

HJR

2

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HJR2

Revision Date/Time (Note if correction) _____ Dept. Affected Office of the Governor
 Title Constitutional Amendment: Relating to a BRU Elective Operations
biennial state budget Component Elections
 Sponsor Representative Phillips
 Requester House Judiciary Committee Component No. 21

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2001 | FY 2002 | FY 2003 | FY 2004 | FY 2005 | FY 2006 |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services | | | | | | |
| Travel | | | | | | |
| Contractual | 1.5 | | | | | |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants & Claims | | | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 1.5 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 1.5 | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other (Specify Type) | | | | | | |
| TOTAL | 1.5 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2000) cost: 0.0

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. However, only six measures can be printed on an 8-1/2 by 14 inch ballot. If this measure requires printing an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

Prepared by: Gail Fenumia *Gail Fenumia* Phone 465-3935
 Division Division of Elections Date/Time 1/13/00 3:20 PM
 Approved by: Lt. Governor Fran Ulmer *Fran Ulmer* Date 01/13/2000
 Agency Office of the Lieutenant Governor

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November 7, 1997

MEMORANDUM

TO: Representative Gail Phillips
FROM: Paula d. Scavera and Gina Spartz
Legislative Analysts
RE: Statutory and Constitutional Reference to Biennial Budgeting in Selected States
Research Request 98.009

You asked which states legislatures meet annually but pass biennial budgets. You asked for examples of statutory or constitutional language enabling biennial budgeting.

According to the *Book of the States*, of the 40 states with annual legislative cycles, 13 have statutory or constitutional language enabling biennial budgets. Connecticut, Hawaii, Indiana, Minnesota, Nebraska, New Hampshire, Ohio, Virginia, Washington, and Wyoming, meet annually but pass a budget biennially.¹ Arizona and Kansas also meet annually but pass budgets biennially for specific state agencies which have budgets under certain dollar amounts. Missouri meets annually but passes its capital budget biennially.²

We found statutory reference to biennial budgeting in all the states we surveyed except Indiana. Although the Indiana legislature passes a state budget biennially, state officials informed us there is no statutory or constitutional reference governing the practice. In addition to the statutes, we found specific constitutional reference to biennial budgeting in three states, Hawaii, Missouri and Wyoming. Hawaii's constitution states that the governor shall submit the budget to the legislature in odd-numbered years. Wyoming's constitution states that the legislature shall meet for "budget session" in even-numbered years. Missouri's constitution authorizes the legislature to make appropriations for one or two fiscal years.

The pertinent statutory and constitutional language can be found in the following pages. Indented text is directly quoted from the statute or constitution. Copies of the full statutes and constitutional text are Attachment B. Also attached is a survey examining biennial budgeting in selected states. The survey discusses the advantages, disadvantages and impact of biennial budgeting on states.³

¹Council of State Governments, *Book of the States, 1996-97*, p. 227 (Attachment A).

²Vermont's constitution prescribes a biennial legislature, but in practice the legislature meets and passes a budget annually. We attach Vermont's constitutional provision regarding the legislative session since you specifically asked about this state.

³"Biennial Budgeting Survey," New Jersey Office of Management and Budget, February, 1995 (Attachment C).

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Arizona

State agencies in Arizona are divided into *major* budget units and *other* budget units. According to Richard Stravnick of the Arizona Legislative Budget Office, *major* budget units are state agencies with an annual budget of \$50 million or more and are funded annually. Those agencies with less than \$50 million are considered *other* budget units and are funded on a biennial basis. Mr. Stravnick informed us that starting in FY2000, Arizona will use a biennial budget cycle for all state agencies.

Arizona Statutes § 35-121. Format of Appropriations

The format of the appropriations for the support and maintenance of state departments and institutions shall be as follows:

1. Each year the legislature shall appropriate monies to the major budget units for one fiscal year.
2. Every other year the legislature shall appropriate monies to other budget units for two fiscal years, itemized separately for each fiscal year.

Connecticut

Connecticut Statutes § 4-71. Transmission to General Assembly of budget document in odd-numbered year and status report in even-numbered year.

Not later than the first session day following the third day of February in each odd-numbered year, the Governor shall transmit to the General Assembly a budget document setting forth his financial program for the ensuing biennium with a separate budget for each of the two fiscal years and . . . a report which sets forth estimated revenues and expenditures for the three fiscal years next ensuing the biennium to which the budget document relates.

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Hawaii

Hawaii Constitution Art. VII-Sec. 8. The Budget.

Within such time prior to the opening of each regular session in an odd-numbered year as may be provided by law, the governor shall submit to the legislature a budget in a form provided by law setting forth a complete plan of proposed expenditures of the executive branch, estimates as provided by law of the aggregate expenditures of the judicial and legislative branches, and anticipated receipts of the State for the ensuing fiscal biennium, together with such other information as the legislature may require.

Hawaii Statutes § 37-71. The Budget.

(a) Not fewer than thirty days before the legislature convenes in every odd-numbered year, the governor shall submit to the legislature and to each member thereof a budget that shall contain the program and budget recommendations of the governor of the succeeding two fiscal years.

Kansas

The Kansas legislature passes an annual budget for all large state agencies. Some state agencies, however, are on a biennial budget cycle. According to the Kansas Legislative Budget office, these agencies are regulatory, fee-funded boards and commissions with a budget of less than \$100,000.

Kansas Statutes § 75-3717. Budget estimates of state agencies; biennial basis for certain agencies.

(a) As provided in this section, each state agency, not later than October 1 of each year, shall file with the division of the budget its budget estimates for the next fiscal year...except that in lieu of such annual filing, each agency listed in subsection (f) not later than October 1, 1994, and every two years thereafter shall file budget estimates for the next fiscal year and for the ensuing fiscal year thereafter.

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Minnesota

Minnesota Statutes § 16A.11. Budget to Legislature.

Subdivision 1. When. The governor shall submit a four-part budget to the legislature. Parts one and two, the budget message and detailed operating budget, must be submitted by the fourth Tuesday in January in each odd-numbered year. Part three, the detailed recommendations as to capital expenditure, must be submitted . . . by June 15 of each odd-numbered year; . . .

Missouri

According to the *Book of the States*, the Missouri legislature has constitutional authority to pass an annual or a biennial budget. Since FY94 the legislature has passed an annual operating budget and a biennial capital budget.

Missouri Constitution § 23. Fiscal year--limitations on appropriations--specification of amount and purpose.

The general assembly shall make appropriations for one or two fiscal years, . . .

Missouri Statutes § 33.270. Budget to legislature in printed form -- contents.

The budget shall be submitted to the general assembly in printed form. Such budget shall be in two parts:

(1) A budget message outlining the fiscal policy of the state for the biennium . . .

(2) The detailed budget estimates of revenues and expenditures for each fund as provided for in this act showing the recommendations of the governor on each, compared with the figures for each of the fiscal years of the preceding biennium, and giving and explanation of each major change in the recommendations from the revenues and expenditures in the previous biennium.

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Nebraska

Nebraska Statutes § 81-125. State budget; submission to Legislature by Governor; when; contents.

The Governor shall on or before January 15 of each odd-numbered year present to the Legislature a complete budget for all the activities of the state receiving appropriations or requesting appropriations, except that the Governor during his or her first year in office shall present such budget to the Legislature on or before February 1.

New Hampshire

New Hampshire Statutes § 9:8. Formulation of the Budget.

Following his inauguration, the governor shall proceed in the formulation of the budget provided for by RSA 9:2 and 3. In doing so he shall give such weight to the estimates of income as prepared by the commissioner of administrative services and to the estimates of expenditure requirements as submitted by the departments and to the testimony elicited at the hearings thereon as he deems proper, but the proposals contained in the budget shall represent his judgment and recommendations in respect to the provision to be made for meeting the revenue and expenditure needs of the state for each of the fiscal years of the ensuing biennium.

Ohio

Ohio Statutes § 107.03. Governor shall submit budget and estimate of income.

The governor shall submit to the general assembly, not later than four weeks after its organization, a state budget containing a complete financial plan for the ensuing fiscal biennium, except that, in years of a new governor's inauguration, the budget shall be submitted not later than the fifteenth day of March.

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Vermont

The Vermont constitution provides for *biennial sessions* of the state legislature. According to officials with the Vermont State Legislature's Joint Fiscal Committee, in practice the legislature meets and passes a budget annually.

Vermont Constitution § 7. [Biennial sessions]

The General Assembly shall meet biennially on the first Wednesday next after the first Monday of January

Virginia

Virginia Statutes § 2.1-398. Submission of budget to General Assembly.

On or before December 20 in the year immediately prior to the beginning of each regular session held in an even-numbered year of the General Assembly, the Governor shall submit to the presiding officer of each house printed copies of a budget, based on his own conclusions and judgement

Virginia Statutes § 2.1-399.1. Capital projects.

On or before December 20 of the year immediately prior to the beginning of each regular session held in an even-numbered year of the General Assembly, the Governor shall submit to the presiding officer of each house of the General Assembly copies of any tentative bill or bills involving proposed capital appropriations for each year in the ensuing biennial appropriation period.

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Washington

Washington Statutes § 43.88.060. Legislative review of budget document and budget bill or bills--Time for submission

The governor shall submit the budget document for the 1975-77 biennium and each succeeding biennium to the legislature no later than the twentieth day of December in the year preceding the session during which the budget is to be considered.

Washington Statutes § 1.16.020. "Fiscal biennium"

The fiscal biennium of the state shall commence on the first day of July in each odd-numbered year and end on the thirtieth day of June the next succeeding odd-numbered year.

Wyoming

Wyoming Constitution § 7. Time and place of sessions.

The legislature shall meet at the seat of government, . . . on the second Tuesday of January of the odd-numbered years for general and budget session . . .

Wyoming Statutes § 9-2-1013. State budget; distribution of copies to legislators; items to be included; copies and reports of authorizations.

(a) On or before December 1 of the year preceding the year the legislature convenes in budget session, the governor shall distribute to each legislator printed copies of the state budget, covering the next biennial budget period beginning on July 1 of the ensuing year, containing the itemized requests of the agencies for appropriations of other funds, estimated revenues and receipts to the state, and his recommendations and conclusions.

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**Wyoming Statutes § 9-2-1010. Duties of budget division;
biennial budgets and appropriations.**

(b) At each budget session budgets shall be prepared and appropriations made for the operation of state government on a biennial basis.

We hope this information is useful for your purposes. If you have any further questions please don't hesitate to call this office.

Attachments

Alaska State Legislature



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Representative Gail Phillips

Sponsor Statement HJR 2 "Biennial State Budget"

Representative Gail Phillips

Alaska's annual budget cycle is an arduous process, beginning in December of one year and ending in May of the next. Every year hundreds of people from State agencies spend countless hours preparing for budget presentations to the legislature. They also prepare for hearings, closeouts and debates. There is no doubt that the budget is the single most important piece of legislation that legislators produce for the people of Alaska.

Shifting to a biennial legislative budget cycle could result in the need for fewer resources while experiencing significant cost savings for the people of Alaska. A biennial State budget process would allow all legislators to deliberate the budget in the first session and focus exclusively on legislation in the next session. A biennial State budget process could also work hand-in-hand with the results based budget concept pursued by the legislature. State agencies would have a chance to initiate advance planning efforts; something which is very difficult under the present annual state budget system. Alaska would not be unique or experimental in adopting a biennial legislative budget cycle.

Research demonstrates that twenty other states operate under a biennial State budget system. HJR.2 proposes an amendment to Alaska's Constitution to allow for biennial budgeting. As written, the first session of the Legislature could be dedicated to writing a two-year budget. HJR.2 authorizes the governor to present the legislature with a budget encompassing two fiscal years.

THE BOOK OF THE STATES

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Table 6.1
STATE BUDGETARY CALENDARS

| State | Budget guidelines to agencies | Agency requests submitted to governor | Agency hearings held | Governor's budget sent to legislature | Legislature adopts budget | Fiscal year begins | Frequency of legislative/budget cycles |
|----------------|-------------------------------|---------------------------------------|----------------------|---------------------------------------|---------------------------|--------------------|--|
| Alabama | September | Nov/Dec | January | February | Feb/May | October | Annual/Annual |
| Alaska | July | October | November | December | May | July | Annual/Annual |
| Arizona | June 1 | September 1 | Nov/Dec | January | Jan/April | July | Annual/Annual (a) |
| Arkansas | March | July | August | Sept/Dec | Jan/April | July | Biennial/Biennial |
| California | July/Nov | Aug/Sept | August/Nov | January 10 | June 15 | July | Annual/Annual |
| Colorado | June | August 1-15 | August/Sept | January 15 | May | July | Annual/Annual |
| Connecticut | July | September | February | January | May/June (b) | July | Annual/Biennial |
| Delaware | August | Oct/Nov | Oct/Nov | January | June 30 | July | Annual/Annual |
| Florida | June | September | November | December | March | July | Annual/Annual |
| Georgia | May | September | Nov/Dec | January | March | July | Annual/Annual |
| Hawaii | July/Aug | September | November | December | April | July | Annual/Biennial |
| Idaho | June | September | ... | January | March | July | Annual/Annual |
| Illinois | September | Nov/Dec | Nov/Dec | March | June | July | Annual/Annual |
| Indiana | ... | ... | ... | ... | ... | July | Annual/Biennial |
| Iowa | June | September | Nov/Dec | January | April/May | July | Annual/Annual |
| Kansas | June | September | November | January | May | July | Annual/Annual (c) |
| Kentucky | July | October | ... | January | April | July | Biennial/Biennial |
| Louisiana | September | November | February | February | June | July | Annual/Annual |
| Maine | July | September | Oct/Dec | January | June | July | Biennial/Biennial |
| Maryland | June | August 31 | Oct/Nov | January | April | July | Annual/Annual |
| Massachusetts | August | October | October | January | June | July | Annual/Annual |
| Michigan | October | November | December | (d) | July | October | Annual/Annual |
| Minnesota | May/June | October 15 | Sept/Oct | January (e) | May | July | Annual/Biennial |
| Mississippi | June | August | ... | November 11 | ... | July | Annual/Annual |
| Missouri | July | October | ... | January | April/May | July | Annual/Annual (f) |
| Montana | Dec/August | May/Oct | May/Oct | January | April | July | Biennial/Biennial |
| Nebraska | July | September | Jan/Feb | January | April | July | Annual/Biennial |
| Nevada | May/June | September | Sept/Dec | January | June | July | Biennial/Biennial |
| New Hampshire | August | October | November | February | May | July | Annual/Biennial |
| New Jersey | July/August | October | ... | January | June | July | Annual/Annual |
| New Mexico | July | September | Sept/Dec | January | Feb/March | July | Annual/Annual |
| New York | July | September | Oct/Nov | January | March | April | Annual/Annual |
| North Carolina | January | August | Sept/Nov | February | June | July | Biennial/Biennial |
| North Dakota | March | June/July | July/Oct | December | Jan/April | July | Biennial/Biennial |
| Ohio | July | Sept/Oct | Oct/Nov | February (g) | June | July | Annual/Biennial |
| Oklahoma | July | October | Oct/Dec | February (h) | May (i) | July | Annual/Annual |
| Oregon | Jan/June | September | Sept/Nov | January | Jan/June | July | Biennial/Biennial |
| Pennsylvania | August | October | Dec/Jan | February (j) | June | July | Annual/Annual |
| Rhode Island | July | October | Nov/Dec | February | June | July | Annual/Annual |
| South Carolina | August | September | ... | January | June | July | Annual/Annual |
| South Dakota | June/July | September | Sept/Oct | December | March | July | Annual/Annual |
| Tennessee | August | October | November | January (k) | April/May | July | Annual/Annual |
| Texas | March | July/Nov | July/Sept | January | May | September | Biennial/Biennial |
| Utah | July | September | Oct/Nov | December | February | July | Annual/Annual |
| Vermont | September | October | Nov/Dec | January | May | July | Annual/Annual (k) |
| Virginia | April/August | June/Sept | Sept/Oct | December | March/April | July | Annual/Biennial |
| Washington | April | September | October | December | May | July | Annual/Biennial |
| West Virginia | July | September | Oct/Nov | January | March | July | Annual/Annual |
| Wisconsin | June | September | ... | January | June/July | July | Biennial/Biennial |
| Wyoming | May 15 | September | November | December | March | July | Annual/Biennial |

Source: National Association of State Budget Officers, *Budgetary Processes in the States* (February 1995).

Key:

... — Not applicable

(a) Agencies are divided into major budget units and other budget units. Major budget units submit annual budget requests. Other budget units submit biennial budget requests.

(b) Legislature adopts budget during June of odd years, May of even years.

(c) Twenty agencies are on a biennial budget cycle. The rest are still on an annual cycle.

(d) Within 30 days after legislature convenes in regular session, except when a newly elected governor is inaugurated when presentation must occur within 60 days after legislature convenes.

(e) Fourth Tuesday.

(f) There is a constitutional authority to do annual and biennial budgeting. Beginning in Fiscal 1994, the operating budget has been on an annual basis while the capital budget has been on a biennial basis.

(g) Budget submission delayed to mid-March for new governors.

(h) First Monday.

(i) Last Friday.

(j) Budget is submitted in March when governor has been elected for first full term. In Tennessee, budget may be submitted by March 1 during the first year of a governor's term.

(k) State Constitution prescribes a biennial legislature; in practice, legislature meets annually, in regular and adjourned sessions.

Table 3.2
LEGISLATIVE SESSIONS: LEGAL PROVISIONS

| State or other jurisdiction | Regular sessions | | | | Special sessions | | |
|-----------------------------|------------------------|----------------------|----------------------------|--|--|-----------------------------------|---------------------------------|
| | Year | Legislature convenes | | Limitation on length of session (a) | Legislature may call | Legislature may determine subject | Limitation on length of session |
| | | Month | Day | | | | |
| Alabama | Annual | Jan. | 2nd Tues. (h) | 30 L in 103 C | No | Yes (f) | 12 L in 30 C |
| | | Apr. | 3rd Tues. (c, d) | | | | |
| | | Feb. | 1st Tues. (c) | | | | |
| Alaska | Annual | Jan. | 2nd Mon. | 120 C (h) | By 2/3 vote of members | Yes (i) | 30 C |
| | | Jan. | 3rd Mon. (g) | | | | |
| Arizona | Annual | Jan. | 2nd Mon. | (j) | By petition, 2/3 members, each house | Yes (i) | None |
| Arkansas | Biennial- odd year | Jan. | 2nd Mon. | 60 C (h) | No | Yes (f, k) | (k) |
| California | (l) | Jan. | 1st Mon. (d) | None | No | No | None |
| Colorado | Annual | Jan. | 2nd Wed. | 120 C | By request, 2/3 members, each house | Yes (i) | None |
| Connecticut | Annual (m) | Jan. | Wed. after 1st Mon. (n) | (p) | Yes (q) | (q) | None (t) |
| | | Feb. | Wed. after 1st Mon. (n) | | | | |
| Delaware | Annual | Jan. | 2nd Tues. | June 30 | Joint call, presiding officers, both houses | Yes | None |
| Florida | Annual | Feb. | Tues. after 1st Mon. (d) | 60 C (h) | Joint call, presiding officers, both houses | Yes (f) | 20 C (h) |
| Georgia | Annual | Jan. | 2nd Mon. | 40 L | By petition, 3/5 members, each house | Yes (i) | (s) |
| Hawaii | Annual | Jan. | 2nd Mon. | 40 L (h) | By petition, 2/3 members, each house | Yes | 30 L (h) |
| Idaho | Annual | Jan. | 3rd Wed. | 60 L (h) | No | No | 20 C |
| Illinois | Annual | Jan. | Mon. on or nearest 9th day | None | Joint call, presiding officers, both houses | Yes (i) | None |
| Indiana | Annual | Jan. | 2nd Wed. | None | No | No | 30 L or 40 C |
| Iowa | Annual | Jan. | 2nd Mon. | odd-61 L or Apr. 30; even-30 L or Mar. 15 | No | No | |
| Kansas | Annual | Jan. | 2nd Mon. | (u) | By petition, 2/3 members, both houses | Yes (i) | None |
| Kentucky | Annual | Jan. | 2nd Mon. | odd-None; even-90 C (h) | Petition to governor of 2/3 members, each house | Yes | None |
| Kentucky | Biennial- even year | Jan. | Tues after 1st Mon. (d) | 60 L (v) | No | No | None |
| Louisiana | Annual | Mar. | 1st Mon. (d, n) | odd-60 L in 85 C; even-30 L in 45 C | By petition, majority, each house | Yes (i) | 30 C |
| | | Apr. | 1st Mon. (m, n) | | | | |
| Maine | (l, m) | Dec. | 1st Wed. (h) | 3rd Wed. of June (h) | Joint call, presiding officers, with consent of of majority of members of each political party, each house | Yes (i) | None |
| | | Jan. | Wed. after 1st Tues. (u) | 3rd Wed. of April (h) | | | |
| Maryland | Annual | Jan. | 2nd Wed. | 90 C (g) | By petition, majority, each house | Yes | 30 C |
| Massachusetts | Annual | Jan. | 1st Wed. | (w) | By petition (x) | Yes | None |
| Michigan | Annual | Jan. | 2nd Wed. (d) | None | No | No | None |
| Minnesota | (y) | Jan. | Tues. after 1st Mon. (n) | 120 L or 1st Mon. after 3rd Sat. in May (y) | No | Yes | None |

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

| State or other jurisdiction | Regular sessions | | | | Special sessions | | |
|-----------------------------|------------------|----------------------|----------------------|-------------------------------------|----------------------|-----------------------------------|---------------------------------|
| | Year | Legislature convenes | | Limitation on length of session (a) | Legislature may call | Legislature may determine subject | Limitation on length of session |
| | | Month | Day | | | | |
| Mississippi | Annual | Jan. | Tues. after 1st Mon. | 125 C (h, z); 90C (h, z) | No | No | None |

| | | | | | | | |
|---------------------|--------|--------------|--|--|--|---------|------|
| Maloe _____ | (l,m) | Dec. Jan. | 1st Wed. (b) Wed. after 1st Tues. (o) | 3rd Wed. of June (h) 3rd Wed. of April (h) | Joint call, presiding officers, with consent of of majority of members of each political party, each house | Yes (l) | None |
| Maryland _____ | Annual | Jan. | 2nd Wed. | 90 C (g) | By petition, majority, each house | Yes | 30 C |
| Massachusetts _____ | Annual | Jan. | 1st Wed. | (w) | By petition (w) | Yes | None |
| Michigan _____ | Annual | Jan. | 2nd Wed. (d) | None | No | No | None |
| Minnesota _____ | (y) | Jan. | Tue. after 1st Mon. (n) | 120 L or 1st Mon. after 3rd Sat. in May (y) | No | Yes | None |

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

| State or other jurisdiction | Year | Regular sessions | | | Limitation on length of session (n) | Legislature may call | Special sessions | |
|--------------------------------|-----------------------|----------------------|---|--------------------------------------|---|----------------------|---------------------------------------|--|
| | | Legislature convenes | | Legislature may determine subject | | | Limitation on length of session | |
| | | Month | Day | | | | | |
| Mississippi _____ | Annual | Jan. | Tues. after 1st Mon. | 125 C (h, z); 90C (h, z) | No | No | None | |
| Missouri _____ | Annual | Jan. | Wed. after 1st Mon. | May 30 | By petition, 3/4 members, each house | Yes | 30 C (aa) | |
| Montana _____ | Biennial- odd year | Jan. | 1st Mon. | 90 L | By petition, majority, each house | Yes | None | |
| Nebraska _____ | Annual | Jan. | Wed. after 1st Mon. | odd-90 L (h); even-60 L (h) | By petition, 2/3 members | Yes | None | |
| Nevada _____ | Biennial- odd year | Jan. | 3rd Mon. | 60 C (u) | No | No | 20 C (u) | |
| New Hampshire _____ | Annual | Jan. | Wed. after 1st Tues. (d) | 45 L | By 2/3 vote of members, each house | Yes | 15 L (u) | |
| New Jersey _____ | Annual | Jan. | 2nd Tues. | None | By petition, majority, each house | Yes | None | |
| New Mexico _____ | Annual (m) | Jan. | 3rd Tues. | odd-60 C; even-30 C | By petition, 3/5 members, each house | Yes (l) | 30 C | |
| New York _____ | Annual | Jan. | Wed. after 1st Mon. | None | By petition, 2/3 members, each house | Yes (l) | None | |
| North Carolina _____ | (y) | Jan. | 3rd Wed. after 2nd Mon. (n) | None | By petition, 3/5 members, each house | Yes | None | |
| North Dakota _____ | Biennial- odd year | Jan. | Tues. after Jan. 3, but not later than Jan. 11 (d) | 30 L (hh) | No | Yes | None | |
| Ohio _____ | Annual | Jan. | 1st Mon. | None | Joint call, presiding officers, both houses | Yes | None | |
| Oklahoma _____ | Annual | Feb. | 1st Tues. (cc) | 160 C | By vote, 2/3 members, each house | Yes (l) | None | |
| Oregon _____ | Biennial- odd year | Jan. | 2nd Mon. after 1st Tues. | None | By petition, majority, each house | Yes | None | |
| Pennsylvania _____ | Annual | Jan. | 1st Tues. | None | By petition, majority each house | No | None | |
| Rhode Island _____ | Annual | Jan. | 1st Tues. | 60 L (u) | No | No | None | |
| South Carolina _____ | Annual | Jan. | 2nd Tues. (d) | 1st Thurs. in June (h) | No | Yes | None | |
| South Dakota _____ | Annual | Jan. | 2nd Tues. | odd-40 L; even-35 L | No | No | None | |
| Tennessee _____ | Annual | Jan. | (dd) | 90 L (u) | By petition, 2/3 members, each house | Yes | 30 L (u) | |
| Texas _____ | Biennial- odd year | Jan. | 2nd Tues. | 140 C | No | No | 30 C | |
| Utah _____ | Annual | Jan. | 3rd Mon. | 45 C | No | No | 30 C (cc) | |
| Vermont _____ | (y) | Jan. | Wed. after 1st Mon. (n) | None | No | Yes | None | |
| Virginia _____ | Annual | Jan. | 2nd Wed. | odd-30 C (h); even-60 C (h) | By petition, 2/3 members, each house | Yes | None | |
| Washington _____ | Annual | Jan. | 2nd Mon. | odd-105 C; even-60 C | By vote, 2/3 members, each house | Yes | 30 C | |
| West Virginia _____ | Annual | Feb. Jan. | 2nd Wed. (c, d) 2nd Wed. (c) | 60 C (h) | By petition, 3/5 members, each house | Yes (ff) | None | |
| Wisconsin _____ | Annual (gg) | Jan. | 1st Mon. (n) | None | No | No | None | |

See footnotes at end of table.

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

| State or other jurisdiction | Regular sessions | | | | Special sessions | | |
|-----------------------------|------------------|----------------------|---------------|-------------------------------------|---|-----------------------------------|---------------------------------|
| | Year | Legislature convenes | | Limitation on length of session (a) | Legislature may call | Legislature may determine subject | Limitation on length of session |
| | | Month | Day | | | | |
| Wyoming | Annual (m) | Jan. | 2nd Tues. (n) | odd-40 L; even-20 L | No | Yes | None |
| Dist. of Columbia | (hh) | Jan. | 2nd day | None | | | |
| American Samoa | Annual | Jan. | 2nd Mon. | 45 L | No | No | None |
| Guam | Annual | July | 2nd Mon. | 45 L | | | |
| No. Mariana Islands | Annual | Jan. | 2nd Mon. (ii) | None | No | No | None |
| Puerto Rico | Annual | (jj) | (d, jj) | 90 L (jj) | Upon request of presiding officers, both houses | Yes (i) | 10 C |
| U.S. Virgin Islands | Annual | Jan. | 2nd Mon. | Apr. 30 (h) | No | No | 20 C |
| U.S. Virgin Islands | Annual | Jan. | 2nd Mon. | None | No | No | None |

Sources: State constitutions and statutes.

Note: Some legislatures will also reconvene after normal session to consider bills vetoed by governor. Connecticut—if governor vetoes any bill, secretary of state must reconvene General Assembly on second Monday after the last day on which governor is either authorized to transmit or has transmitted every bill with his objections, whichever occurs first; General Assembly must adjourn *sine die* not later than three days after its reconvening. Hawaii—legislature may reconvene on 45th day after adjournment *sine die*, in special session, without call. Louisiana—legislature meets in a maximum five-day veto session on the 40th day after final adjournment. Missouri—if governor returns any bill on or after the fifth day before the last day on which legislature may consider bills (in even-numbered years), legislature automatically reconvenes on first Wednesday following the second Monday in September for a maximum 100 C sessions. New Jersey—legislature meets in special session (without call or petition) to act on bills returned by governor on 45th day after *sine die* adjournment of the regular session, if the second year expires before the 45th day, the day preceding the end of the legislative year. Utah—if 2/3 of the members of each house favor reconvening to consider vetoed bills, a maximum five-day session is set by the presiding officers. Virginia—legislature reconvenes on sixth Wednesday after adjournment for a maximum three-day session (may be extended to seven days upon vote of majority of members elected to each house). Washington—upon petition of 2/3 of the members of each house, legislature meets 45 days after adjournment for a maximum five-day session.

Key:

C — Calendar day

L — Legislative day (in some states called a session day or workday; definition may vary slightly, however, generally refers to any day on which either house of legislature is in session).

(a) Applies to each year unless otherwise indicated.

(h) General election year (quadrennial election year).

(i) Year after quadrennial election.

(d) Legal provision for organizational session prior to stated convening date. Alabama—in the year after quadrennial election, second Tuesday in January for 10 C. California—in the even-numbered general election year, first Monday in December for an organizational session, recess until the first Monday in January of the odd-numbered year. Florida—in general election year, 14th day after election, Indiana—third Tuesday after first Monday in November. Kentucky—in odd-numbered year, Tuesday after first Monday in January for 10 L. Louisiana—in year after general election, second Monday in January, not to exceed 3 L. Michigan—held in odd-numbered year. New Hampshire—in even-numbered year, first Wednesday in December. North Dakota—in December. South Carolina—in even-numbered year, Tuesday after certification of election of its members for a maximum three-day session. West Virginia—in year after general election, on second Wednesday in January. No. Mariana Islands—in year after general election, second Monday in January.

(e) Other years.

(f) By 2/3 vote each house.

(g) Following a gubernatorial election year.

(h) Session may be extended by vote of members in both houses. Alaska—2/3 vote for 10-day extension. Arkansas—2/3 vote. Florida—3/5 vote. Hawaii—petition of 2/3 membership for maximum 15-day extension. Kansas—2/3 vote. Maine—2/3 vote for maximum 10 L. Maryland—3/5 vote for maximum 30 C. Mississippi—2/3 vote for 30 C extension, no limit on number of extensions. Nebraska—4/5 vote. South Carolina—2/3 vote. Virginia—2/3 vote for 30 C extension. West Virginia—2/3 vote (if budget bill has not been acted upon three days before session ends, governor issues proclamation extending session). Puerto Rico—joint resolution.

(i) Only if legislature convenes itself. Special sessions called by the legislature are unlimited in scope in Arizona, Georgia, Maine, and New Mexico.

(j) No constitutional or statutory provision; however, legislative rules require that regular sessions adjourn no later than Saturday of the week during which the 100th day of the session falls.

(k) After governor's business has been disposed of, members may remain in session up to 15 C by a 2/3 vote of both houses.

(l) Regular sessions begin after general election, in December of even-numbered year. In California, legislature meets in December for an organizational session, recesses until the first Monday in January of the odd-numbered year and continues in session until Nov. 30 of next even-numbered year. In Maine, session which begins in December of general election year runs into the following year (odd-numbered); second session begins in next even-numbered year.

(m) Second session limited in consideration of specific types of legislation. Connecticut—individual legislators may only introduce bills of a fiscal nature, emergency legislation and bills raised by committees. Louisiana—fiscal matters. Maine—budgetary matters; legislation in the governor's call; emergency legislation; legislation referred to committees for study. New Mexico—budgets, appropriations and revenue bills; bills drawn pursuant to governor's message; vetoed bills. Wyoming—budget bills.

(n) Odd-numbered years.

(o) Even-numbered years.

(p) Odd-numbered years—not later than Wednesday after first Monday in June; even-numbered—years not later than Wednesday after first Monday in May.

(q) Constitution provides for regular session convening dates and allows that sessions may also be held "... at such other times as the General Assembly shall judge necessary." Call by majority of legislators is implied.

(r) Upon completion of business.

(s) Limited to 40 L unless extended by 4/5 vote and approved by the governor, except in cases of impeachment proceedings.

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

(1) Legislators may reconvene at any time after organizational meeting, however, second Monday in January is the final date by which regular session must be in process.

(a) Indirect limitation; usually restrictions on legislator's pay, per diem, or daily allowance

(v) May not extend beyond April 15.

(w) Legislative rules say formal business must be concluded by Nov. 15th of the 1st session in the biennium, or by July 31st of the 2nd session for the triennium.

(x) Joint rules provide for the submission of a written statement requesting special session by a specified

in January and recessing not later than the first Monday in February of that year. Limited constitutional duties can be performed.

(dd) Commencement of regular session depends on concluding date of organizational session. Legislature meets, in odd-numbered year, on second Tuesday in January for a maximum 15 C organizational session, then returns on the Tuesday following the conclusion of the organizational session.

(ee) Except in cases of impeachment.

(ff) According to a 1955 attorney general's opinion, when the legislature has petitioned to the governor to be called into session, it may then act on any matter.

(gg) The legislature, by joint resolution, establishes the session schedule of activity for the remainder of the

generally refers to any day on which either house of legislature is in session).

- (a) Applies to each year unless otherwise indicated.
- (b) General election year (quadrennial election year).
- (c) Year after quadrennial election.
- (d) Legal provision for organizational session prior to stated convening date. Alabama—in the year after quadrennial election, second Tuesday in January for 10 C. California—in the even-numbered general election year, first Monday in December for an organizational session, recess until the first Monday in January of the odd-numbered year. Florida—in general election year, 14th day after election. Indiana—third Tuesday after first Monday in November. Kentucky—in odd-numbered year, Tuesday after first Monday in January for 10 L. Louisiana—in year after general election, second Monday in January, not to exceed 3 L. Michigan—held in odd-numbered year. New Hampshire—in even-numbered year, first Wednesday in December. North Dakota—in December. South Carolina—in even-numbered year, Tuesday after certification of election of its members for a maximum three-day session. West Virginia—in year after general election, on second Wednesday in January. N.H. Mariana Islands—in year after general election, second Monday in January.

For second session limited to consideration of specific types of legislation, Connecticut—legislators may only introduce bills of a fiscal nature, emergency legislation and bills raised by committees. Louisiana—fiscal matters. Maine—budgetary matters; legislation in the governor's call; emergency legislation; legislation referred to committees for study. New Mexico—budgets, appropriations and revenue bills; bills drawn pursuant to governor's message; vetted bills. Wyoming—budget bills.

- (n) Odd-numbered years.
- (o) Even-numbered years.
- (p) Odd-numbered years—not later than Wednesday after first Monday in June; even-numbered years not later than Wednesday after first Monday in May.
- (q) Constitution provides for regular session convening dates and allows that sessions may also be held "at such other times as the General Assembly shall judge necessary." Call by majority of legislators is implied.
- (r) Upon completion of business.
- (s) Limited to 40 L, unless extended by 2/3 vote and approved by the governor, except in cases of impeachment proceedings.

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

- (i) Legislators may reconvene at any time after organizational meeting; however, second Monday in January is the final date by which regular session must be in process.
- (u) Indirect limitation; usually restrictions on legislator's pay, per diem, or daily allowance.
- (v) May not extend beyond April 15.
- (w) Legislative rules say formal business must be concluded by Nov. 15th of the 1st session in the biennium, or by July 31st of the 2nd session for the biennium.
- (x) Joint rules provide for the submission of a written statement requesting special session by a specified number of members of each chamber.
- (y) Legal provision for session in odd-numbered year; however, legislature may divide, and in practice has divided, to meet in even-numbered years as well.
- (z) 90 C sessions every year, except the first year of a gubernatorial administration during which the legislative session runs for 125 C.
- (aa) 30 C if called by legislature; 60 C if called by governor.
- (bb) No legislative day is shorter than a natural day.
- (cc) Odd number years will include a regular session commencing on the first Tuesday after the first Monday in January and recessing not later than the first Monday in February of that year. Limited constitutional duties can be performed.
- (dd) Commencement of regular session depends on concluding date of organizational session. Legislature meets, in odd-numbered year, on second Tuesday in January for a maximum 15 C organizational session, then returns on the Tuesday following the conclusion of the organizational session.
- (ee) Except in cases of impeachment.
- (ff) According to a 1955 attorney general's opinion, when the legislature has petitioned to the governor to be called into session, it may then act on any matter.
- (gg) The legislature, by joint resolution, establishes the session schedule of activity for the remainder of the biennium at the beginning of the odd-numbered year.
- (hh) Each Council period begins on January 2 of each odd-numbered year and ends on January 1 of the following odd-numbered year.
- (ii) Legislature meets on the first Monday of each month following its initial session in January.
- (jj) 60 L before April 1 and 30 L after July 31.

Table 6.3
STATE BALANCED BUDGETS: CONSTITUTIONAL AND STATUTORY PROVISIONS,
GUBERNATORIAL AND LEGISLATIVE AUTHORITY

| State or other jurisdiction | Constitutional and Statutory Provisions | | | | Gubernatorial Authority | | | Legislative Authority | | |
|-----------------------------|---|---|--------------------------------------|------------------------|-----------------------------|--|-----------------------------------|---|---|-------------------------------|
| | Governor must submit a balanced budget | Legislature must pass a balanced budget | Governor must sign a balanced budget | May carry over deficit | Governor has line item veto | Can reduce budget without legislative approval | Restrictions on budget reductions | Votes required to override gubernatorial veto | Votes required to pass revenue increase | Votes required to pass budget |
| Alabama | C,S | S | ... | ... | (a) | * | ATB | Majority in each chamber | Majority | Majority |
| Alaska | S | S | S | ... | * | ... | ... | 2/3 elected (h) | Majority | Majority |
| Arizona | C,S | C,S | C,S | * (c) | * | * | (d) | 2/3 elected | 2/3 elected (e) | Majority |
| Arkansas | S | S | S | ... | * | ... | ... | Majority elected | 3/4 elected | 3/4 elected |
| California | C | ... | ... | * | * | ... | ... | 2/3 elected | 2/3 elected | 2/3 elected |
| Colorado | C | C | C | ... | * | * | ... | 2/3 both chambers | Majority (f) | Majority |
| Connecticut | S | C,S | C | ... | * | ... | MR | 2/3 both chambers | Majority (g) | Majority (g) |
| Delaware | C,S | C,S | C,S | ... | * | * (h) | * | 2/3 elected | 2/3 elected | Majority |
| Florida | C,S | C,S | C,S | ... | * | * (i) | MR | 2/3 elected | Majority | Majority |
| Georgia | C | C | C | ... | * | * | ATB | 2/3 elected | Majority | Majority |
| Hawaii | C,S | ... | C,S | ... | * | * (j) | ... | 2/3 of members | Majority | Majority elected (k) |
| Idaho | ... | C (l) | ... | ... | * | * (m) | * (m) | 2/3 elected | Majority | Majority |
| Illinois | C,S | C | ... | * | ... | ... | ... | Majority 2/3 (n) | Majority | Majority 2/3 (n) |
| Indiana | ... | ... | ... | ... | ... | * | ... | Majority | Majority | Majority |
| Iowa | C,S | S | ... | ... | * | * | ATB | 2/3 vote | Majority | Majority |
| Kansas | S | C,S | ... | ... | * | ... | ATB (o) | 2/3 elected | Majority | Majority |
| Kentucky | C,S | C,S | C,S | ... | * | ... | ... | Majority | 2/3 elected | Majority |
| Louisiana | C,S | C,S | C,S | * | * | * | MR | 2/3 elected | (p) | Majority |
| Maine | C,S | C | C,S | ... | ... | ... | ATB (q) | 2/3 elected | Majority | Majority (r) |
| Maryland | C | C | ... | * | ... | * | * | (s) | Majority | Majority |
| Massachusetts | C,S | C,S | C,S | ... | * | * | ... | 2/3 present | Majority | Majority (t) |
| Michigan | C,S | C | C,S | * | * | ... | (u) | 2/3 elected | Majority | Majority |
| Minnesota | S | S | C,S | ... | * | * | MR | 2/3 elected | Majority | Majority |
| Mississippi | S | S | ... | ... | * | * | ... | 2/3 elected | 2/3 | Majority |
| Missouri | C | ... | C | ... | * | * | ... | 2/3 elected | Majority | Majority |
| Montana | S | C | ... | ... | * | * (v) | MR | 2/3 elected | Majority | Majority |
| Nebraska | C | ... | ... | ... | * | ... | * | 2/3 elected | Majority | 2/3 elected |
| Nevada | S | C | C | ... | ... | * | MR | 2/3 elected | Majority | Majority |
| New Hampshire | S | ... | ... | ... | ... | ... | ... | 2/3 elected | Majority | Majority |
| New Jersey | C | C | C | ... | * | * (w) | ... | 2/3 elected | Majority | Majority |
| New Mexico | C | C | C | ... | * | ... | ... | 2/3 elected | Majority | Majority |
| New York | C | ... | ... | ... | * | * (x) | (x) | 2/3 elected | Majority | Majority |
| North Carolina | C,S | S | ... | ... | ... | * (y) | ... | ... | Majority | Majority |
| North Dakota | C | C | C | ... | * | * | ATB | 2/3 elected | Majority (z) | Majority (z) |
| Ohio | C | C | C | ... | * (aa) | * | * | (bb) | Majority | Majority |
| Oklahoma | S | C | C | * | * | * (cc) | * | 2/3 elected (dd) | 2/3 elected | Majority |
| Oregon | C | C | C | * | * | * | MR | 2/3 elected | Majority | Majority |
| Pennsylvania | C,S | ... | C | ... | * | * (ee) | ... | 2/3 elected | Majority elected | Majority elected |
| Rhode Island | C | C | S | ... | ... | * | * | 2/3 present | Majority | 2/3 both houses |
| South Carolina | C | C | C | ... | * | * (ff) | * | 2/3 present | Majority | Majority |

| | | | | | | | | | | |
|----------------------|-----|---|---|-----|--------|--------|-----|------------------|------------------|------------------|
| Ohio | C | C | C | ... | ★ (aa) | ★ | ATB | 2/3 elected (hh) | Majority (j) | Majority (k) |
| Oklahoma | S | C | C | ... | ★ | ★ | ★ | Majority | Majority | Majority |
| Oregon | C | C | C | ... | ★ | ★ (cc) | ★ | 2/3 elected (hh) | 3/4 elected | Majority |
| Pennsylvania | C,S | C | C | ... | ★ | ★ | MR | 2/3 elected | Majority | Majority |
| Rhode Island | C | C | C | ... | ★ | ★ (cc) | ★ | 2/3 elected | Majority elected | Majority elected |
| South Carolina | C | C | C | ... | ★ | ★ (ii) | ★ | 3/5 present | Majority | 2/3 both houses |
| | | | | | | | | 2/3 present | Majority | Majority |

STATE BALANCED BUDGETS — Continued

| State or other jurisdiction | Constitutional and Statutory Provisions | | | | Gubernatorial Authority | | | Legislative Authority | | |
|-----------------------------|---|---|--------------------------------------|------------------------|-----------------------------|--|-----------------------------------|---|---|-------------------------------|
| | Governor must submit a balanced budget | Legislature must pass a balanced budget | Governor must sign a balanced budget | May carry over deficit | Governor has line item veto | Can reduce budget without legislative approval | Restrictions on budget reductions | Votes required to override gubernatorial veto | Votes required to pass revenue increase | Votes required to pass budget |
| South Dakota | C | C | C | ★ | ★ | ... | ... | 2/3 elected | 2/3 elected | Majority |
| Tennessee | C | C | C | ... | ★ | ... | ... | Majority | Majority | Majority |
| Texas | ... | C,S | ... | ... | ★ | ... | ... | 2/3 present | Majority | Majority |
| Utah | C,S | C,S | ... | ... | ★ | ... | ATB (gg) | 2/3 elected | Majority | Majority |
| Vermont | ... | ... | ... | ★ | ... | (hh) | ★ | 2/3 elected | Majority | Majority |
| Virginia | (ii) | ... | ... | ... | ★ | ... | MR (jj) | 2/3 members present (kk) | Majority | Majority |
| Washington | S | ... | ... | ... | ... | ... | ATB | 2/3 elected | Majority | Majority |
| West Virginia | ... | C | C | ... | ★ | (ii) | ★ | 2/3 | Majority | Majority |
| Wisconsin | C | C | ... | ... | ★ | ... | ... | 2/3 elected | Majority | Majority |
| Wyoming | ... | ... | ... | ... | ★ | ... | ... | 2/3 elected | Majority | Majority |
| Puerto Rico | C | C | C | ... | ★ | ... | ... | 2/3 elected | Majority | Majority |

Sources: National Association of State Budget Officers, *Budgetary Processes in the States* (February 1993); updated April 1996 by The Council of State Governments. Update reflects literal reading of state constitutions and statutes.

Key:

C — Constitutional

S — Statutory

ATB — Across the board

MR — Maximum reduction dictated

★ — Yes

... — No

(a) The governor may return a bill without limit for recommended amendments for amount and language, as long as the legislature is still in session.

(b) Joint session.

(c) May carry over "casual deficits," i.e., not anticipated.

(d) Governor may reduce budgets of administration-appointed agencies only.

(e) If the Governor vetoes the increase, it requires a vote of three-fourths of elected members to override the veto.

(f) All tax increases must be approved by a vote of the people.

(g) Must have quorum.

(h) Budget reductions are limited in executive branch only.

(i) The elected cabinet (administrative commission) for the Executive Branch and the Chief Justice of the Supreme Court for the Judicial Branch are authorized to resolve deficits under \$300 million. Deficits over \$300 million shall be resolved by the legislature.

(j) The Governor's authority to reduce budgets can be done only pursuant to existing statutes.

(k) If general fund expenditure ceiling is exceeded, two-thirds vote required, otherwise majority of elected members.

(l) Although the constitution requires that the legislature pass a balanced budget, there are no sanctions if they do not.

(m) The Governor's authority to reduce budgets is temporary. The State Board of Examiners (Governor, Attorney General and Secretary of State) have permanent appropriation reduction authority.

(n) If the Governor vetoes a bill or an item of appropriation entirely, the legislature can override him with a three-fifths vote in each house. If the Governor amendatorily vetoes language or reduces an item of appropriation, the legislature can accept the amendatory changes or restore the item or appropriation to its original amount with a majority vote in each house. Appropriations require a majority vote in each house if passed prior to midnight on June 30th of each year and require a three-fifths vote in each house if passed after that point.

(o) Reductions allowed only to get back to a balanced budget.

(p) 2/3 elected (tax), majority (fee).

(q) Governor may expend funds up to one year. Certain restrictions apply in ATB reductions.

(r) For emergency enactment, two-thirds votes required.

(s) Governor has no veto power over the budget bill.

(t) For capital budget, two-thirds votes required.

(u) There are both statutory and constitutional restrictions on executive branch authority to make budget reductions, involving approval by both House and Senate appropriations committees.

(v) May reduce appropriations by 15 percent except debt service, legislative and judicial branch appropriations, school foundation programs and salaries of elected officials.

(w) May not reduce debt service.

(x) May reduce budget without approval only for state operations; only restriction on reductions is that reductions in aid to localities cannot be made without legislative approval.

(y) Except for certain block grants.

(z) Emergency measures and measures that amend a statute that has been referred or enacted through an initiated measure within the last seven years must pass both houses by a two-thirds majority.

(aa) Line item veto in appropriation act only.

(ab) Two-thirds if appropriation or tax, three-fifths for all others.

(ac) Would require agreement of agency governing boards and/or CEO.

(ad) Emergency measures require a three-fourths vote for passage.

(ae) The governor may reduce budgets selectively, he must provide 10 days prior notice and the reasons for so doing before lapsing current year grant and subsidy money.

(af) The Budget and Control Board can authorize an across-the-board agency reduction when there is a revenue shortfall. When in session, the General Assembly has five statewide session days to take action to prevent the reduction.

(ag) Some restrictions, i.e. cannot cut debt services.

(ah) The Governor may reduce expenditures but not appropriations.

(ai) Requirement applies only in budget execution. The governor is required to insure that actual expenditures do not exceed actual revenues.

(aj) The Governor has power to withhold allotments of appropriations, but cannot reduce legislative appropriations.

(ak) Two-thirds of members present includes a majority of the members elected. The revenue stabilization fund was approved by voters in November of 1992.

(al) May reduce spending authority.

| State | Constitutional | Statutory | ATB | MR | Majority | Majority |
|----------------|----------------|-----------|-----|-----|------------------|--------------|
| Ohio | C | C | ... | ... | 2/3 elected | Majority |
| Oklahoma | S | C | ... | ... | 2/3 elected (bb) | Majority (2) |
| Oregon | C | C | ... | ... | 2/3 elected (dd) | Majority |
| Pennsylvania | C,S | C | ... | ... | 2/3 elected | Majority |
| Rhode Island | C | C | ... | ... | 2/3 elected | Majority |
| South Carolina | C | C | ... | ... | 3/5 present | Majority |

STATE BALANCED BUDGETS — Continued

| State or other jurisdiction | Constitutional and Statutory Provisions | | | | Governatorial Authority | | | Legislative Authority | | |
|-----------------------------|---|---|--------------------------------------|------------------------|-----------------------------|--|-----------------------------------|---|---|-------------------------------|
| | Governor must submit a balanced budget | Legislature must pass a balanced budget | Governor must sign a balanced budget | May carry over deficit | Governor has line item veto | Can reduce budget without legislative approval | Restrictions on budget reductions | Votes required to override gubernatorial veto | Votes required to pass revenue increase | Votes required to pass budget |
| South Dakota | C | C | C | * | * | ... | ... | 2/3 elected | 2/3 elected | Majority |
| Tennessee | C | C | C | ... | * | * | ... | Majority | Majority | Majority |
| Texas | ... | C,S | ... | ... | * | * | ... | 2/3 present | Majority | Majority |
| Utah | C,S | C,S | ... | ... | * | * | ATB (gg) | 2/3 elected | Majority | Majority |
| Vermont | ... | ... | ... | * | ... | (hh) | * | 2/3 elected | Majority | Majority |
| Virginia | (ii) | ... | ... | ... | * | * | MR (jj) | 2/3 members present (kk) | Majority | Majority |
| Washington | S | ... | ... | ... | * | * | ATB | 2/3 elected | Majority | Majority |
| West Virginia | ... | C | C | ... | * | * | (ll) | 2/3 | Majority | Majority |
| Wisconsin | C | C | ... | * | * | ... | ... | 2/3 elected | Majority | Majority |
| Wyoming | ... | ... | ... | ... | * | * | ... | 2/3 elected | Majority | Majority |
| Puerto Rico | C | C | C | ... | * | * | ... | 2/3 elected | Majority | Majority |

Sources: National Association of State Budget Officers, *Budgetary Processes in the States* (February 1995); updated April 1996 by The Council of State Governments. Update reflects literal reading of state constitutions and statutes.

Key:

- C — Constitutional
- S — Statutory
- ATB — Across the board
- MR — Maximum reduction dictated
- * — Yes
- ... — No

(a) The governor may return a bill without limit for recommended amendments for amount and language, as long as the legislature is still in session.

(b) Joint session.

(c) May carry over "casual deficits," i.e., not anticipated.

(d) Governor may reduce budgets of administration-appointed agencies only.

(e) If the Governor vetoes the increase, it requires a vote of three-fourths of elected members to override the veto.

(f) All tax increases must be approved by a vote of the people.

(g) Must have quorum.

(h) Budget reductions are limited in executive branch only.

(i) The elected cabinet (administrative commission) for the Executive Branch and the Chief Justice of the Supreme Court for the Judicial Branch are authorized to resolve deficits under \$300 million. Deficits over \$300 million shall be resolved by the legislature.

(j) The Governor's authority to reduce budgets can be done only pursuant to existing statutes.

(k) If general fund expenditure ceiling is exceeded, two-thirds vote required; otherwise majority of elected members.

(l) Although the constitution requires that the legislature pass a balanced budget, there are no sanctions if they do not.

(m) The Governor's authority to reduce budgets is temporary. The State Board of Examiners (Governor, Attorney General and Secretary of State) have permanent appropriation reduction authority.

(n) If the Governor vetoes a bill or an item of appropriation entirely, the legislature can override him with a three-fifths vote in each house. If the Governor amendatorily vetoes language or reduces an item of appropriation, the legislature can accept the amendatory changes or restore the item or appropriation to its original amount with a majority vote in each house. Appropriations require a majority vote in each house if passed prior to midnight on June 30th of each year and require a three-fifths vote in each house if passed after that point.

(o) Reductions allowed only to get back to a balanced budget.

(p) 2/3 elected (tax), majority (fee).

(q) Governor may expend funds up to one year. Certain restrictions apply to ATB reductions.

(r) For emergency enactment, two-thirds votes required.

(s) Governor has no veto power over the budget bill.

(t) For capital budget, two-thirds votes required.

(u) There are both statutory and constitutional restrictions on executive branch authority to make budget reductions, involving approval by both House and Senate appropriations committees.

(v) May reduce appropriations by 15 percent except debt service, legislative and judicial branch appropriations, school foundation programs and salaries of elected officials.

(w) May not reduce debt service.

(x) May reduce budget without approval only for state operations; only restriction on reductions is that reductions in aid to localities cannot be made without legislative approval.

(y) Except for certain block grants.

(z) Emergency measures and measures that amend a statute that has been referred or enacted through an initiated measure within the last seven years must pass both houses by a two-thirds majority.

(aa) Line item veto in appropriation act only.

(bb) Two-thirds if appropriation or tax, three-fifths for all others.

(cc) Would require agreement of agency governing boards and/or CEO.

(dd) Emergency measures require a three-fourths vote for passage.

(ee) The Governor may reduce budgets selectively; he must provide 10 days prior notice and the reasons for so doing before lapsing current year grant and subsidy money.

(ff) The Budget and Control Board can authorize an across-the-board agency reduction when there is a revenue shortfall. When in session, the General Assembly has five statewide session days to take action to prevent the reduction.

(gg) Some restrictions, i.e. cannot cut debt services.

(hh) The Governor may reduce expenditures but not appropriations.

(ii) Requirement applies only to budget execution. The governor is required to insure that actual expenditures do not exceed actual revenues.

(jj) The Governor has power to withhold allotments of appropriations, but cannot reduce legislative appropriations.

(kk) Two-thirds of members present includes a majority of the members elected. The revenue stabilization fund was approved by voters in November of 1992.

(ll) May reduce spending authority.

Alaska Support Industry**ALLIANCE**

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**THE ALLIANCE**

... for responsible development of Alaska's Oil, Gas & Mineral Resources

January 14, 2000

Representative Gail Phillips
 Alaska State Legislature
 State Capitol (MS 3101)
 Juneau, AK 99801-1182

RE: House Joint Resolution 2, Biennial State Budget

Dear Representative Phillips:

I understand that HJR 2 is on the agenda for discussion during the next House Judiciary Committee meeting next week. On behalf of the Alaska Support Industry Alliance (The Alliance) I'd like to offer the following comments in support of this House Joint Resolution.

The Alliance is a statewide, non-profit trade organization representing over 350 businesses, organizations and individuals that provide goods and services in support of oil and gas exploration, development and production. Collectively our members employ 29,000 people; 25,000 of those are permanent residents of the state.

Since its inception in 1979, The Alliance has advocated a balanced state budget. We believe state government should do business like a business and investigate new ideas that would allow the public sector to do more with less -- be more efficient and effective in planning and executing our state budget and budget process. Budgetary efficiency would send a message to potential investors that Alaska has a solid and sound fiscal plan, and that its "house is in order -- a good place to do business."

Specifically, The Alliance believes that a two-year budget cycle could result in the following:

- An opportunity for more effective agency planning. A biennial budget would be conducive to developing proactive spending habits instead of reactive spending dialogue.
- The opportunity to analyze state programs based on performance and results, prior to yearly budget appropriations.

ALLIANCE SUPPORT FOR HJR 2, BIENNIAL BUDGET

PAGE 2 OF 2

- The potential for a shortened legislative session. The budget typically takes an enormous amount of time to hammer out. By undergoing the full process every other year, we could save state dollars and resources.
- Greater utilization of all 60 legislators and their expertise. Traditionally, the Senate and House Finance committees are made up of the more senior members of each body. The House Finance Committee members serve on no other committee. In many cases, we are missing their valuable input, wisdom and vast experience in creating other critical legislation. A two-year process would afford all legislators time to focus their attentions – one year on budget, the next on legislation.
- Flexibility to address emergency needs or supplementary requirements. A biennial budget process would not preclude supplemental budget considerations due to circumstances of need. These could be addressed on a case-by-case basis.

Twenty states have already adopted a biennial budget process. That's a good indication that other states are "thinking outside of the box." We believe that Alaskan must also embrace new ways of thinking, and for this reason, we encourage the legislature to continue dialogue on the biennial budget process.

The Alliance further believes that *all measures* should be considered with an open mind, whether it be results-based budgeting, consolidation of government programs, elimination of non-essential services, use of a two-year budget cycle, and/or privatization of some government functions. Ultimately our goal must be to begin to live within our means.

Sincerely,



Karen Cowart
General Manager



NFIB Alaska

10-02-99P03:31

Put copy of this in our biennial budget file also

NFIB/Alaska 1999 Ballot Results

The Alaska Chapter of the National Federation of Independent Business is comprised of 3000 small and independent business owners. The typical NFIB/Alaska member employs five workers and rings up gross sales of about \$181,000 per year. In total, the organization's members employ more than 43,000 workers.

The legislative agenda of NFIB is determined by ballot. A majority vote of the members in response to the poll sets the policy and position on legislative issues. Ballots for the last 5 years are used to establish the full legislative agenda. Following are the ballot results for 1999.

Tort Reform Frivolous Lawsuits

Should the Alaska Legislature enact legislation to allow attorneys as well as their clients to be assessed damages for knowingly or recklessly filing false claims?

96% YES

2% NO

2% Undecided

Tort Reform Collection of Settlement Information

Do you support the mandatory reporting of out of court settlement information such as attorneys fees and dollar amounts paid to claimants?

72% YES

22% NO

6% Undecided

Biennial State Budget

Do you favor a State Constitutional amendment to create a two-year budget cycle?

52% YES

36% NO

12% Undecided

National Federation of Independent Business

217 Second Street, Suite 206 • Juneau, AK 99801 • 907-463-5118 • Fax 907-463-5128



...and NFIB works for small business.

Department of Environmental Conservation Fees

The Alaska Department of Environmental Conservation (ADEC) currently has the authority to assess fees for permits, inspections, certifications and training for a broad range of regulatory programs. Should these fees be limited to "actual direct costs," which do not include travel, overhead and administrative support costs?

81% YES 13% NO 6% Undecided

Should DEC establish reasonable fixed fees for certain department services to cover actual direct costs?

83% YES 9% NO 8% Undecided

If requested by the applicant, should DEC have the ability to negotiate a fee based on a maximum number of hours that may include associated travel costs?

69% YES 21% NO 10% Undecided

Unemployment Insurance

Students under 18 are not eligible to collect unemployment benefits. Should full time students under the age of 18 and their employers be exempt from paying unemployment tax?

93% YES 6% NO 1% Undecided

ALASKA STATE CHAMBER OF COMMERCE**Priority 00-1****Fiscal Planning**

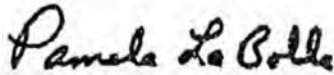
The Alaska State Chamber of Commerce urges the Administration and Legislature to continue efforts to adopt and implement a unified long-range fiscal plan for the state. The plan should address a strategy to bring state spending in line with revenues, encourage and promote economic investment and business development, maintain the state's infrastructure by means of a deferred maintenance plan for all state-owned facilities, and further establish performance measures for state services in concert with results-based government.

The plan should implement a biennial state budget; privatize state services which could be competitively provided by the private sector; promote development of new businesses that could competitively provide goods or services currently provided by the state; and utilize a systematic funding mechanism, such as general obligation bonds, to meet the state's capital needs.

ADOPTED

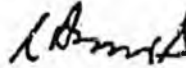
December 3, 1999

BY



Pamela La Bolle
President

BY



Dennis Brandon
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Two-year budgeting worth discussing

A two-year budget cycle for the state is an idea that House Speaker Gail Phillips promises to pursue during the session. It's a capital idea. According to Phillips, if the state operates with a two-year budget, the Legislature could cut down the amount of time it meets, a savings of both time and money. The second year of every legislative session could be shortened dramatically.

What the speaker wants is a serious discussion, and we think the topic deserves that. Yes, it's difficult to forecast budgets in a commodity-dependent economy like Alaska. But the state could save millions of dollars if lawmakers would do more long-range budgeting, and many areas of the budget are stable from year to year. As long as revenue projections are conservative and responsible, a biennial budget should be workable with the help of supplemental budgeting.

We welcome the discussion and debate about biennial budgeting. It may be the needed step to control fluctuating budgets and costly legislative sessions.



Phillips floats budget change

By MARK SABBATINI

THE JUNEAU EMPIRE

Having the Legislature draft a budget every two years, with a shortened session in off-years, will be proposed this session by House Speaker Gail Phillips.

A biennial budget process would save considerable time and money by reducing the workload required to put budgets together, said Phillips, a Homer Republican. But skeptics said the proposal has been considered and rejected before, largely because Alaska's reliance on oil revenues makes accurate long-range forecasting difficult.

Phillips said she will introduce the bill during the coming legislative session, but is expecting serious debate to last until 1999.

"What I just want people to do this year is go around, have a couple hearings on it and let people start talking about it and start working on it again next year," she said.

Phillips didn't specify how much shorter the second-year session would be. But she said state agencies would benefit from not having to wait until its conclusion to make their own budget decisions.

Please turn to Budget, Page 8

Budget...

Continued from Page 1

"When they know that 'This is going to be our budget for a two-year period of time,' I think the planning ability for them is much strengthened," she said.

The problem with the proposal is Alaska's income is more unpredictable than Washington and other states that have biennial budgeting, said Rep. Kim Elton, a Juneau Democrat.

"I think that the danger of that is our annual revenues can fluctuate fairly widely because more than 80 percent of our budget is dependent on oil," he said.

"If the price of oil goes from \$18 to \$16 (a barrel) we're going to be spending a lot of time in those nonbudget years dealing with the fluctuations."

State revenue officials originally predicted a spending gap of hundreds of millions of dollars in last year's budget, but an unexpected price surge instead

brought a surplus, Elton said.

Annalee McConnell, budget director for Gov. Tony Knowles, said problems could be corrected through supplemental budgets, something done now to cover shortfalls, and the \$3.3 billion Constitutional Budget Reserve protects the state when shortages occur. She said her office has done some research into a biennial budget and has an interest in it, believing it could be a significant time-saver.

"I think in many areas of the budget where you have the same thing every year . . . you're not going to make drastic changes," she said.

Rep. Mark Hanley, an Anchorage Republican who co-chairs the House Finance Committee, said the idea merits consideration, although other states using it generally have fluctuations of less than 2 percent in their budgets. He said he didn't know how much time would be saved in off-years, noting finance officials would proba-

bly have to do some advance work for the following year.

"Obviously the budget part would cut down easily a month," he said. "It's one of those things where we don't know. If the constitutional limit was 60 days, we'd get out of there in 60 days."

Senate Minority Leader Jim Duncan, a Juneau Democrat, said the same proposal has been introduced several times, including by former Anchorage Democratic Rep. Kay Brown several years ago. He said Phillips can achieve her goal of shorter working sessions without the bill, but doubts lawmakers in the Republican-led majority would want to.

"You can do a budget each year and the session can still be short," he said. "It's up to the leadership to get their priority legislation through."

"I think members of the majority are going to be very hesitant to leave without getting some of their priority issues through."



Voice of The Times

The Anchorage Times

Publisher: BILL J. ALLEN

"Believing in Alaska, putting Alaska first"

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

The Anchorage Times (hereinafter in this segment of the Anchorage Daily News) does not represent the views of the Daily News. It is written and published under an agreement with former owners of The Times, in the interests of preserving a diversity of viewpoints in the community.

Every two years

THE IDEA IS not new. It's been kicked around time and time again. Unfortunately, it's still being kicked around — in not the best sense of the phrase. The bad. The subject: adopting the state budget on a two-year basis.

Since statehood, Alaska's spending plan has been proposed by the governor and adopted by the Legislature on an annual schedule. Each year, the Legislature spends an uncommon amount of time fussing with the budget — four months each year, as a matter of fact.

One of the first bills presented at the opening of each legislative session is the budget. One of the last bills passed at the end of every four-month lawmaking session is the budget.

All kinds of other legislation is log-jammed until it is known how various bills will dovetail with the spending proposals. In many ways, the session is dragged out to a full one-third of the year because — and only because — the budget stands as a red light, stopping other progress.

Over the years, various attempts have been made in the Legislature to change this by providing for enactment of a budget that would span a two-year period, instead of one. Each time, the proposal has sunk like a rock in a stormy sea.

The arguments against it are never very good, mostly centering on the contention that it's impossible to look two years ahead and see what the state's income and spending needs might be.

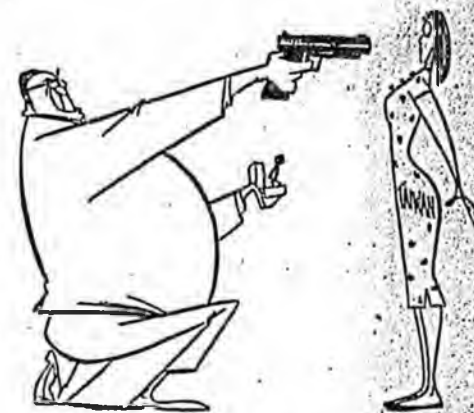
That's specious. Any number of other states — big states, with spending budgets much larger than Alaska's — do biennial budgets. It is by far the most efficient way to keep the decks clear for consideration of other legislation.

In fact, some states provide that every other year, the budget — and related financial legislation — is the only topic that can be considered. The agenda for the alternate years then is open to full consideration of other matters and other issues, free of having to link everything to now spending proposals.

In territorial days, when the Alaska Legislature met only every other year, the budget did indeed cover a 24-month period. Ah, but say the diehards, Alaska was a much smaller place then — with fewer people to serve, fewer issues to handle.

True, but so what? If other states can efficiently manage their financial affairs in this fashion, why can't Alaska? There would be nothing to prevent the Legislature from dealing with emergency funding situations during the intervening year — but lawmakers should be able to handle that in stride.

Rep. Gail Phillips of Homer is the latest legislator to offer a bill calling for biennial budgeting. Unfortunately, her measure got short-shrift in the last session. But it's still on the table — and it deserves attention when the Legislature next meets in January.



CHINESE COURTSHIP

The chronic poor and other liberal myths

BY WALTER E. WILLIAMS

The rich are getting richer, and the poor are getting poorer. That's a refrain taken as gospel. It's also the melody that's used in calls for more government spending.

But the truth of the matter is the richer are getting richer and the poor are getting richer faster. That's the conclusion reached by W. Michael Cox, vice president of the Federal Reserve Bank in Dallas and Richard Alm, a Dallas Morning News reporter, in their new book aptly titled, "Myths of Rich and Poor: Why We're Better Off Than We Think."

Each year, the Bureau of Census publishes America's poverty rate, which has hovered around 14 percent for several decades. The impression given is that poverty for about 20 percent of Americans is hopelessly permanent. That's a conclusion easily reached when given a static portrait of our income distribution. Cox and Alm report on a dynamic portrait that comes from a University of Michigan survey consisting of 60,000 Americans collected since 1968.



Williams

Collecting income over time gives a startlingly different picture of income distribution than that given by Bureau of Census statistics. The University of Michigan study shows that only 5 percent of those in the bottom fifth of the income distribution in 1976 were still there in 1991. What happened to them? They moved up to the top three-fifths of the income distribution — middle class or higher.

Even more amazing is that three out of 10 of the lowest-income earners in 1976 moved up into the top fifth of income earners by 1991. Those who were poor in 1976 had an inflation-adjusted gain of \$27,746 in average income by 1991. Workers who were in the top fifth of income earners in 1976 were better off in 1991 by an average of only \$4,354.

Poverty is largely a transitory experience for people who are willing to work, as Labor Department data confirms. In the early '90s, the median duration of poverty was 4.2 months. Only a third of the 36 million Americans the Bureau of Census classifies as poor had been below the poverty line for 24 or more months. This boils down to a long-term poverty rate of 4 percent, compared to the overall official rate of 13.3 percent in 1997.

You say, "OK, Williams, but what about black and Hispanics?" Blacks still earn less than whites, but black income rose as well. Adjusting for inflation, the

proportion of black families earning more than \$75,000 tripled since 1970 to 9 percent. In 1998, the overall poverty rate for blacks fell to 26.6 percent, the lowest it has ever been. The number of black-owned businesses stood at 620,912 in 1992, up 281 percent since 1967, with sales of \$36 billion.

Cox and Alm give a mixed story for Hispanics. On the positive side, the number of Hispanic businesses rose from 100,000 in 1967 to 862,605 in 1992, with sales of \$86 billion. Although many Hispanic families are making it up the economic ladder, the group's overall income hasn't kept pace with blacks or whites. One possible explanation is the continuing immigration waves of low-skilled, low-wage workers who are overwhelming the statistical gains of longer-term residential Hispanics who've improved their education and skills.

The income mobility that Cox and Alm point to is possibly one of the greatest features about our country: Just because you know where a person ended up in life is no guarantee that you can predict where he started. And knowing where a person starts out in life does not control where he ends up.

Walter E. Williams is a professor at George Mason University in Fairfax, Va. His column is distributed by Creston Syndicate Inc., 6777 W. Century Blvd., Suite 700, Los Angeles, CA 90045, (310) 337-7003.

Voice of The Times

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Martians beware

OUT OF SIGHT, and almost out of mind, the Ballistic Missile Early Warning facility at Clear Air Force Station, near Fairbanks, continues serving the nation as an important element in America's defense shield. It's a shield that's about to get a lot better.

Ground was broken on April 16 for a \$106 million project to replace the existing mechanical radar with what is known as a PAVE PAWS system.

Don't be alarmed by all the acronyms. PAVE is an Air Force program name, and PAWS stands for Phased Array Warning System. The purpose of the upgrade is to modernize the operations and capabilities of the system and expand the range and coverage of its eye in the sky.

And despite the big-ticket dollars involved, an Air Force announcement says the new radar will use existing equipment being shipped to Alaska from a PAVE PAWS site in Eldorado, Texas. The result, officials said, will be a cost savings of \$140 million.

The Clear facility is operated by the 13th Space Warning Squadron, part of the 21st Space Wing at Peterson AFB, Colo. Its mission is to provide tactical warning and attack assessment of sea-launched and intercontinental ballistic missiles.

Another top assignment for the military in Alaska.

Catching on

VICE PRESIDENT Al Gore has endorsed a couple of proposed changes in the way Congress funds the federal government. They should sound familiar because they're suggestions that also are on the table in Alaska.

Addressing a conference of the Association of Public Administration in Washington, Gore said he supports both a results-based government and a plan to pay the costs on a two-year budget basis.

The Alaska Legislature passed a results-based budget act this year. It will require state agencies to define measurable, specific objectives, then report annually on progress made on them.

This will assist lawmakers and the administration in identifying programs that can be eliminated, consolidated, expanded or otherwise altered — based not on the lobbying of interest groups but on a true measure of a program's effectiveness and efficiency.

A biennial budget proposal was introduced this year by House Speaker Gail Phillips, R-Hurder. Her purpose is to get a discussion started on the advantages of budgeting every two years rather than annually. The first hearing on the biennial budget idea was held April 30.

It's good to see the vice president following in Alaska's footsteps.

Old transportation ideas float to the surface

By LEW M. WILLIAMS JR.

KETCHIKAN — We can hear Haugen hollering from heaven: "I told you so."

Ernie Haugen was mayor of Petersburg just before and just after statehood and served many years in the state House. When Alaska was considering building the Alaska Marine Highway ferry system, Haugen led a Petersburg delegation which proposed a system of shuttle ferries serving the Southeast Panhandle with road extensions out of communities in order to shorten the ferry runs.

Haugen and Petersburg lost out to Ketchikan and Juneau pushing the through-ferry idea with ships running between Prince Rupert and Haines.

This year, State Department of Transportation planners are visiting Southeast communities touting a ferry and road plan they have worked out with Southeast mayors almost exactly like Haugen and company proposed 40 years ago.

Haugen served on the territorial highway board in the 1950s. That Board designated which road and harbor projects received the meager funds then available to the territory.

Alaska didn't participate in the federal highway program then, although Alaska paid the gasoline tax which funded the federal highway program. John LeFever, mayor of Cordova for many years, served on the highway board with Haugen. He was a powerful advocate of building the Copper River Highway from the Richardson Highway into Cordova following the long abandoned right-of-way of the Copper River and Northwestern Railway. Longtime Cordova residents say the road would have been built if LeFever had lived 10 more years.

There has been dead 30 years and the mood of the town has switched. Anti-development environmentalists, anti-tourism rednecks and spillionaire fishermen who make more money out of Exxon Valdez court decisions than fishing nets oppose a road or even the prospect of a hiking trail along the route.

The trail idea was once offered by Gov.



Tony Knowles, a strong advocate of hiking trails throughout the state.

LeFever must have broken into a slight smile from on high about the suggestion of a trail following the Cooper River route. It isn't a full road, but trails and a new governor might make it a road some day.

Knowles is only half-hearted in pushing a trail plan, probably as the result of environmentalists' opposition. It's not in the latest state transportation plan. But there is money to pay for 10 miles of hiking trail alongside the portion of the Copper River Highway still used.

Knowles should encourage his transportation planners to extend the Copper River Hiking Trail, or whatever they are going to call it, to the old Katalla townsite, across the river from Cordova, and from there down the coast of the Gulf of Alaska to Cape Yakataga.

More than 50 miles of highway extend from Cape Yakataga to Icy Bay that can be converted to a hiking trail after logging is completed in the area. It's beautiful country, which logging hasn't destroyed. Some of the prettiest forest is in second growth on land logged 35 years ago. A trail from the Richardson to Katalla, to Icy Bay would be unmatched anywhere in the world.

In the state's 1998-2000 state transportation improvement program, not much is listed for the shuttle ferry and road program in Southeast, except for building a ferry terminal to support a shuttle ferry between Saxman (Ketchikan) and Walcott Point Road out

of Katalla. But the Department of Transportation proposes a lot of projects to upgrade existing ferries and terminals.

It also proposes building four miles of road out of Cordova to a deepwater port site at Shepard Point so that tour ships have a place to land. (We love tourists in Ketchikan. So will Cordova.) And it proposes widening and paving 10 miles of the Copper River Highway out of Cordova after 2000.

Maybe the next governor will get to finish the Knowles' Copper River Hiking Trail. And the governor after that can turn it into a highway so Cordova can compete with ports at other highway terminuses — Seward, Valdez and Whittier.

The state's six-year Statewide Transportation Improvement Plan covers the state from one end to the other, from replacing a trestle at the ferry landing near Hyder, the southern-most Alaska town hooked to the continental highway system, to an Arctic coastal lookout at the end of the Dalton Highway.

In between, each community in the state gets highway, ferry, bike path and associated improvements from more than \$300 million a year in federal funds, matched by 10 percent by the state.

The biggest transportation project is the \$131 million of the \$310 million plan the governor has for improving Anchorage International Airport. The smallest is a tussle between relocating the Aniak Barge Access Road and lighting the Married Man's Trail along Ketchikan's historic Creek Street, the old red light district now frequented by tourists. Each is \$50,000 or less.

With a gubernatorial and legislative election this year, a number of veteran aides are going into jobs with more future security. That means new people are being hired.

One new aide was standing in front of a paper shredder with a puzzled look. An experienced secretary asked if she could help.

"Yes, how does it work?"

The secretary turned on the switch, inserted the newsmen's document and turned to leave.

"One minute," the new aide said. "Where do the copies come out?"

Lew Williams Jr. is a retired Ketchikan newspaper publisher whose e-mail address is: lew@ketchikan.net

Voice of The Times

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Ernest 'Turk' Mayfield

IN A VERY real sense, Ernest L. Mayfield was Alaska's trailblazing policeman. He set a course in law enforcement, at both the local and state levels, that thousands of others have followed — and he did so with distinction and honor.

At the age of 88, Turk Mayfield — as he was known throughout the state — died last week in relative obscurity. Sadly, he was unknown to many newcomers to Alaska, and perhaps even forgotten by those who once were aware of his contributions and his importance in the formation of police force policy and operations in the state.

Those who didn't know him missed a special person — a soft-spoken, sandy-haired man whose personality and demeanor were "oop of a gentle neighbor, far from what one might suspect for a tough cop who demanded the best of those who served with him.

He came to Alaska in World War II as a civilian investigator for the Corps of Engineers, and stayed on — first as police chief in Juneau and in 1949 as one of the first officers of the old Alaska Highway Patrol. After statehood, he was named head of the state police headquarters in Anchorage. What is in place now for the Alaska State Troopers was built on the foundation laid by Turk Mayfield.

Honored by his law enforcement colleagues, treasured by those who knew him well, Turk Mayfield was an Alaskan of unheralded stature. He deserves a lasting memorial for service that was a model of modesty, dedication and professionalism.

Efficient budgeting

TOPPING THE wish list of legislation that the Alaska State Chamber of Commerce would like to see approved next year is House Joint Resolution 2, introduced early this year by Rep. Gail Phillips, R-Homer.

HJR2 would amend the state constitution to establish a two-year budget cycle, replacing the current annual process.

Under the plan, the governor would submit a biennial budget in odd-numbered fiscal years. The Legislature would act on the plan by approving an appropriations bill that would cover a two-year period, beginning the first of the next even numbered fiscal year.

The primary purpose is to make government more efficient. State agencies would be freed up to do their assigned jobs rather than spending an inordinate amount of time each year preparing, defending and changing budgets — which is what happens now.

The Legislature also would be freed from the annual budget morass that runs up most of every 121-day session.

It's a win-win idea for the state.

Why is Clinton silent on peace sabotage?

By CHARLES KRAUTHAMMER

Having failed to topple Saddam Hussein or Slobodan Milosevic, Bill Clinton had to settle for Benjamin Netanyahu. In a characteristic display of partisan glee, Clinton toasted political consultant Robert Ehrum last week (reports Lloyd Grove in The Washington Post) to congratulate him (and implicitly the administration) for helping the Israeli opposition bring down the prime minister. Washington loves to hate.

Yet for all the gloating at the White House, there is deep trouble ahead in the peace process. A momentous shift has occurred that has almost completely eluded the radar screen of the Western media and the attention of this administration. While Palestinians, Americans, Egyptians, other Arabs and many Israelis assiduously assailed Netanyahu for this or that alleged violation of the spirit of the Oslo peace accords, Yasser Arafat went on a 60-nation diplomatic tour — hardly a stealth campaign — to kill the accords.

Here is the background. In the 1967 Six-Day War, Israel conquered the West Bank and Gaza. In the 1993 Oslo accords, Israel agreed to begin giving parts of it to the Palestinians in return for peace. The whole process was explicitly grounded in U.N. Resolutions 242 and 338 endorsing this land-for-peace formula.

Fine. After years of persistence, Netanyahu manages to get most of the not-an-inch "nationalist" half of Israel to accept the 242/338 formula. What happens? For the last six months Arafat has been going around the world demanding instead implementation of U.N. Resolution 181.

What is that? An obsolete, defunct resolution passed by the General Assembly (unlike 242 and 338, not by the Security Council) and thus not even binding) ... in 1947, it partitioned British Palestine into a Jewish state and an Arab state. At the time, every single Arab state and the Palestinian Arab Higher Committee totally rejected 181. In fact, they invaded the area given to the Jews with the express purpose of wiping it off the map.

They failed. And now 50 years later, the Palestinians are converts to 181.

What's wrong with that? In the course of that '48-'49 war, Israel fought back. The armistice lines of 1948 ending it created the current internationally recog-



nized (pre-'67) Israel — an area larger than that outlined in 181. Hence Arafat's 181 ploy. Under 181, Israel would have to give up not just the '67 conquests (all of the West Bank, East Jerusalem and Gaza) but large chunks of pre-'67 Israel proper in the Galilee and the Negev. Indeed, 181 would take not only east Jerusalem away from Israel, but west Jerusalem — entirely Jewish and always under Israeli control — as well.

Before the Israeli elections, says Ehud Ya'ari (Middle East correspondent for Israel Television and an associate of the Washington Institute for Near East Policy), the Palestinians were preparing to go to the U.N. General Assembly to demand an explanation from Israel "on the measures it took illegally to extend its laws and regulations to the territory it occupied ... beyond the territory allocated to the Jewish state in resolution 181."

Now, this is worse than a snafu. This is a peace stopper. It sabotages any possible coming negotiations. Arafat is making demands on Israel that he knows neither Ehud Barak nor the sweetest Israeli dove (say, the hapless Shimon Peres) could ever contemplate.

And yet the Clinton administration, remarkably able to take time off from Kosovo to criticize and undermine Netanyahu for this or that, was until last week silent on Arafat's gross undermining of Oslo. After all, Oslo is founded on 242 and 338, reflecting the obvious fact that 181 died 50 years ago with the Arab war on the new Jewish state.

It was only two weeks ago that the first squeak was heard. "Not relevant and not appropriate," said special Middle East coordinator Dennis Ross of 181. His reference was oblique — he didn't even dare mention 181 — and the characterization tepid. What muck. How about "absurd and destructive"? Al Gore, campaigning, chimed in similarly, referring to "recent talk of U.N. Security Council Resolution (sic) 181." Talk? Arafat's been on a global campaign to revive it.

Compared to the bluntness of the administration's incessant attacks on Netanyahu, the administration's soft-pedaling of 181 revealed how far into Arafat's corner it has maneuvered itself.

And with serious damage to the peace process. After all, Arafat has moved the goal posts. The 181 maneuver will make it infinitely harder for Barak to negotiate the kind of final settlement with the Palestinians that Clinton has been pushing for six years.

Why then the silence? Isn't it for an administration that says it is in Oslo to publicly reprimand Arafat for the 181 maneuver that undermines how can an administration that calls itself the granddaddy ever to Israel not denounce Arafat's brazen international campaign for the territorial dismantling of pre-'67 Israel?

Charles Krauthammer writes a weekly, nationally syndicated column for the Washington Post. His column is distributed by the Washington Post Writers Group. © Copyright 1999 The Washington Post Co.

Voice of

The Anchorage Times

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By JIM CRAWFORD
Anchorage Mortgage

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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 this fashion. So should Alaska.

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Jim Crawford is a former chairm
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