

HJR

1

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

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LABOR & COMMERCE COMMITTEE, MEMBER
LEGISLATIVE COUNCIL, MEMBER
SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT &
TOURISM, MEMBER

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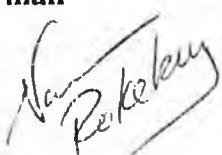
SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE: (907) 465-4968
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Representative Norman Rokeberg

e-mail: Representative_Norman_Rokeberg@legis.state.ak.us

MEMORANDUM

TO: The Honorable John Coghill, Chairman
House State Affairs Committee

FROM: Representative Norman Rokeberg 

DATE: April 4, 2002

RE: HJR 1 - 90-day session limit

Please bring up HJR 1 for another hearing before your committee.

Your committee heard this bill on March 22, 2001; a subcommittee met on March 27, 2001; and the full committee again heard the bill on March 29, 2001.

I prefer the version of the bill that I presented to your committee, HJR 1.

As you know, the bill has further referrals to the House Judiciary Committee and the House Finance Committee.

Your cooperation in moving this matter along is appreciated.

Thank you for your consideration of this request.

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MEMORANDUM

TO: The Honorable John Coghill, Chairman
House State Affairs Committee

FROM: Representative Norman Rokeberg

DATE: February 19, 2001

RE: HJR 1 - 90-day session limit

A handwritten signature in black ink, appearing to read "Norman Rokeberg".

Please schedule HJR 1 for a hearing before your committee.

Attached are:

1. HJR 1
2. Sponsor Statement
3. Sectional Analysis
4. Information on Session Duration from The Book of States, 1998-99 Edition, Volume 32
5. "Shorter session, better government", *Juneau Empire*, January 26, 1997
6. "WHAT OTHERS SAY: Set a 90-day legislative session", *Fairbanks Daily News-Miner*, February 1, 1997
7. "Voice of the Times: Too darned long", *Anchorage Daily News*, May 9, 1997
8. *Alaska's Constitution: A Citizen's Guide*, pages 63-64

Thank you for your consideration of this request.

ED1:02/15/2001

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SPONSOR STATEMENT HOUSE JOINT RESOLUTION 1

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

House Joint Resolution 1 proposes an amendment to Alaska's Constitution that would limit regular legislative sessions to 90 consecutive calendar days. If this resolution passes, the proposed constitutional amendment would be presented to the voters at the 2002 general election. The voters would then decide the fate of this proposal.

Ninety days is more than enough time for the Legislature to complete its business. In an era of decreasing budgets, reducing the session by thirty days would save state funds. Shorter sessions would: (1) save approximately \$1.5 million in per diem and staffing costs; (2) aid in candidate recruitment; (3) focus the public attention; and (4) stop wasting time. Other states can do their work in 90 days or less -- Alaska should be able to accomplish this also. Our neighbor, Washington, is scheduled to be in session from January 8 to April 22 this year, a little over 90 days. Fourteen other states have legislative session of 90 days or less.

Another benefit of shorter sessions is that Alaskans want citizen-legislators. They feel legislators should be able to carry on a livelihood outside of legislative work. Shorter sessions would encourage a larger number of people to run for office and still be able to make a living at their everyday jobs.

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

One criticism of the 90-day session starting in January is that Alaska's Spring Revenue forecast, upon which we base the following fiscal year's budget, comes out in late March or early April. My answer to that problem: start the session later in the year. Alaska's Constitution currently provides that the Legislature convene on the fourth Monday in January but gives the Legislature the right to change that convening date by law. This date has been changed to the second Monday of January except after a gubernatorial election. A later start date would take care of some of the problems concerning Spring budget forecasts.

Your positive consideration of this measure would be appreciated.

ED1:02/15/2001

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Representative Norman Rokeberg

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SECTIONAL ANALYSIS HOUSE JOINT RESOLUTION 1 90-day session limit

By Representative Norman Rokeberg

- Section 1:** Provides an amendment to the Constitution of the State of Alaska limiting legislative sessions to 90 consecutive calendar days.
- Section 2:** Instructs that this proposed amendment be placed before Alaskan voters for consideration at the next general election.

ED1:02/15/2001

THE BOOK OF THE STATES

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**The Council of State Governments
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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. Apr. Feb.	2nd Tues. (b) 3rd Tues. (c, d) 1st Tues. (c)	30 L in 105 C	No	Yes (f)	12 L in 30 C	
Alaska	Annual	Jan. Jan.	2nd Mon. 3rd Mon. (g)	120 C (h)	By 2/3 vote of members	Yes (i)	30 C	
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. Feb.	Wed. after 1st Mon. (n) Wed. after 1st Mon. (o)	(p)	Yes (q)	(q)	None (r)	
Delaware	Annual	Jan.	2nd Tues.	June 30	Joint call, presiding officers, both houses	Yes	None	
Florida	Annual	Mar.	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.	3rd Wed.	60 L (h)	By petition, 2/3 members, each house	Yes	30 L (h)	
Idaho	Annual	Jan.	Mon. on or nearest 9th day	None	No	No	20 C	
Illinois	Annual	Jan.	2nd Wed.	None	Joint call, presiding officers, both houses	Yes (i)	None	
Indiana	Annual	Jan.	2nd Mon. (d, t)	odd-61 L or Apr. 30; even-30 L or Mar. 15	No	No	30 L or 40 C	
Iowa	Annual	Jan.	2nd Mon.	(u)	No	No	None	
Kansas	Annual	Jan.	2nd Mon.	adj-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. Apr.	last Mon. (d, n) last Mon. (m, o)	odd-60 L in 85 C; even-30 L in 45 C	By petition, majority, each house	Yes (i)	30 C	
Maine	(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 (i)	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 (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	

		Apr.	1st Mon. (m, o)	even-30 L in 45 C			
Maine _____	(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 (i)	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 (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	Year	Regular sessions			Limitation on length of session (a)	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 (i)	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)	80 L (bb)	No	Yes	None	
Ohio _____	Annual	Jan.	1st Mon.	None	Joint call, presiding officers, both houses	Yes	None	
Oklahoma _____	Annual	Feb.	1st Mon. (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. (e)	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				Limitation on length of session (a)	Legislature may call	Special sessions	
	Year	Legislature convenes		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	
		July	2nd Mon.	45 L				
Guam	Annual	Jan.	2nd Mon. (ii)	None	No	No	None	
No. Mariana Islands	Annual	(jj)	(d, jj)	90 L (jj)	Upon request of presiding officers, both houses	Yes (i)	10 C	
Puerto Rico	Annual	Jan.	2nd Mon.	None	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 10 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.

(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. 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 (or 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 to 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 3/5 vote and approved by the governor, except in cases of impeachment proceedings.

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

(t) 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 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.

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.

- (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. No. Mariana Islands—in year after general election, second Monday in January.

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- (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 3/5 vote and approved by the governor, except in cases of impeachment proceedings.

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

- (t) 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.

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Shorter session, better government

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

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

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

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

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

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

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

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

Daily News - Miner

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WHAT OTHERS SAY

Set a 90-day legislative session

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—Juneau Empire, Jan. 26

LETTERS TO THE EDITOR

DIU LIPPO

Strange sequence smells no good

WASHINGTON — In his "errors were made" press conference, President Clinton became flustered when asked by The Washington Post's John Harris if he had found anything "unusual or suspicious" in large payments by the Lippo Group to Clinton's friend Webster Hubbell just after he was forced out of the Justice Department and before he went to jail.

"I didn't know about it," he insisted. "And I can't imagine who could have ever arranged to do something improper like that and no one around here know about it. It's just not — we — we did not know anything about it."

Later in his answer he added "before it happened," because his blanket denial was untrue. His closest confidential aide, Bruce Lindsey, had already told the Senate he was aware of the payments to the disgraced Hubbell by Clinton's Asian friends. But the president now claims that the "improper" arrangement was kept secret from him "till I read about it in the press."

Consider: The financially desperate Hubbell, who could have sunk the Clintons if he turned against them, received a bundle from the same Asian crew bankrolling Clinton campaigns; he

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Sen. Lott wants Social Security, not highway fund, in the formula

By LAWRENCE M. O'ROURKE

WASHINGTON — Trent Lott, the Senate Republican Leader, has a bit of an inconsistency problem with trust funds.

It's a critical inconsistency because it lies at the center of the debate over whether the Constitution should be amended to require an annual balanced federal budget.

Both the Senate and House intend to vote in February. If each chamber approves the amendment by a two-thirds majority, it will be sent to the states. If three-fourths of the states ratify, the balanced budget amendment becomes part of the Constitution.

The resolution of Lott's inconsistency is pivotal because his issues involve two of America's

may 9, 1997

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The Anchorage Times

Publisher: BILL J. ALLEN

"Believing in Alaskans, putting Alaska first"

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

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Too darned long

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

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

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

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

As thing 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.

Alaska's Constitution

A CITIZEN'S GUIDE

Third Edition • 1992

Gordon S. Harrison

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

Section 8. Regular Sessions

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

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

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

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

Article II

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

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

In May 1986, at the end of the 120th day of the second regular session of the fourteenth legislature, legislative leaders stopped the clock in order to complete business before the adjournment deadline. A suit was filed challenging the legality of the 29 laws passed after midnight. The Alaska Supreme Court rejected the challenge, holding that the day the legislature convenes should not be counted against the 120-day limit, so the legislature has, in effect, a total of 121 days in which to transact business (*Alaska Christian Bible Institute v. State*, 772 P.2d 1079, 1989).

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

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

HOUSE STATE AFFAIRS COMMITTEE

Legislative Session Subcommittee Meeting

March 27, 2001

FINAL MINUTES

The House State Affairs subcommittee met at 8:05 a.m. Subcommittee Chair REPRESENTATIVE FATE introduced the other two members of the subcommittee Representative Wilson and Representative Crawford. He also introduced Representatives Lancaster, Stevens and Murkowski.

REPRESENTATIVE FATE said the subcommittee is charged with determining whether or not there is a process of condensing HJR 1, 2, 3, & 5 into one bill. HJR 1,3 & 5 have a commonality of having 90 days for session.

REPRESENTATIVE FATE said HJR 1, 3 and 5 deal with a 90-day session, while HJR 2 deals with having a biennial budget session and a second session [non-budget] limited to 60 days.

REPRESENTATIVE MURKOWSKI said her legislation establishes a biennial state budget. She said there is no magic to the sixty days and she is not wedded to it. If the focus were on budget and not other legislation, she would like to think we could cut session from 120 to 90. She said many states accomplish their bill work and budget in much shorter time than 90 days.

REPRESENTATIVE JAMES said we always seem to compare ourselves to other states. Many have designated funds and don't have the discretionary flexibility we have. She said in many states much of the accounting is done by counties. REPRESENTATIVE JAMES said there are lots of ways to cut the cost of what we are doing and she thinks biennial budgeting is a really good idea. She said she felt the legislature is premature in dealing with the issues before subcommittee today. She said we need a long-term fiscal policy before we consider shortening session. She said she believes the legislature will move, but there is a cost to everything. She said there is no way to do a biennial budget until we have two years budget in the bank. Questions have to be answered like what are we going to do with the CBR and the permanent fund earnings. The money has to be piled up first. There's lots of ways to do a biennial budget. The public has to participate in this decision. She said the legislature needs to forward fund the budget. The schools have been asking the legislature to do this for years.

REPESENTATIVE STEVENS said he likes the idea of a biennial budget, but the legislature is just beginning to deal with a long-term fiscal plan.

REPRESENTATIVE MURKOWSKI said the constitutional amendment process should be in the process for two years to be reviewed by the legislature, the Department of Law and the public. Implementation of a biennial budget has to be reviewed very carefully to

figure out how it is to be done. Arizona phased their biennial budget in over a period of six to eight years. She said the legislature needs to have additional predictability in the process, not necessarily funding, before implementing a biennial budget.

REPRESENTATIVE CRAWFORD said that of all the elements he sees in these bill, he is interested in the biennial budget. He has talked to people in departments who say they spend so much time preparing a budget every year that a biennial budget would free up department management to do their real job.

REPRESENTATIVE LANCASTER said he thinks the budget process could be shortened up considerably. Lancaster likes the idea of interim committees. He pointed out that the [operating] budget came out of the House this year the earliest it has ever been. He said he would have no objections to folding his bill into Halcro's bill.

CHAIRMAN FATE said there is an opinion that a biennial budget is a preferred process.

REPRESENTATIVE WILSON said she has experience with the biennial budget process. Her first session was seven months long. She said that could be attributed to the fact that she was working with 170 legislators. She said when the legislature is dealing with a budget for two years it probably takes a little longer than 120 days. WILSON said the legislature can't just deal with the budget. There are things that come up. She said there are twenty-three other states that have biennial budgets. Alaska is unique and with a long-term fiscal plan Alaska can have a stable economy.

REPRESENTATIVE WILSON said she is concerned about cutting session short and making the process too hurried. She said there are times when she comes to committee and hasn't read the legislation that the committee is dealing with. She said she would hate to shorten session too much. She said if the legislature is going to have a shorter session, interim committees are needed. She said she was shocked at what the different departments have to go through to prepare and present their budget every year. A biennial budget would help state government run smoother. She warned not to be too quick to shorten first session more than 120 days.

REPRESENTATIVE LANCASTER said he didn't think the legislature can get to biennial budget without a long-term fiscal plan.

CHAIRMAN FATE asked while considering the length of the session and interim committee meetings, how much time should be spent between session in committee work?

REPRESENTATIVE MURKOWSKI said that between the 12th legislature and 19th legislature the percentage of time the legislature was really in session was from forty-five to sixty-two days. She believes the legislature could tighten up how they spend their time and shorten the session by working more in the 120 days. Working during the interim goes against the grain of a citizen legislature. She said we need to be cautious about

shortening time of session but possibly increasing days of work by interim committee work.

REPRESENTATIVE FATE said if interim work gets out of hand there will have to be an increase in salary or per diem.

REPRESENTATIVE HALCRO said if legislators were sworn in the second Monday of December, legislators would be able to work at home with constituents the first thirty days of each year. He said the first year he was here on the fifty-first day of session the House was still just approving citations. He thought the second year would be different but it wasn't. HALCRO said that thirty days in district working with constituents would make the legislative occupation more appealing to people, as they would be able to stay at home with family and get to know their constituents better. He said the key to a fiscal plan is to show the public the legislature is willing to change the way it is doing business. He said if the legislature is going to be asking the public for money out of their pocket, the legislature needs to work harder. HALCRO doesn't think 120 days are needed. He said he knows there are days he shows up for session that he would be better off back in his district working for his constituents.

REPRESENTATIVE STEVENS said he appreciated the original creative thinking put into these bills. He said that he is not aware of the exact wording in the constitution addressing legislative sessions but he wondered if some of these options are available through statutory change.

REPRESENTATIVE HALCRO said the constitution says the legislature can be in session for 120 days. He said committees can meet but can't move bills from committee to committee without being read across the floor of the House.

REPRESENTATIVE JAMES said she doesn't know how long legislators spend in committee, but that is the most important job a legislator has. She said that in order to be able to vote in committee and move to other committees a floor reading is required.

REPRESENTATIVE JAMES said the other thing that worries her is that the public knows that legislature is in session January through May. She said anything the legislature can do to get the public more involved is good and maybe interim committees would do that. She said she likes to be there in person for committee meetings, but would consider videoconferencing. In a long-term plan maybe the legislature would want to do more videoconferencing. She said these are really good ideas to have on the table. She said the legislature needs to be more honest with the public; maybe more committee meetings and public comment might make us more honest.

REPRESENTATIVE CRAWFORD said he was concerned that by shortening our session the legislature might be expanding what they do in the interim. He said he has selfish reasons for not wanting to expand interim because he may be at a remote site on a job and can't participate in the interim.

REPRESENTATIVE WILSON said the legislature needs to be careful about what is done in the interim. She said she was on an interim committee that had to find funding for Alzheimer's because all of a sudden Alzheimer's went up 50%. Interim committees should be special issues to research. She said the legislature needs to be careful that they are not conducting business but can study issues and come back to full body. She said such working committees could also have non-legislative people participating if it was a task force or study committee.

REPRESENTATIVE HALCRO clarified that HJR 3 doesn't say that the legislature would have to spend more than 120 days in session. It says that the first 30 days allows legislators to stay at home working with their constituents. He said that when people talk about moving the legislature they talk about getting people involved. Normally the only time people show up at meetings is when an issue affects them. HJR 3 allows legislators to be more responsive to their constituents and will attract more candidates for public office. Halcro said he doesn't envision working in summer, just the first 30 days of session.

REPRESENTATIVE LANCASTER said he believes that there are LIO's in most communities. He said that the Legislative Councils budget shows that a lot of legislators are collecting interim per diem and working during the interim already. He said the work is already going on, so HJR 3 brings more accountability to that work.

REPRESENTATIVE MURKOWSKI asked members of the committee to think about the first month legislators are in Juneau and what is accomplished. She said things are stirring around but there is no forward motion. She said there is some time in this 120 days that legislators are not being productive. She said legislators will use up the time allotted to them. She said she did have a concern that Christmas and New Years falls in that first thirty days and is a bad time to try to work with constituents. She said that maybe the legislature could come to Juneau the first or second week of February. She said Representative Wilson's comments about task forces are right on. That is one way to approach interim work but it is very specific like unemployment insurance.

REPRESENTATIVE STEVENS said he doesn't take to changing the constitution lightly. He said it seems that there are ways to change the legislative process without a constitutional amendment.

JANET SEITZ of Representative Rokeberg's office said that a uniform rule change would allow committees to work during interim but a bill couldn't be transmitted to the next committee until read across.

REPRESENTATIVE HALCRO said he has heard the argument that in limiting the session we are limiting the power of the legislature and giving more power to the governor. He doesn't believe that and thinks that some of the concerns about limiting session are red herrings from people who always have a problem changing. He said the legislature has to prove to the public that they are willing to make changes.

REPRESENTATIVE WILSON said that the first few days of session new legislators are brought in are part of a learning process.

REPRESENTATIVE FATE would like to explore what Representative Stevens queried addressing statutory changes versus constitutional amendments. He feels we do have that fence. Can we do anything with state law that these resolutions are trying to achieve?

REPRESENTATIVE MURKOWSKI said biennial budget would have to be constitutional.

REPRESENTATIVE FATE said he felt that a statutory change could accommodate the 90 days issue.

REPRESENTATIVE CRAWFORD said a statute would work on the 90-day issue only if leadership stood by the statute. He said that if the leadership decided to extend, they would extend.

REPRESENTATIVE STEVENS said he saw an advantage of statute changes because the legislature may find that it won't work. Statute would give the flexibility of change but if the legislature found that it does work, it could then be done constitutionally. He said he would like a legal opinion on it. Tam Cook with legislative legal was contacted to come address the question.

REPRESENTATIVE HALCRO said his legislation would not be requiring the legislature to spend all 120 days in Juneau.

REPRESENTATIVE FATE said he was not sure that a new legislator would know what to do in that first 30 days. Considering that a new legislator does not have an office and doesn't even have staff he's not sure it would be cost effective for a new legislator to spend the first 30 days of his term in his district.

REPRESENTATIVE HALCRO said that under his legislation a new legislator could have an office and a staff. The office would be that of the former legislator being replaced. He said as a freshman it was a little intimidating the first day, but he said there wasn't anything he learned the first day that he couldn't have learned through other sources.

REPRESENTATIVE FATE introduced Tam Cook, Director of Legislative Legal Division. He asked her whether or not a statute would have the same force of law as the constitution?

TAM COOK said the legislature could pass a statute to limit session but there would be no ability for the legislature to enforce it. If you want a measure of flexibility a statute would be appropriate. A constitutional provision is mandatory; there is no flexibility. If there was a reason for more time it would then require a special session or an extension of the session.

REPRESENTATIVE MURKOWSKI said that in 1978 the legislature asked for an advisory vote concerning a 120-day session. Voters overwhelming said yes to the limit. It was not until 1984 the public ratified 120 days. Between 1978 and 1984, even though the legislature knew the advisory vote, the legislature continued to run 170 days or more. REPRESENTATIVE MURKOWSKI wanted to know if the legislature at any time during that period addressed statutory changes for a legislative session.

TAM COOK said that she started working in 1980 so has some personal knowledge of 1980 through 1984. There was not a statute adopted that would have established a limit. She said she couldn't respond to the late 1970's, but didn't think there was any such legislation.

REPRESENTATIVE MURKOWSKI noted the former Representative Rick Urion was in attendance and was a legislator during the period in question. She asked him to respond to the question.

FORMER REPRESENTATIVE URION said there was no statute considered.

TAM COOK further explained the flexibility of a statute. If the legislature statutorily limited session to 90 days and passed a law on the ninety-first day, the law could be challenged. A court would look at whether the law was valid. She believes bills passed after the 90-day statutory limit would stand a good chance of being held valid. A constitutional limit of 120 days does not have the same flexibility; laws passed after 120 days, regardless of the justification, would be invalid.

TAM COOK said that a statutory session limit would have practical force just as the statutory provisions for the Permanent Fund Dividend and the earnings reserve have incredible force.

REPRESENTATIVE STEVENS asked Tam Cook to explain special sessions and extensions.

TAM COOK said the constitution now tells us that the legislature can extend by a super majority vote on a motion on the floor to extend by both houses separately. She said this has never occurred since the session limit was adopted.

TAM COOK said a special session can be held by governor calling the special session at any time. In the last 15 years of legislature two-thirds of the time a special session has occurred. Occasionally the legislature has had several special sessions in the same year. The legislature typically holds special sessions and, not as often, holds more than one. When the governor calls a special session, the governor sets the agenda. In addition, the legislature can take up certain matters such as legislative vetoes. The governor sets the legislative subject. If the legislature wanted to get into a different subject, it would have to adjourn and call itself into another special session. When the legislature calls itself into

special session there is no subject matter restriction. The process for which the legislature can call a special session is statutory. She said Title 24 involves a poll by the two presiding officers who mutually announce the results of the poll. Two-thirds of all sixty members must vote to call a special session. She noted that means the House controls the decision.

REPRESENTATIVE STEVENS thanked Tam Cook for explaining the process so well. He thought only the governor could call a special session.

TAM COOK addressed voluntary compliance for subject matter restriction in a special session called by the legislature. If another subject matter came up and passed that would be valid because the restriction was voluntary. When another subject matter is adopted in governor special session new law would be invalid.

REPRESENTATIVE MURKOWSKI asked if by statute the legislature could implement a pilot project with a department, preferably one relying on fee receipts, and have them present a biennial budget.

TAM COOK said the planning of the budget and requirements on state agencies could happen statutorily by amending the executive budget act. The difference, however, is that with the existing constitution provisions, even though everyone knows this is a biennial budget, the legislature would have to approve the second year's appropriation at the beginning of the second year's session. The constitution requires the governor to submit a budget each year. A superior court case involving the Trustees of Alaska addressed this issue. TAM COOK said that while she believes it was improperly decided it wasn't appealed. The legislature currently appropriates money in one year that will take several years to expend through the capital budget process. Trustees of Alaska involved a very large capital project that would occur over a period of time and the money would be appropriated over several years. The Superior Court held it was a continuing appropriation, considered it a dedication of revenue and held it invalid. As a legal matter the legislature can't approved biennial budget statutorily because of the court case. If legislature appropriated the budget for the first year and planned for the second year, the second year has to be appropriated the second year. If your are trying to appropriate money for a second year that has not been received you can't do it. The budget would have to be the first order of business in the second year. Obviously it implies there is a chance to manipulate that second year. Legislature always has the power to go back and reappropriate as long as the is not encumbered. The question is how formal or rigid does the legislature wants a biennial budget to be.

REPRESENTATIVE WILSON indicated she did not want the process caste in stone until it was tested and found workable.

REPRESENTATIVE STEVENS said he likes the pilot project for the biennial budget.

REPRESENTATIVE MURKOWSKI said that for the biennial budget to work we have to have other pieces in place. She said she was intrigued about Tam Cook saying we have

the ability to do most of this right now with what we have. She would like to look at specifically carving out a department like DOE come to the legislature with a two year budget, recognizing that the legislature would have to approve the second year. She would like to just to see just how possible it is to do this before moving forward with a constitutional amendment. Let's see if efficiency can be increased by biennial budgeting through a pilot project. She said she was encouraged about what she learned from Tam Cook and this would be something that might address forward funding for schools.

REPRESENTATIVE HALCRO noted all seven of the people sitting in committee have been here for two years or less and it is refreshing that they are all talking about doing things different. He said that the legislature needs to ask how do they deliver government better. He said that the legislature needs to start taking steps that are uncomfortable. He noted that the group wanting to move the legislature to the Mat-Su have the hundred signatures to move the petition.

REPRESENTATIVE FATE said time was getting short and he wanted to address the report to the full committee. He noted that there is a different awareness of the need for a constitutional amendment to get the job done. There is an alternative to the constitutional amendment approach. There are advantages of flexibility to disadvantages.

REPRESENTATIVE WILSON would feel more comfortable to study this more. There may be one state that has statutes that would be perfect for Alaska.

REPRESENTATIVE FATE said that if Chairman Coghill wants them to go further he can make that recommendation.

REPRESENTATIVE MURKOWSKI said that her office has gathered a lot of information and the administration has "oodles" of information.

REPRESENTATIVE FATE said there is tremendous interest in the shorter session. He noted there was extensive discussion of the shortness of session and biennial review and how these concerns could be addressed statutorily.

REPRESENTATIVE FATE said the subcommittee report is that the subcommittee would prefer to see two bills, one for shortening of session and one for a biennial budget.

The subcommittee adjourned at 9:50 a.m.

Alaska State Legislature

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Representative Hugh Fate

FOR IMMEDIATE RELEASE: March 22, 2001

CONTACT: Rep. Hugh Fate (907) 465-4976

Fate Heads Subcommittee on Shorter Sessions Panel to Consider 90-Day Sessions, Biennial Budgeting Measures

(JUNEAU) – Rep. Hugh “Bud” Fate (R-Fairbanks) was named today to head a subcommittee of the House State Affairs Committee tasked with considering several bills proposing significant changes in how long the Alaska Legislature meets and how it writes state budgets.

“We had so many bills before State Affairs on issues relating to how the session would operate, the chairman thought it would be more productive for all the sponsors to get together with a subcommittee,” said Fate. “If possible, we hope to come up with one bill addressing the issue of legislative sessions, and another one dealing with interim committee meetings and biennial budgeting.”

State Affairs Committee Chair Rep. John Coghill (R-Fairbanks) named Fate as subcommittee chair, and appointed as members Rep. Peggy Wilson (R-Wrangell) and Rep. Harry Crawford (D-Anchorage). They plan to meet Tuesday, March 27 at 8 a.m. in the State Affairs committee room, and report back to the full committee by Thursday, March 29, Fate said.

The bills referred to the subcommittee are:

- House Joint Resolution 1, sponsored by Rep. Norman Rokeberg (R-Anchorage), and House Joint Resolution 5, sponsored by Rep. Ken Lancaster (R-Soldotna), both of which propose constitutional amendments to shorten legislative sessions to 90 days.
- House Joint Resolution 2, sponsored by Rep. Lisa Murkowski (R-Anchorage), proposing a constitutional amendment providing for alternating sessions of 120 days and 60 days, and requiring the Legislature to adopt a two-year budget in the longer sessions.
- House Joint Resolution 3, sponsored by Rep. Andrew Halcro (R-Anchorage) proposing a constitutional amendment shortening regular sessions to 90 days starting in February, but also authorizing the Legislature to hold committee meetings and take action during the interim between sessions.

Shorter sessions have been touted as a way to reduce the burden of legislative service, by reducing the amount of time most legislators would spend away from their homes, families and careers, and as a way to cut the expenses the Legislature incurs while in regular session. The subcommittee will consider, however, whether the savings from shorter regular sessions would be eaten up by the cost of special sessions or interim committee work.

Likewise, the subcommittee will explore how extending the state budget from an annual exercise to one occurring every two years might impact state business and the flow of other legislation, Fate said. Other factors to consider include the timeliness and reliability of state revenue forecasts the Legislature uses in writing spending plans.

Fate said he may consider whether such changes might be better implemented by statute, giving the Legislature more opportunity to evaluate and fine-tune their effects than if they were locked into the state Constitution.

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SITE: ANCHORAGE LIO

COMMITTEE:

House State Affairs

DATE: 3-17-2001

SUBJECT OF MEETING:

HB 1 - Move Legislature to Anchorage

UPDATE #: Final Stats



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NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

**DO YOU WANT
TO TESTIFY?
Y or N**

✓ Uwe Kalenka	PO Box 92824, Anchorage 99509		Y - HB 1
✓ Bob Monson	PO Box 222524, Anchorage 99522		Y - HB 1
✓ Joseph R. Henri	9921 Near Point Dr, Anchorage 99507		Y - HB 1
✓ Terry Martin	PO Box 102381, Anchorage 99510		Y - HB 1
✓ Bill Dudley	2123 Esquire Dr, Anchorage 99517		Y - HB 1
George Gaguzis	7100 Old Harbor, Anchorage 99504		Y - HB 1
Scott Robart	627 W 20 th Ave, Anchorage 99503		Y - HB 1
Andre McLeod	3721 Young St, Anchorage 99508		Y - HB 1
✓ Aletha Henri	9921 Near Point Dr, Anchorage 99507		N - HB 1
Rep Coghill, Rep Rokeberg, Rep Green, Rep Crawford			
Sen. Randy Phillips			
2 observers			

✓ ~~Rep.~~ Co udery
Sen.

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Sen. Randy Phillips			
2 observers			

✓ ~~Rep~~ Cowdrey
Sen.

Lawmakers attempt to trim session

Reps seek two-year budgets

By BILL McALLISTER
THE JUNEAU EMPIRE

A group of freshman and sophomore representatives is investigating whether legislative sessions and state budgeting can be reformed through regular laws, rather than constitutional amendments.

But the lawmakers are still looking hard at 90-day and 60-day sessions and a biennial state budget, which they believe would result in a more efficient legislative process.

A House State Affairs subcommittee this morning discussed four proposed constitutional amend-

ments.

All of them would shorten the period in which the Legislature is in session. One, authored by Anchorage Republican Rep. Lisa Murkowski, also would call for the state budget to be set on a two-year cycle.

While House Majority Leader Jeannette James, a North Pole Republican, sat in for part of the discussion, the seven lawmakers who participated throughout the two-hour hearing all have been elected since 1998.

"I think the risk is, the longer you're here, the more comfortable

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Reforms...

Continued from Page 1

you get with the status quo," said Rep. Andrew Halcro, an Anchorage Republican who is in his second term.

Proposed amendments by Halcro, Anchorage Republican Norm Rokeberg and Soldotna Republican Ken Lancaster would establish 90-day sessions every year. Now the annual regular session is limited by the constitution to 121 days.

Halcro's amendment also calls for legislators to begin their terms in December, rather than January, allowing a month of preparatory work in their districts before the Legislature convenes. He also would allow interim meetings of committees.

Murkowski would limit sessions

in even-numbered years to 60 days, although she said she's not firm on the length. The heart of her proposal is setting a two-year budget during odd-numbered years, when sessions would remain 120 days.

The premise is that legislators don't really need all the time they take to do their business.

"There's a lot of stirring around and not a lot of motion forward in that first month," Murkowski said.

In discussion, the sponsors of the legislation and subcommittee members gained "a different awareness" about alternatives to constitutional amendments, said subcommittee chairman Hugh Fate, a Fairbanks Republican.

Legislative staffer Tam Cook said that in going to a biennial budget, "you can get 95 percent of the way there" without amending the constitution. The constitution

prohibits the appropriation of revenues not yet received, Cook said. So the Legislature could do all of the calculations necessary for a two-year budget but could not officially adopt the second half of it until the next regular session, she said.

A statutory limit on session length would have little if any legal force, Cook said. If lawmakers acted on bills after the statutory deadline, the courts probably would reject any challenges to the validity of the new laws on the grounds that the Legislature "by implication" had suspended the deadline, she said.

But she didn't rule out a statutory deadline as an effective political tool for self-discipline.

James, the majority leader, said she thinks that putting a long-range fiscal plan in place is necessary before doing any of the other

structural reforms, although she said a biennial budget is "a super idea."

"We should never take up a constitutional amendment lightly," Murkowski said. But she said the biennial budget could go "hand in hand" with a long-range fiscal plan and could be implemented gradually. Halcro said support for new taxes in a long-range plan could be gained by showing the public "we're willing to change the way we do business now."

Murkowski broached the idea of selecting an agency - say, the state Department of Education and Early Development - and trying to draft a biennial budget "just to see how possible it is to do this before we move forward with a constitutional amendment."

♦♦♦♦

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Alaska State Legislature

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House District 33

House Special Sub-Committee Report State Affairs HJR 2, HJR 3, and HJR 5

The special sub committee in State Affairs convened on March 27, 2001 at 8:05 AM to look into the feasibility of combining HJR 1, HJR 2, HJR 3, and HJR 5 into one House Joint Resolution.

The recommendations are as follows:

We recommend that HJR 1, HJR 2, HJR 3 and HJR 5 be divided into two questions.

- 1) The first is the division of the question of biennial budgeting and length of session.
- 2) The second is that HJR 1, HJR 2, HJR 3 and HJR 5 be further discussed with a view towards whether a constitutional amendment or statute change would be preferable.