work done in 60 days. Certainly 90 would be sufficient, under any circumstances.

The grim need for legislators to be in Juneau for a third of the year would be eliminated. And the administration would have much more time to concentrate on the job of running the state.

This is not rocket science. This is not plowing new fields in government. Any number of states now operate, very successfully, in

Alaska's Constitution

A CITIZEN'S GUIDE

Third Edition • 1992

Alaska Legislative Research Agency • Gordon S. Harrison

additional \$500 per year. Also, legislators may claim \$65 per day for each day spent on legislative business during the interim.

Section 8. Regular Sessions

The legislature shall convene in regular session each year on the fourth Monday in January, but the month and day may be changed by law. The legislature shall adjourn from regular session no later than one hundred twenty consecutive calendar days from the date it convenes except that a regular session may be extended once for up to ten consecutive calendar days. An extension of the regular session requires the affirmative vote of at least two-thirds of the membership of each house of the legislature. The legislature shall adopt as part of the uniform rules of procedure deadlines for scheduling session work not inconsistent with provisions controlling the length of the session.

The first sentence of this section provides for annual sessions of the legislature. The majority of states have annual sessions, and in those where the constitution provides for biennial sessions (a session every two years), a special session during the "off" year is common. The ability to meet annually, in order to keep abreast of current developments and administrative activity, is generally considered necessary for a legislature to be an effective policy-making body and to avoid being dominated by the executive branch.

The legislature has changed the beginning of the regular session to the second Monday in January at 10:00 a.m., except following a gubernatorial election year, when it is the third Monday in January at 10:00 a.m. (AS 24.25.090). The later date following a gubernatorial election gives a new governor an extra week to prepare for the opening of the session.

The second sentence establishes a limit of 120 days after convening for each regular session (with one ten-day extension if agreed to by two-thirds of each house). This limit was imposed by a constitutional amendment ratified by the voters in 1984. Until that time, the constitution did not limit the length of sessions. The framers of the constitution adopted the progressive view that the legislature should not be rushed in its deliberations, as the business of modern state government is too complex to be transacted in hurried,

Article II

in frequent sessions. (About two-thirds of state constitutions impose some limit on the length of sessions.) Delegates feared that constraints on the length (and frequency) of sessions might result in ill-conceived or imprudent measures as well as a legislative disadvantage *vis-a-vis* the executive.

Over the years, sessions lasted progressively longer. Initially, they ran about 70 days; by the early 1930s, sessions over twice that length were common. Alaskans both inside and outside the legislature grew increasingly skeptical that all of this time was spent wisely and productively. In 1978, the legislature (stopping short of adopting an amendment) asked Alaskans to cast an advisory vote on limiting the length of regular sessions to 120 days. The proposition asked voters whether a constitutional amendment to that effect should be placed before them in the 1980 election. The voters responded strongly in the affirmative. Three years later the legislature acted to put an amendment before the electorate in the 1984 general election that would limit the session to 120 days. It was ratified by a large majority (150,999 to 46,099).

In May 1935, at the end of the 120th day of the second regular session of the fourteenth legislature, legislative leaders stopped the clock in order to complete business before the adjournment deadline. A suit was filed challenging the legality of the 29 laws passed after midnight. The Alaska Supreme Court rejected the challenge, holding that the day the legislature convenes should not be counted against the 120-day limit, so the legislature has, in effect, a total of 121 days in which to transact business (*Alaska Christian Bible Institute v. State*, 772 P.2d 1079, 1939).

The call for deadlines for scheduling session work, found in the last sentence of this section, is an effort to mitigate the perennial problem of the "logjam" of legislation at the end of the session (most of the bills that pass the legislature are enacted in the closing days of the session, often in long, wearisome meetings which are not conducive to the studious deliberation of each item).

At the end of the second regular session of the seventeenth legislature (1991 - 1992), both houses adjourned before work was completed on several appropriation bills. In this case it was too late to extend the regular session according to the provision in this section, so the legislature called a special session to finish its business.

Article II

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Seldovia Chamber of Commerce

P. O. Drawer F

Seldovia, Alaska 99663-0150

Phone & Fax: 907-234-7612, www.xyz.net/~seldovia

March 23, 1998

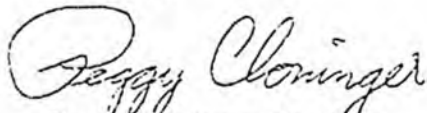
Normal Rokeberg
State Representative
House District 11
Juneau, AK 99801-1182

Dear Mr. Rokeberg:

Your letter to Tinnette Paulson, former President of the Seldovia Chamber of Commerce, was forwarded to me for response, since I am the present Chamber President.

I am very much in favor of a 90-day session limit (HJR 1) on the legislature, because it will save the state a great deal of money, and because I think they should be able to get their business done in ninety days.

Sincerely,


Peggy Cloninger, President

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Shorter session, better government

Among the more pertinent pieces of legislation filed this session is a proposed amendment to the state Constitution that would limit the 120-day session to 90 days. If passed, House Joint Resolution No. 1 would require a vote of the people.

It's a worthy concept that keeps surfacing, especially with legislators who live elsewhere, and we think it merits discussion.

Here's why: Every year, Christmas and New Year holidays are very nearly ruined for people preparing to return to Juneau for the session. First, they must wind down their duties and close up their offices before Christmas. Then, they must pack up their belongings and hit the road around the New Year to make it to Juneau in time to settle in for the session. New legislators must be in Juneau by about Jan. 4 so they can take part in orientations. Some legislators and staff members must catch a ferry. Many of them arrive in the capital exhausted, having had their family time over the holidays completely disrupted.

This has spawned an annual sense of dread among many involved in the Legislature, a dread that isn't easily dissolved by the friendliness of Juneau. As one staff member put it, they feel as though they are gerbils on a treadmill: "We get here (Juneau) with a bad attitude."

Rep. Norm Rokeberg and Rep. Jerry Sanders are putting their efforts behind the resolution, the very one that died of neglect last session. Rokeberg argues the Legislature could start later, perhaps in February or early March. So much of what the Legislature does must wait until the March budget forecast from the Department of Revenue, so why not wait to get started until some of the real nuts-and-bolts work can be done?

Years ago, the people of Alaska became frustrated with the Legislature when sessions-without-limits dragged on until June or July. Thus, the 120-day limit was passed by voters. We think an even shorter session would be just as responsive, more cost-effective for the people of Alaska, and possibly even more productive. Other states do it.

Although Juneau would feel an economic impact, the perceived need to move the capital to Anchorage or elsewhere would become far less important.

The idea of a shorter session is also in line with the concept of a citizen-statesman government, one that has legislators spending more time in their districts, working in their own professions and being available to listen to their constituents. And that's a capital idea that would benefit the state as a whole.

1-FEB-97

Sam Bishop, Opinion Page Editor; 459-7574

1 Feb 1

FAIRBANKS

Daily News - Miner"Independent in All Things . . . Neutral in None"
Established in: 1903CHARLES L. GRAY
Publisher EmeritusPAUL J. MASSEY
PublisherKELLY BOSTIAN
Managing EditorSAM BISHOP
Editorial Page Editor**WHAT OTHERS SAY****Set a 90-day legislative session**

Among the more pertinent pieces of legislation filed this session is a proposed amendment to the state Constitution that would limit the 120-day session to 90 days. If passed, House Joint Resolution No. 1 would require a vote of the people.

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—Juneau Empire, Jan. 26

HOUSE JUDICIARY STANDING COMMITTEE

DATE: 4/15/98

ISSUE: HJR 1

	YEA	NAY	PRESENT
Vice Chair Bunde		✓	
Representative Berkowitz		✓	
Representative Croft	✓		
Representative James			
Representative Porter	✓		
Representative Rokeberg	✓		
Chairman Green	✓		
TOTALS:	4	2	

PASSED ✓ FAILED _____