

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 86/2

10877 HOUSE JUDICIARY

HB 563

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Amendment # 2

Offered by Representative Greenberg - withdrawn

Page 2, line 8, after "governor" add "discussions about a bill among potential co-sponsors"

HB 563 ~~not offered~~ not offered

Amendment # 11  
Offered by Representative \_\_\_\_\_

Page 3, line 10, delete "(ii) any committee or group of legislators and the governor or staff of the Office of the Governor."



# Alaska State Legislature

PAGE #1

Please enter into the record my testimony to the House Judiciary committee name

committee on HB 563 bill/subject, dated 5/5/04

I would like to have testified to this bill; if you are reading this instead, it is because I had to leave to coach my baseball team. Please consider this fax as my testimony. HB 563 is not a very good bill. Any procedure that reduces the ethics committee's ability to create open meeting guidelines is not in the best interest of the public. We need to strengthen open meetings and limit closed door politics to the upmost. Prior public testimony before the ethics comm was overwhelming in support of very tight restrictions on the closed door process. (Contrary to this bill) This Bill coming so late in the session restricts public input even more, as I know a number of citizens that wished to participate and can not. Page 1 line 12 should be removed or anything else that lets lobbyists into closed door meetings, no matter what. Page 2 line 3 through 9 is way to broad and contrary to what the public testified to. The governor or staff also should not be allowed to meet in private with another branch behind closed doors in caucus, so legislators should not be able to vote on bills just because they invite the Gov. or staff

Signed: MYRL THOMPSON

Testifier

People

(page 3) (line 10)

Representing (Optional)

PO Box 877189 WAS, WA AK 99687

Mailing Address

373--1686

Phone Number

There needs to be guidelines that allow reforming of closed caucuses, the public no longer trusts or respects this process as is and certainly not in the form of this bill either. Ask for testimony from the sessions ethics comm meetings, it will open this comm. eyes to what needs done.



# Alaska State Legislature

# PAGE 2

Please enter into the record my testimony to the House Judiciary Comm  
committee name

committee on HB 563, dated 5/5/04  
bill/subject

In closing: NO chat sheets.

The ethics comm. is the best place to develop open meeting guidelines because it is far more balanced and apt to come up with fair and equal guidelines. the legislative approach that this bill allows would favor the party in power. in this case one party has a large majority and is in control of the house, senate and exec branch. the ethics comm is at least balanced in this respect. A sitting member of the ethics comm should not even be making a bill that deals with this subject, much less the legislature in general.

Thank you

Signed: *myrl* MYRL Thompson

Testifier People

Representing (Optional) PO Box 877189 Wasilla

Mailing Address 373-1686

Phone Number

I would liked to have refuted much of what norm Rokelberg said but he talked till the end of your time and mine. His opinion is skewed to his and his party's advantage. I'm non-partisan



# Alaska State Legislature

Please enter into the record my testimony to the HJUD committee name  
 committee on HB 563 bill/subject, dated 5-5-04

The legislature is charged with conducting itself with high moral & ethical standards and to avoid even the appearance of conflict of interest. This bill appears geared towards ~~lowering~~ <sup>lowering</sup> that bar. The ethics committee should be tasked with developing guidelines for legislative ethics, not the legislature. Sec. 24.60.037 (c) is way too broad. This allows pretty much any discussion to be allowed in a closed caucus. The legislature should do the public's work in full view of the public eye. The sealed legislature has left me with nothing but a cynical view of the state legislature. "Ethics" is a word that too many (all) of our local legislatures seem unfamiliar with.

Signed: Michelle Church  
 Testifier self  
 Representing (Optional) \_\_\_\_\_  
 Mailing Address HCO1 Box 6218 Palmer Ak. 99645  
 Phone Number 7450130

This bill needs to tighten ethics guidelines not loosen them.



FAIRBANKS LEGISLATIVE INFORMATION OFFICE  
 119 N. CUSHMAN ST. SUITE 101  
 FAIRBANKS, AK 99701

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WRITTEN TESTIMONY TRANSMITTAL SHEET

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|   |                                 |
|---|---------------------------------|
| TO:<br>Rep. Lesil McGuire, Chair        | FROM:<br>Fran/Fbx LJO           |
| COMMITTEE:<br>House Judiciary Committee | DATE:<br>5/5/2004               |
| FAX NUMBER:<br>465 6592                 | PAGES:<br>2                     |
| PHONE NUMBER:<br>465-4990               | TELECONFERENCED ON:<br>5/5/2004 |
| RE:<br>Written Testimony: HB 535        | TELECONFERENCED ON:<br>5/5/2004 |

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

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NOTES/COMMENTS:

Written testimony for HB 535 before the HJUD committee, teleconferenced on 05/05/04. The originals will be pouched to the committee chair.

Fran/Fbx LJO

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PHONE: 452-4448

FAX: 456-3346

Senate Bill 364/HR 535

May 5, 2004

My name is Jeanette Grasto. I am a member of the Alaska Mental Health Board, NAMI Fairbanks, NAMI Alaska and a long time advocate for people with mental illness and their families. Thank you for the opportunity to testify on HB 535 today.

SB 364/HR 535 represents a major philosophical change without any discussion. It conflicts with principles articulated in Alaska Statute 47.30.655 and a Shared Vision II, our current plan for mental health services. It violates the principle that services will be provided in the least restrictive setting and as close to the client's home as possible. If changes in policy are going to be made, it should be with discussion and input from mental health consumers, the AMHB, hospitals, the Division of Behavioral Health and other stakeholders.

The utilization review section of this bill that would allow more efficient use of resources appears to be a positive step on behalf of the administration. Savings from improved management should be used for added service capacity.

The rest of the bill represents a giant step backwards. In Fairbanks, we are so grateful to have the capacity and quality of program that we currently have at Fairbanks Memorial Hospital for Designated Evaluation and Treatment Beds in our mental health unit. These beds are a critical part of the community-based services that we rely on. Before this unit was expanded to 20 beds, many Fairbanksans in acute need spent up to 3 days in jail and then were transported to API in Anchorage, 300 miles away from their families and natural support system. This was a terrible situation for both the consumers and their families and often exacerbated their illness and symptoms. It seems like the dark ages now looking back at it. We have come so far.

Our state is currently expanding DET beds so that people can access services in their community. Providing DET beds was a consensus decision by the mental health community and seen as an appropriate alternative to sending people to API. API is downsizing and is to be reserved for the most complex patients who needs cannot be met locally. It will no longer be a dumping ground for people no one else wants. Communities are expected to take care of their own whenever possible.

The people we are talking about in this bill are among the most vulnerable Alaskans. They are either a danger to themselves or others or gravely disabled and unable to take care of themselves. They are the poorest of the poor, without even a disability income or Medicaid. Alaska clearly has a responsibility to take care of these vulnerable people.

The bill also is discriminatory. We are denying them access to the community system of care that everyone else uses to be sent off to a state institution. They become second-class citizens even among an already marginalized group. Would we even consider a similar bill for someone suffering from heart disease or cancer?

Maybe you think it doesn't matter because it doesn't affect anyone you know or care about, just strangers who live under the bridge. Mental illness affects 1 in 5 Alaskan families. It is not a rare condition and treatment for mental illness is more effective than for heart disease or cancer. I am amazed how many of my friends are struggling with mental illness either themselves or in a family member. It truly is a crisis when it affects you or someone you love. It isn't uncommon when mental illness first strikes, the person is unable to work and has no other income and is indigent until they can either return to work or qualify for disability income.

Finally, many DET patients are involuntarily committed. It is appropriate to take away the civil rights of an indigent individual and then not cover their treatment?

What kind of state are we becoming as we pretend to be broke? If Alaska is so broke that we cannot take care of these most vulnerable Alaskans, then it is imperative that we have a sound fiscal plan that guarantees that we can serve their needs. Cuts to our state budget need be made from excess not from need.

Thank you,  
Jeanette Grasto  
907-455-6263

*Jeanette Grasto*

# Alaska State Legislature

## Select Committee on Legislative Ethics

716 W. 4th, Suite 230  
Anchorage AK 99501-2133  
(907) 269-0150  
FAX: 269-0152

Mailing Address:  
P.O. Box 101468  
Anchorage, AK.  
99510 - 1468

TO: House and Senate Legislators

FROM: Joyce Anderson  
Administrator, Ethics Committee

DATE: May 6, 2004

RE: HB 563/SB 397 - Open Meetings and Legislative Ethics

The Select Committee on Legislative Ethics has not had a chance to review this bill and formulate comments. However, I would like to comment on several sections of the bill.

First of all, I would like to give a brief overview of the open meetings process. The committee has proposed open meetings guidelines since 1993 as stipulated by state statute. The legislature has not acted on any of the proposals to date. Since March, the committee has held six subcommittee meetings on this subject. The full ethics committee is meeting on Friday, May 7 to review three proposals that have been submitted by the subcommittee and finalize a proposal. The plan was to submit the proposal to the legislature. In light of the introduction of HB 563/SB 397 on May 4, the committee was planning to consider this bill at the Friday meeting and offer recommendations to the legislature.

There are three sections in the bill that relate to the ethics complaint process. The committee has discussed these three topics at previous meetings over the last two years.

**Section 1 (d)** talks about dividing a group of open meetings complaints against one party in one body that are identical in nature into two groups and allowing the subject of one of complaints who is also on the ethics committee to evaluate a portion of the complaints. Current statute does not allow for this to happen. If the member or alternate member is the subject of a complaint they may not sit on the subcommittee hearing the complaint. The statute is very clear on this subject. It is evident a previous legislature anticipated this type of scenario.

The ethics House Subcommittee recently discussed this issue at length and determined it was not appropriate to have a legislator that was the subject of a group complaint sit on the committee that evaluates the complaints even if the complaints were divided into two separate groups. They felt it was a conflict of interest for the subject to be a part of the discussion of the merits of the complaint. The subject certainly would have a preconceived notion about the complaint. Additionally, two subcommittees of different members would be considering the same circumstances. It is possible to have two different results. This scenario poses a variety of problems and some of which can't even be thought of until the situation were to arise.

Further is it not defined in the bill that the subject is not to be a member of the subcommittee evaluating the group of complaints that the subject is grouped with. This could conceivable mean the subject could be part of the subcommittee that hears the subject's own complaint.

The subcommittee did not see a way to fix this problem. The subcommittee noted the ethics committee is comprised of five public members and no more than two public members may be members of the same political party. The subcommittee felt the ethics committee make up was well balanced. The subcommittee is also comprised of two legislators – one from the majority and one from the minority. Statute requires three public members and one legislator for a quorum of the subcommittee. The subcommittee was adamant that the subject of a complaint not be a member of the committee evaluating the compliant.

**Section 2.** Outside Counsel for the public hearing complaint process. The committee discussed this particular scenario during and after the last public hearing that was held in early 2003. The committee, after evaluating the events of the last public hearing, did not have an objection to having two different counsels in this type of situation. Therefore, I believe the committee would agree with this section.

Keep in mind there would be a minimal cost involved – getting the new counsel up to speed on committee operations and procedures.

**Section 3.** Confidentiality of the complaint process. The committee has had several meetings this last year on the subject of confidentiality of complaints. The current statute does not place any restrictions on the complainant in regard to keeping the compliant confidential. The committee strongly feels complaints should remain confidential. LAA legal researched the issue as well as myself. There are varying requirements across the United States. Some states have fines, some consider it a misdemeanor, and some dismiss complaints that have been made public.

The committee expressed reservations about a blanket dismissal for confidentiality reasons. Perhaps consideration should be given to the merits of the complaint.

I would like to point out that the bill contains only one sentence on confidentiality. This sentence does not address "what makes the complaint public". For example: the person filing the complaint talks to a neighbor in confidence who then talks to someone else and so on and one of these individuals makes the complaint public. Does this mean the complaint should be dismissed? Does this mean the complainant made the complaint public? What if the complaint is already in the investigative stage? If the complaint is dismissed for confidentiality reasons, could another person resubmit the complaint? These are only a few of the questions that come to mind in this short time.

As you can see, this is a very complicated issue and needs further thought, research and discussion. The ethics committee would need additional language in the statute in order to administer this section. I have no recommendations for additional language at this time.

I am leaving for Juneau on a 1:00 p.m. flight today and will be in Juneau on Thursday afternoon and Friday. If you have any questions, please leave a message on my office phone 269-0150 and I will return your call as soon as possible.

# Alaska State Legislature

## House of Representatives



State Capitol, Rm. 214  
Juneau, Ak 99801-1182  
(907) 465-3764

Official Business

### COMMITTEE ON RULES Representative Norman Rokeberg, Chairman


#### MEMORANDUM

TO: Representative Lesil McGuire, Chair  
House Judiciary Committee

FROM: Representative Norman Rokeberg, Chairman  
House Rules Committee

DATE: May 4, 2004

RE: HB 563 - LEGISLATIVE PROCEDURE & ETHICS GUIDELINES



Thank you for scheduling House Bill 563 to be heard before your committee on Wednesday, May 5, at 1:30 p.m. I appreciate your cooperation. Attached are the following:

1. HB 563
2. Sponsor Statement
3. Sectional Analysis
4. Copy of AS 24.60.037
5. January 13, 2004 – History of Open Meetings Guidelines for the legislature: since 1994. Prepared by Joyce Anderson, Staff, Select Committee on Legislative Ethics.
6. August 28, 2003 proposed Open Meetings Guidelines (from Select Committee on Legislative Ethics)
7. February 12, 2004 letter from Marston & Cole, P.C., to Skip Cook, Chair, Select Committee on Legislative Ethics
8. March 8, 2004, "Open meetings principles and political strategy discussions" opinion from Tamara Cook to Rep. Rokeberg.
9. March 4, 2004, "Open meetings guidelines applicable to the legislature" opinion from Tamara Cook to Rep. Rokeberg.
10. March 3, 2004 "Actions against legislators for violations of open meetings requires" opinion from Tamara Cook to Rep. Rokeberg.
11. November 25, 2003 letter from Rep. Croft to Herman G. Walker
12. November 21, 2003 Legal Opinion from Tamara Cook to Rep. Croft
13. August 11, 2000 letter to Senator President and Speaker of the House from Select Committee on Ethics (recommendations in first paragraph).

# Alaska State Legislature

## House of Representatives



State Capitol, Rm. 214  
Juneau, Ak 99801-1182  
(907) 465-3764

Official Business

### COMMITTEE ON RULES Representative Norman Rokeberg, Chairman

#### SPONSOR STATEMENT HOUSE BILL HB 563 Open Meetings Guidelines

Current state law requires the Select Committee on Legislative Ethics to prepare Open Meetings Guidelines for submission and approval by the legislature. The Select Committee has been attempting, since 1994, to develop the guidelines for approval by the Legislature. This year, a subcommittee has again been convened to propose guidelines. But that subcommittee, despite months of meetings and debate, has been unable to reach agreement on the definition of the most basic terms relating to open meetings, including the terms "meetings" and "political strategy."

Despite the absence of any guidelines, the Select Committee has awkwardly asserted jurisdiction over Open Meetings complaints. Without applicable guidelines, Legislators and legislative staff who remain subject to the Legislative Standards of Conduct are left with nothing upon which to rely when deciding whether a meeting or caucus adheres to the "open meetings principles".

It is unreasonable to subject legislators and staff to rules of conduct that have never been established. HB 563 defines and sets out the Open Meetings Guidelines in statute. Additionally, the legislation defines terms such as "legislative body," "meeting," and describes what is included in "political strategy."

The bill also addresses some concerns about the Ethics Committee process:

1. In a public hearing, the Ethics Committee retains counsel to provide legal advice to the Committee, and then utilizes that same attorney as the "prosecutor" in the full Ethics hearing. The untenable situation presents a clear conflict of interest, which is awkward and unfair to the subject of the complaint.
2. Unless a subject of the complaint wants to waive confidentiality, the subject of the complaint is bound to keep quiet. The person filing the complaint is not. HB 563 addresses this situation by stating that if confidentiality provisions are not waived by the subject of the complaint and the person filing the complaint reveals information about the complaint, the complaint is to be dismissed. This is intended to avoid use of a complaint as a political attack.
3. Each body has two members and two alternates assigned to serve on the Ethics Committee. If a group complaint is filed against a number of legislators, HB 563 requires that both Majority and Minority have representation on any subcommittee considering a complaint.

# Alaska State Legislature

## House of Representatives



Official Business

### COMMITTEE ON RULES Representative Norman Rokeberg, Chairman

State Capitol, Rm. 214  
Juneau, Ak 99801-1182  
(907) 465-3764

#### SECTIONAL ANALYSIS HOUSE BILL 563

**Section 1:** Repeals the current statutory language indicating that the Select Committee on Legislative Ethics will propose Open Meetings Guidelines and send the Legislature the initial Guidelines for approval.

Places in statute Open Meetings Guidelines that describe when a meeting takes place (p. 1, lines 11-14) and what is not a "meeting" (p. 3, lines 15-19).

Places in statute that legislators may meet in a closed caucus or in private informal meetings to discuss and deliberate on political strategy. Describes what "political strategy" includes. States that these meetings are exempt from the Open Meetings Guidelines. (p. 2, line 1-9).

Places in statute that each subcommittee considering a case must have a Majority and Minority member permitted to attend the subcommittee hearings. Currently, each body has a Majority and Minority member and alternate. If a group complaint were filed, it is felt that the complaints should be divided so that the subcommittee considering that group would consist of the Majority or Minority member or alternate and that this representation would continue to be available at all times. (Page 2, lines 10-16).

Places in statute the fact that the Open Meetings Guidelines, which could be changed by a majority vote, are subservient to the Uniform Rules adopted by the Alaska State Legislature. Uniform Rules may be changed only upon the approval of 2/3 membership of each body – a much higher standard. The Uniform Rules covers items such as meeting notices, committee meetings, and executive sessions. (p. 2, lines 17-19).

Places in statute that the Open Meetings Guidelines set forth in statute are the ones to be used by the Committee when considering complaints filed regarding open meetings (page 2, lines 20-21).

Defines: "legislative body" (p. 2, line 22, page 3, line 14). Establishes that certain committees or groups are not a "legislative body" and thus not subject to the Open Meetings Guidelines.

**Section 2:** Amends current statutes to provide that a person hired by the Committee to provide legal advice about a case may not be the same person who prosecutes the case on behalf of the committee.

**Section 3:** Amends current law to require immediate dismissal of any case where the subject of the complaint has not waived confidentiality and the filer of the complaint makes the complaint and its contents public.

**Section 4:** Repeals the Guidelines section of the law adopted in 1994 (see attached).

Section 10, Chapter 69, SLA 1994

\* Sec. 10. OPEN MEETINGS GUIDELINES. (a) Notwithstanding AS 24.60.037 , adoption of initial guidelines applying the open meetings principles to the legislature are subject to approval by the legislature as provided under this subsection. By January 16, 1995, the Select Committee on Legislative Ethics shall submit proposed initial guidelines to the legislature. The legislature shall vote on a concurrent resolution approving the guidelines by the 45th day of the legislative session. If the guidelines are voted on but not approved, the committee shall submit new proposed guidelines within 60 days after the resolution was voted on by the legislature. If the new guidelines are voted on but not approved, the Select Committee on Legislative Ethics shall continue to submit proposed guidelines in accordance with the procedure set out in this subsection until the initial guidelines are approved.

(b) There is established an Open Meetings Advisory Committee consisting of two senators appointed by the president of the senate, two representatives appointed by the speaker of the house of representatives, and two public members appointed from the Select Committee on Legislative Ethics by its chair. The advisory committee shall consider application of open meetings principles to the legislature and submit a report of its recommended guidelines to the Select Committee on Legislative Ethics by December 1, 1994. The advisory committee is terminated upon adoption of the guidelines by the legislature.

**Sec. 24.60.037. Open meetings principles and guidelines.**

Legislators shall abide by open meetings principles. The committee shall develop guidelines for the application of principles of open meetings of governmental bodies to the legislature. The guidelines must permit closed caucuses and private, informal meetings or conversations between legislators in which political strategy is discussed. In a proceeding under AS 24.60.170 in which a violation of this section is alleged, if the committee finds that a person acted within the adopted guidelines, the committee shall dismiss the complaint as to that violation.

(§ 4 ch 127 SLA 1992; am § 1 ch 69 SLA 1994)

**Cross references.** For provisions related to initial guidelines and legislative approval, see § 10, ch. 69, SLA 1994 in the Temporary and Special Acts.

January 13, 2004

**History of Open Meetings Guidelines for the legislature: Since 1994**

The history of action on the guidelines during the 19th Legislature is as follows:

Based on the requirements set out in the Open Meeting Law (AS 44.62, amended 1994) the committee adopted proposed open meetings guidelines and submitted them to the legislature on January 15, 1995. The guidelines were published in the Joint Journal January 20, 1995. The committee later adopted and submitted Revised Proposed Guidelines, published in the Joint Journal February 21, 1995. The committee requested Senate Rules to introduce a resolution approving the revised guidelines. Senate Rules introduced SCR 8.

On February 28, 1995 the Senate passed a version of the resolution (See CSSCR 8(RLS)) that approved the revised guidelines, in part, but placed these specific limitations on its approval; the presiding officer of each body would be the final arbiter on any point of order and the terms "Go Between or Serial Meetings" must be defined before affirmation. Further, CSSCR 8(RLS) did not affirm the parts of the guidelines that address "Meetings Not Otherwise Described", political strategy sessions and non-legislative organizations.

On March 1, 1995 the House amended the resolution and approved the revised guidelines without limitation (CSSCR 8(RLS) am H). The Senate declined to concur in the House-passed version of the resolution.

A Conference Committee was established in 1996, comprised of Senators Rieger, Frank, Donley and Representatives Davis, Porter and Mackie. The Conference Committee issued a report, which passed the Senate 18 to 1 on May 4, 1996. The House read over the report and placed it under Unfinished Business. The House did not bring the report to the floor prior to the close of the regular session.

The Ethics Committee has proposed substantially the same guidelines to each legislature from 1995 through 2000. The committee then met several times in 2000 and 2001 to draft new proposed Open Meetings guidelines. The Ethics Committee adopted the guidelines, by a 6-3 vote on March 12, 2001. The committee then forwarded a request to the Senate and House Rules committees to introduce a concurrent resolution and to spread the Proposed Open Meetings Guidelines in the legislative journal. SCR 9 was introduced on April 11, 2001 and HCR 16 was introduced on April 6, 2001. SCR 9 was referred to the State Affairs and Judiciary committees but never heard. HCR 16 was referred to State Affairs, Judiciary and Finance committees. HCR 9 was heard in State Affairs on April 16, 2002. Ethics Committee Member Shirley McCoy gave testimony. No action was taken.

The Ethics Committee adopted the same guidelines on August 28, 2003 and forwarded a request to the Senate President and Speaker of the House in January 2004 to refer the guidelines to the appropriate committee for introduction.

## **OPEN MEETINGS LAW**

**AS 24.60.037**

In 1993, the legislature enacted AS 24.60.037, requiring legislators to abide by Open Meeting Principles. It reads:

Sec. 1. AS 24.60.037 OPEN MEETINGS LAW. Legislators shall abide by open meetings principles. The committee shall develop guidelines for the application of principles of open meetings of governmental bodies to the legislature. The guidelines must permit closed caucuses and private, informal meetings or conversations between legislators in which political strategy is discussed. In a proceeding under AS 24.60.170 in which a violation of this section is alleged, if the committee finds that a person acted within the adopted guidelines, the committee shall dismiss the complaint as to that violation.

In the same Act, the legislature gave additional directions as to the adoption of the initial Open Meetings Guidelines. Section 10, chapter 679, SLA 1994 reads as follows:

Sec. 10. OPEN MEETINGS GUIDELINES. (a) Notwithstanding AS 24.60.037, adoption of initial guidelines applying the open meetings principles to the legislature are subject to approval by the legislature as provided under this subsection. By January 16, 1995, the Select Committee on Legislative Ethics shall submit proposed initial guidelines to the legislature. The Legislature shall vote on a concurrent resolution approving the guidelines by the 45th day of the legislative session. If the guidelines are voted on but not approved, the committee shall submit new proposed guidelines within 60 days after the resolution was voted on by the legislature. If the new guidelines are voted on but not approved, the Select Committee on Legislative Ethics shall continue to submit proposed guidelines in accordance with the procedure set out in this subsection until the initial guidelines are approved.

(b) There is established an Open Meetings Advisory Committee consisting of two senators appointed by the president of the senate, two representatives appointed by the speaker of the house of representative, and two public members appointed from the Select Committee on Legislative Ethics by its chair. The advisory committee shall consider application of open meetings principles to the legislature and submit a report of its recommended guidelines to the Select Committee on Legislative Ethics by December 1, 1994. The advisory committee is terminated upon adoption of the guidelines by the legislature.

**The statute requires legislators to abide by Open Meeting Principles, whether or not guidelines have been approved under sec. 10.** The committee submitted proposed guidelines to the 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> legislatures for review but thus far, the guidelines have not received legislative approval. The law appears to require the committee to continue to submit proposed guidelines until guidelines are approved.

**Open Meetings Guidelines for the Alaska State Legislature**  
as proposed by the  
Select Committee on Legislative Ethics

August 28, 2003

**Sec. 1. General Rule.** Meetings of a legislative body shall be open to the public.

**Sec. 2. Meetings.** (a) For purposes of this guideline, a meeting occurs when a majority of the members of the legislative body is present and action is taken. A legislative body takes action when members of the body vote on or agree upon a course of action on a motion, bill, resolution, rule, or regulation.

(b) In this guideline, a legislative body

(1) includes

(A) the Senate;

(B) the House of Representatives;

(C) the Senate and the House of Representatives meeting in joint session;

(D) a committee of the legislature other than the Committee on Committees, including a standing committee, special committee, joint committee, conference or free conference committee, committee of the whole, or permanent interim committee;

(E) a delegation or caucus of legislators representing a geographic area or political subdivision;

(F) a legislative commission, task force, or other group; or

(G) a caucus of members of one or more of the bodies set out in

(A) - (F) of this paragraph; but

(2) does not include a Committee on Committees.

**Sec. 3. Executive sessions.** (a) A legislative body may call an executive session at which members of the public may be excluded.

(b) If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are listed in (c) of this section shall be determined by a majority vote of the legislative body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Except as otherwise provided in this section, a legislative body may not make a decision in executive session.

(c) An executive session may be held for discussion of a matter

(1) the immediate knowledge of which would adversely affect the finances of a government unit;

(2) that tends to prejudice the reputation and character of a person;

(3) that is, by law, required to be confidential;

(4) involving consideration of government records that by law are not subject to public disclosure;

(5) that is confidential as a privileged communication between an attorney and client under rules adopted by the supreme court; a legislative body may, in executive session, decide on and give instructions to an attorney representing the legislative body or the state on issues arising out of or related to the representation.

**Sec. 4. Closed meetings for political strategy.** Legislators may meet in closed caucus or in a private, informal meeting to discuss political strategy but those meetings are exempt from the requirements adopted under sec. 5(b) of these Guidelines. This section does not permit a joint meeting of the House and Senate majority caucuses or of the House and Senate minority caucuses to be conducted in a closed session.

**Sec. 5. Uniform Rules.** (a) The legislature shall adopt Uniform Rules to implement this guideline.

(b) The Uniform Rules of the Legislature shall provide for posting notices of meetings, recording proceedings, and making the recordings and votes available to the public. The Uniform Rules may set different notice requirements for meetings of

- (1) permanent interim committees of the legislature;
- (2) standing, special, or joint committees held during
  - (A) a regular legislative session, including different notice requirements for meetings held in the first week of the session or after the date a conference committee has been chosen to consider the operating budget;
  - (B) a special legislative session; and
  - (C) the interim between legislative sessions.

Note: These are the same guidelines as proposed by the Committee on March 12, 2001.

LAW OFFICES OF  
**MARSTON & COLE, P.C.**

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ERIN B. MARSTON

BRENT R. COLE

COLLEEN J. MOORE

February 12, 2004

Skip Cook, Chair  
Select Committee on Legislative Ethics  
P.O. Box 101468  
Anchorage, Alaska 99510-1468

Re: AS 24.60.037 Open Meetings Law  
Our File No. 656.005

Dear Mr. Cook:

The Select Committee on Legislative Ethics ("Committee") has asked for a legal opinion concerning how to proceed if and when it receives a complaint based on an alleged violation of open meetings principles and guidelines as set forth in AS 24.60.037. In your memo dated January 13, 2004, you asked four specific questions, each of which will be addressed in detail below.

In summary, however, it is our opinion that the Committee certainly has jurisdiction to hear any complaint alleging a violation of AS 24.60.037. In the absence of legislative approval of the Committee's proposed guidelines for compliance with open meetings principles, the Committee has the responsibility to determine what criteria to apply in order to determine whether there has been a violation, including consideration of the proposed guidelines, open meetings statutes that apply to other governmental entities, and any other treatises or materials that help the Committee define appropriate legislative conduct regarding open meetings. In other words, there are no definitive rules or statutes that guide the Committee in this area, and the Committee must determine the scope of the open meetings principles that apply to the Legislature and whether any specific conduct violates those principles.

Mr. Skip Cook  
February 12, 2004  
Page 2

1. **What Is The Legal Status Of The Guidelines That The Committee Has Developed Pursuant To AS 24.60.037 If They Have Not Been Adopted By The Legislature?**

The short answer to this question is that the guidelines that have been developed and submitted to the Legislature for approval have no legal status. As you know, AS 24.60.037 provides that “[t]he committee shall develop guidelines for the application of principles of open meetings of governmental bodies to the legislature.” This statute goes on to require that “[i]n a proceeding under AS 24.60.170 in which a violation of this section is alleged, if the committee finds that a person acted within the adopted guidelines, the committee shall dismiss the complaint as to that violation.” (Emphasis added.) However, there is also a provision of law that states, in pertinent part:

Notwithstanding AS 24.60.037, adoption of initial guidelines applying the open meetings principles to the legislature are [sic] subject to approval by the legislature as provided under this subsection.

1994 Temporary and Special Acts, Ch. 69, Sec. 10 (herein referred to as “Section 10”) (emphasis added). Although this provision is found in the Temporary and Special Acts, it is nevertheless a recognized statute that has the authority of law and must be followed like any other statute. See AS 01.05.026 and .031.<sup>1</sup>

Section 10 is generally clear in its scope. It requires that the Legislature approve the guidelines proposed by the Committee before they are officially adopted (become effective). It also sets forth the general procedure for such approval. Although there has been some question in the past about how to proceed when the Legislature failed to vote on a concurrent resolution concerning proposed guidelines (see Memorandum from Teresa B. Cramer to Joe Donahue, Chair, dated 8.23.95), it appears that the Committee has taken the position that anything short of a concurrently passed resolution is a “failure to approve” the guidelines, requiring continued submission of proposed guidelines for approval. Accordingly, the Committee submitted proposed guidelines to the 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, and 22<sup>nd</sup> Legislatures for approval, each without success.

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<sup>1</sup> It is simply a matter of procedure that any section of the session laws that is temporary in nature is not included in the general statutory compilation and is placed, instead, into the Temporary and Special Acts. Because Section 10 applies only until the guidelines developed by the Committee are approved by the Legislature, it was not given a statutory number, but simply included in the Temporary and Special Acts section of the law.

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Given that the Legislature has failed to approve the guidelines proposed by the Committee, the guidelines have no legal effect. However, that does not mean that the guidelines are useless. As will be discussed more fully in response to Questions 3 and 4, below, they may be used by the committee in its determination of any complaint that may be brought alleging a violation of AS 24.60.037, but they cannot be used as a basis to dismiss a complaint as contemplated in AS 24.60.037. }

2. What Is The Committee's Jurisdiction, If Any, Over A Complaint Filed Under AS 24.60.037?

The Committee clearly has statutory jurisdiction to hear and decide a complaint alleging a violation of AS 24.60.037. Alaska Statute 24.60.010(8) provides that "the purpose of this chapter is to . . . establish the Select Committee on Legislative Ethics to consider alleged violations of this chapter and to render advisory opinions to persons affected by this chapter." (Emphasis added.) Further, AS 24.60.170 provides that the "committee shall consider a complaint alleging a violation of this chapter if the alleged violation occurred within two years . . ." (Emphasis added.) The Committee has the jurisdiction to hear an alleged violation of any provision contained in Chapter 60, including 24.60.037, so long as it meets the time requirements of the statute.

3. The Legislature Is Under A Legal Obligation Pursuant To AS 24.60.037 To Comply With Open Meetings Principles. What Are These "Principles?"

Although this was the last question asked by the Committee, we address it here because it requires a review of the purposes of open meeting laws, which is a preliminary step towards consideration of what criteria should be used to decide the merits of any complaint alleging a violation of those laws.

It is generally accepted that the purposes of open meeting laws are to allow the general public to hear and observe the process by which government decides how to act, in order to ensure a fair and unbiased process.

Open decision-making is regarded as an essential aspect of the democratic process. It is believed that public exposure deters official misconduct, makes government more responsive to its constituency, allows for greater public provision of information to the decision-maker, creates greater public

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acceptance of government action, and promotes accurate reporting of governmental processes.

Alaska Community Colleges' Federation of Teachers v. University of Alaska, 677 P.2d 886, 891 (Alaska 1984). Among other things, the open meetings laws further the policy that the government should not dictate what the people should know, and they protect the peoples' right to remain informed in order to retain control over their government. See AS 44.62.312(a)(4) and (5). The Legislature has specifically stated Alaska's policy regarding open meetings in AS 44.62.312, which provides:

- (a) it is the policy of the state that
  - (1) the governmental units mentioned in AS 44.62.310(a) exist to aid in the conduct of the people's business;
  - (2) it is the intent of the law that actions of those units be taken openly and that their deliberations be conducted openly;
  - (3) the people of this state do not yield their sovereignty to the agencies that serve them;
  - (4) the people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know;
  - (5) the people's right to remain informed shall be protected so that they may retain control over the instruments they have created;
  - (6) the use of teleconferencing under this chapter is for the convenience of the parties, the public, and the governmental units conducting the meetings.
  
- (b) AS 44.62.310(c) and (d) shall be construed narrowly in order to effectuate the policy stated in (a) of this section and to avoid exemptions from open meeting requirements and unnecessary executive sessions.

The Committee can be guided by the Legislature's own statement of policy contained in AS 44.62.312 in determining by analogy what the "principles of open meetings" are by which the Legislature must abide. In fact, it should be noted that subsections .312(a)(3), (4), and (5) are general statements of policy, which are not limited in their application only to the entities covered by AS 44.62.310 (which entities do not include the Legislature). Further, through its pronouncement in AS 24.60.037, the Legislature has indicated that it has a self-

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imposed duty to abide by "the principles of open meetings." which it certainly was aware are enumerated in statutes such as AS 44.62.310 and .312.

4. **If The Committee Has Jurisdiction To Hear A Complaint, What Criteria Does The Committee Rely Upon To Determine The Merits Of A Complaint Alleging A Violation Of The Open Meetings Law?**

It is the ultimate responsibility and duty of the Committee to interpret the provisions of the Legislative Ethics Act, and this office cannot provide a specific interpretation upon which the Committee can rely. However, there are certain matters that the Committee should consider in hearing any complaint alleging a violation of the open meetings provisions of AS 24.60.037, including the policies discussed above.

As mentioned earlier, the Committee has already developed/certain guidelines for applying the principles of open meetings to the Legislature, which have not been approved by the Legislature. Nevertheless, those guidelines embody the Committee's interpretation of how open meetings principles should apply to the Legislature, and provide guidelines to the Committee (if not the Legislature) as to how to determine whether there has been a violation of AS 24.60.037.

If the guidelines are ever approved by the Legislature, then the statute provides that the Committee may dismiss any complaint that alleges conduct that falls within the guidelines. However, since the Legislature has not approved them, the Committee may not simply dismiss any complaint alleging conduct that falls within the guidelines, but instead must follow its normal procedure and make an initial determination as to whether the allegations, if true, constitute a violation of the ethics laws. In making this determination, the Committee may consider its own previous interpretation of the law that is embodied in the guidelines. However, the Committee may not give the guidelines the effect of law and must recognize that neither it nor the legislators are bound by the guidelines. In other words, the Committee's decision in any particular case may actually conflict with the guidelines, which is a permissible result since the guidelines do not have the effect of law. If the Committee finds that the allegations, if true, would constitute a violation, then the Committee must investigate the complaint. AS 24.60.170. If the allegations, if true, would not constitute a violation, or if there is another basis for dismissal, then the Committee may dismiss the complaint upon the appropriate findings. Id.

As it undoubtedly did in developing the guidelines themselves, the Committee should also consider the provisions of the open meetings statute that apply to general governmental

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bodies. See AS 44.62.310. While that statute itself may not be constitutionally or judicially applied to the Legislature, (see Abood v. League of Women Voters, 743 P.2d 333 (Alaska 1987) and AS 44.62.310(h)(3)), the principles of that statute may be applied by the Committee if it finds that they are appropriate to a particular case. Similarly, the Committee is free to modify, change, or disregard the principles found in AS 44.62.310 if it finds that it is appropriate in determining what principles govern the Legislature's conduct with respect to open meetings. As with the Committee guidelines, the Committee's decision in any particular case may actually conflict with AS 44.62.310, which is a permissible result because the Committee may find that those provisions are not appropriately applied to the Legislature. -?


The Committee should also consider the statement of AS 24.60.010(2), that "a fair and open government requires that legislators and legislative employees conduct the public's business in a manner that preserves the integrity of the legislative process . . ." It may also consider any other law or treatise on open meetings in determining what principles and criteria to apply to Alaska legislators in order to determine whether a legislator has failed to "abide by open meetings principles."

In short, it is within the Committee's sole discretion to determine what the "open meeting principles" are that apply to the Alaska Legislature, and whether, based upon the individual facts of any particular case, alleged conduct violates those principles. Obviously, the Committee may not act arbitrarily or capriciously, or in a discriminatory manner. Barring such extreme conduct, and until the Legislature approves the guidelines proposed by the Committee, it is our opinion that the Committee may develop and rely on any criteria that it determines appropriate to decide the merits of a complaint alleging a violation of the open meetings law.

If you have any questions, please feel free to call to discuss them. I hope this answers your questions.

Very truly yours,

MARSTON & COLE, PC



Brent R. Cole

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## MEMORANDUM

March 8, 2004

**SUBJECT:** Open meetings principles and political strategy discussions  
(Work Order No. 23-LS1823)

**TO:** Representative Norman Rokeberg, Chair, House Rules Committee  
Attn: Janet S. Seitz

**FROM:** Tamara Brandt Cook  
Director *TBC*

(1) For purposes of AS 24.60.037 what are "open meetings principles"?  
The term "open meetings principles" is not defined. Therefore, it is up to the Select Committee on Legislative Ethics to determine the scope of open meetings requirements that apply to the legislature, probably in the context of specific fact situations that come up in requests for advisory opinions (AS 24.60.160) or as proceedings before the Committee involving alleged violations of those principles (AS 24.60.170).

AS 24.60.037 as enacted in 1992 required legislators to "abide by AS 44.62.310 - 44.62.312 (open meetings law)." In 1994, in HB 254, which substantially revised the open meetings law (AS 44.62.310), the language in AS 24.60.037 was also amended to delete the reference to the open meetings law and substitute general language requiring legislators to "abide by open meetings principles." The versions of HB 254 that were adopted by House Committees and the version that passed the House did not include any amendment to AS 24.60.037. It was not until the Second Senate Judiciary Committee Substitute that the first two sentences of AS 24.60.037 were proposed for amendment as follows, leaving the rest of the language untouched:

Legislators shall conduct meetings that are open to the public [ABIDE BY AS 44.62.310 - 44.62.312 (OPEN MEETINGS LAW)]. The committee shall develop guidelines for the conduct of open meetings adapted to the special needs of [APPLICATION OF THIS SECTION TO] the legislature.

However, the bill was amended on the floor of the Senate to remove the change to AS 24.60.037. The existing language, with the "open meetings principles" was added as compromise language by the Conference Committee. I have checked the committee file on CCS HB 254, and it is sparse. However, the notes indicate that at least some of the conferees wanted "the legislature brought into the open meetings Act" while others were

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apparently concerned that AS 44.62.310 might be too rigid in its details to sensibly apply to the legislature.

(2) How are legislators involved in closed caucuses and conversations involving political strategy to be protected from ethics complaints?

AS 24.60.037 already offers protection in those situations: "The guidelines must permit closed caucuses and private, informal meetings or conversations between legislators in which political strategy is discussed." Again, there is no definition of "political strategy" so it will be up to the Select Committee on Legislative Ethics to determine in any fact situation whether the matters discussed in a closed situation amount to "political strategy." Here are the four possible ways to provide for additional protection that occur to me:

(1) Simply refrain from attending any closed caucus or other meeting and, thereby, avoid even a frivolous complaint to the ethics committee;

(2) Request an Advisory Opinion as to each precise issue that is proposed to be discussed in a closed meeting before the discussion is held. Note that AS 24.60.160(b) provides: "An opinion issued under this section is binding on the committee in any subsequent proceedings concerning the facts and circumstances of the particular case unless material facts were omitted or misstated in the request for the advisory opinion."

(3) Amend AS 24.60.037 to define "political strategy" or, better yet, to specifically list those subjects that may be discussed and actions that may be taken at a closed meeting. If the list gets too long, list the subjects that may not be discussed and actions that may not be taken.

(4) Amend AS 24.60.037 to exempt caucuses from application of that section on the ground that a caucus, like a political party, is a private rather than a public organization. This conforms to the holding of the Alaska Supreme Court decided under the open meetings law which, at that time, applied to "all meetings of a legislative body...of the state." The court took the position that caucuses are private, not public, organizations and stated that the "statute has no application to private caucuses..." (Malone v. Meekins, 650 P.2d 351 (1982))

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## MEMORANDUM

March 4, 2004

**SUBJECT:** Open meetings guidelines applicable to the legislature  
(Work Order No. 23-LS1825)

**TO:** Representative Norman Rokeberg, Chair, House Rules Committee  
Attn: Janet S. Seitz

**FROM:** Tamara Brandt Cook  
Director TBC

You have some questions regarding the open meetings guidelines required under AS 24.60.037. I think the answers to those questions will be more comprehensible if I first set out the statutory history of AS 24.60.037.

AS 24.60.037 was first enacted in 1992 as part of a bill revising laws relating to legislative ethics. It originally read:

**OPEN MEETINGS LAW.** Legislators shall abide by AS 44.62.310 - 44.62.312 (open meetings law). The committee shall develop guidelines for the application of this section to the legislature. The guidelines must permit closed caucuses and private, informal meetings or conversations between legislators in which political strategy is discussed. In a proceeding under AS 24.60.170 in which a violation of this section is alleged, if the committee finds that a person acted within the adopted guidelines, the committee shall dismiss the complaint as to that violation.

In 1992, when AS 24.60.037 was enacted, the open meetings law (AS 44.62.310) applied to the legislative branch. However, the Alaska Supreme Court held on separation of powers grounds that alleged violations of that statute on the part of the legislature are nonjusticiable. (Abood v. League of Women Voters of Alaska, 743 P.2d 333 (1987), copy previously provided to you) AS 24.60.037, essentially, retained application of the open meetings law to the legislature, but, since the court had refused to do so, made enforcement of that law the responsibility of a legislative entity, the Select Committee on Legislative Ethics. Note that the Select Committee was charged with developing guidelines for applying AS 44.62.310 to the legislature. These guidelines were not subject to legislative review or approval.

In chapter 69, SLA 1994 the open meetings law was substantially amended. Application of that law to the legislative branch was deleted. In the same legislation AS 24.60.037

Representative Norman Rokeberg  
Chair, House Rules Committee  
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was amended to delete reference to AS 44.62.310 - 44.62.312 and to substitute an undefined reference to "open meetings principles." The language in AS 24.60.037 regarding guidelines was not changed, except that the second sentence was altered as follows: "The committee shall develop guidelines for the application of principles of open meetings of governmental bodies [THIS SECTION] to the legislature." In addition, a new temporary law section was included as bill sec. 10:

Sec. 10. OPEN MEETINGS GUIDELINES. (a) Notwithstanding AS 24.60.037, adoption of initial guidelines applying the open meetings principles to the legislature are subject to approval by the legislature as provided under this subsection. By January 16, 1995, the Select Committee on Legislative Ethics shall submit proposed initial guidelines to the legislature. The legislature shall vote on a concurrent resolution approving the guidelines by the 45th day of the legislative session. If the guidelines are voted on but not approved, the committee shall submit new proposed guidelines within 60 days after the resolution was voted on by the legislature. If the new guidelines are voted on but not approved, the Select Committee on Legislative Ethics shall continue to submit proposed guidelines in accordance with the procedure set out in this subsection until the initial guidelines are approved.

(b) There is established an Open Meetings Advisory Committee consisting of two senators appointed by the president of the senate, two representatives appointed by the speaker of the house of representatives, and two public members appointed from the Select Committee of Legislative Ethics by its chair. The advisory committee shall consider application of open meetings principles to the legislature and submit a report of its recommended guidelines to the Select Committee on Legislative Ethics by December 1, 1994. The advisory committee is terminated upon adoption of the guidelines by the legislature.

Proposed guidelines were duly submitted to the legislature by the Select Committee, presumably based on the advice from the legislative advisory committee. The proposed guidelines were published in Senate and House Joint Journal Supplement No. 4 on January 20, 1995. The Select Committee later submitted revised proposed guidelines which were published in Joint Journal Supplement No. 9 on February 21, 1995. Eventually the House adopted a concurrent resolution approving the initial guidelines as revised, but the Senate never did. As you know, initial guidelines have never been approved by the legislature.

Now for your questions.

(1) What are the procedures for ratifying open meetings guidelines? Under section 10, chapter 69, SLA 1994 approval of initial guidelines is accomplished by adoption of a concurrent resolution.

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(2) May the legislature amend the guidelines? There is no provision for amendment of the guidelines submitted by the Select Committee, nor is there any provision for partial approval of those guidelines. Instead, section 10 requires the Select Committee to submit new guidelines "until the initial guidelines are approved." Nonetheless, on February 29, 1995, when the first (revised) guidelines were under consideration, the Senate passed a resolution that approved the revised guidelines in part, but placed specific limitations on its approval. (CSSCR 8(RLS)) That version of the resolution was not adopted by the House.

(3) After initial guidelines are approved by the legislature, are changes to those guidelines also subject to legislative approval? No. Only "initial" guidelines are subject to legislative approval and the Select Committee is only required to submit proposed guidelines "until the initial guidelines are approved." After that point, AS 24.60.037 authorizes the Select Committee to "develop guidelines" and there is no limitation under that statute to the development process, so, presumably, those guidelines may be revised by the Select Committee from time to time without legislative involvement. This is not an odd result in view of the fact that the duty of the Select Committee to develop open meetings guidelines predates the temporary law provision requiring legislative approval of initial guidelines. If the legislature had wanted to retain permanent oversight of the guidelines, AS 24.60.037 could have been amended to provide for that. Instead the legislature chose to confine its review to "initial" guidelines and used a temporary law to accomplish that.

(4) The current proposed initial open meetings guidelines prohibit closed meetings of joint House and Senate caucuses. What is the basis for this? I have no idea. AS 24.60.037 states: "The guidelines must permit closed caucuses and private, informal meetings or conversations between legislators in which political strategy is discussed." The statute does not address the question of joint meetings by two caucuses, so it cannot be said that the Select Committee is precluded from prohibiting closed joint caucus meetings in its proposed guidelines so long as the opportunity for closed meetings to discuss political strategy is otherwise provided to caucuses under the guidelines.

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## MEMORANDUM

March 3, 2004

**SUBJECT:** Actions against legislators for violations of open meetings requirements (Work Order No. 23-LS1824)

**TO:** Representative Norman Rokeberg, Chair, House Rules Committee  
Attn: Janet S. Seitz

**FROM:** Tamara Brandt Cook  
Director *TBC*

Legislators are directed to "abide by open meetings principles" under AS 24.60.037. You ask whether failure by a legislator to do so will give rise to a private cause of action against that legislator. The Select Committee on Legislative Ethics, senate subcommittee or house subcommittee as appropriate, has jurisdiction to consider alleged violations of AS 24.60.037. (AS 24.60.140) Any person may initiate a complaint with the Select Committee alleging a violation. (AS 24.60.170) However, except for this process before the Select Committee, failure by a legislator to abide by open meetings principles does not give rise to a private cause of action that can be addressed by a court.

The Supreme Court of Alaska has considered application of the open meetings statute (AS 44.62.310) to legislators in two cases, Malone v. Meekins, 650 P.2d 351 (1982) involving the removal and replacement of the Speaker of the House, and Abood v. League of Women Voters of Alaska, 743 P.2d 333 (1987) involving closed meetings of the House and Senate Finance Committees engaged in budget deliberations. In the Malone case the court held questions relating to the internal organization of one of the houses to be nonjusticiable. Furthermore, the court noted, the open meetings statute itself had an express exemption to its applicability for organizational votes. In the Abood case the League asserted that legislators violated both the open meetings statute and the Uniform Rules in holding closed Finance Committee sessions. Again, the court held those claims to be nonjusticiable on the basis of separation of powers between the three branches of government. The court concluded that, because the state constitution grants to the legislature the power to adopt its own rules of proceedings, it is not a function of the court to interpret or enforce those rules, except to the extent that those rules violate constitutional rights. The court further held that there is no constitutional right of public access to a legislative meeting, reversing the Superior Court on that point. A copy of the Abood case is attached for your information. AS 44.62.310, the open meetings statute, has since been amended and no longer applies to the legislature.

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In conclusion, it appears highly unlikely that a court would agree to hear and decide an allegation against a legislator involving an open meetings violation. Furthermore, even if an extraordinary circumstance should arise under which the court is willing to act, the legislator would most likely incur no personal liability for the open meetings violation because of legislative immunity for official acts accorded under common law and the state constitution. (Art. II, sec. 6, Constitution of the State of Alaska)

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Enclosure



## REPRESENTATIVE ERIC CROFT

November 25, 2003

Mr. Herman G. Walker  
C/O Select Committee on Legislative Ethics  
P.O. Box 101468  
Anchorage AK 99510-1468

Dr. Mr. Walker,

Belated congratulations on your appointment and particularly your confirmation to the Select Committee on Legislative Ethics.

Your Committee has a vital role. For many years, the Alaska Legislature ignored laws on governmental ethics and open meetings. Courts, asked to enforce the law against the Legislature, held that the doctrine of separation of powers made the question non-justiciable. Abood v. League of Women Voters, 743 P.2d 333 (Alaska 1987). While the legislative action in question could be held illegal, there was no effective remedy. Your Committee was created to provide a venue for holding the legislature accountable for violations of the laws on governmental ethics and open meetings. Because the Select Committee on Legislative Ethics is within the legislative branch, the separation of powers argument is not available to those that seek to avoid the law. The Committee has done an excellent job of making the legislature accountable for violations of the ethics laws. Unfortunately, due to a misconception of the Committee's jurisdiction, it has not done as well policing the violations of the open meetings laws.

For your convenience, I have attached an opinion from the Legislative Legal Department recognizing the Committee's jurisdiction over open meetings violations, copies of the relevant statutory and temporary law provisions, and a copy of the latest proposed open meetings guidelines from the Committee.

The Committee is required to consider allegations of open meetings violations. The enabling statutes provide that the Committee "shall consider a complaint alleging a violation of [Chapter 60]." AS 24.60.170(a). The open meetings requirements are clearly part of Chapter 60.

"Legislators shall abide by open meetings principles. The committee shall develop guidelines for the application of principles of open meetings of governmental bodies to the legislature. The guidelines must permit closed caucuses and private, informal meetings or conversations between legislators in which political strategy is discussed." AS 24.60.037

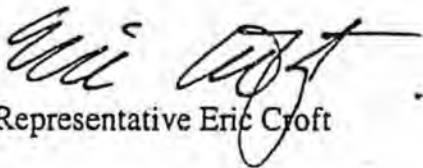
The statute makes a distinction between abiding by open meetings principles, which the Legislature is required to do without qualification, and the adoption of the guidelines, which may happen at a later date. In fact, the temporary law passed as part of the overall ethics package contemplates that the Legislature would be slow to adopt guidelines and establishes a process of repeated submittals of guidelines to keep the issue before the Legislature.

The law could have read that the Legislature would be governed by the guidelines when adopted. But it didn't. It placed the Legislature under the jurisdiction of the Committee and required that the Legislature abide by open meetings principles. The guidelines are treated in the statute as a separate issue. While it would certainly be helpful for the Legislature to adopt guidelines, and they should have done this long ago, it is not necessary for the Committee to fulfill its statutory mandate to consider open meetings violations and hold the Legislature to open meetings principles. Open meetings principles have been well-established in other jurisdictions and in scholarly publications.

In summary, the Legislature's inaction does not divest the Committee of its mandate or its jurisdiction over open meetings. I would like to know whether the Committee agrees with this position and will determine open meetings complaints on the merits.

Thank you for your time. Please feel free to contact me with any questions or for further information.

Sincerely,



Representative Eric Croft

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## MEMORANDUM

November 21, 2003

**SUBJECT:** Application of open meetings requirements to the legislature in absence of guidelines (Work Order No. 23-LS1413)

**TO:** Representative Eric Croft  
Attn: Peggy Wilcox

**FROM:** Tamara Brandt Cook  
Director TBC

You have asked for an explanation of the application of the open meetings requirement to the legislature. This is a subject with a history. The open meetings statute (AS 44.62.310) applied to the legislature as well as other governmental bodies. The court, however, held that alleged violations of the open meetings statute by the legislature were nonjusticiable. Like a Uniform Rule, the statute was deemed by the court to establish a rule of procedure concerning how the legislature conducted its business; and failure to follow a rule of procedure is not a subject for judicial inquiry under the separation of powers doctrine. (Aboud v. League of Women Voters, 743 P.2d 333 (Alaska 1987)) In 1994 the open meetings statute was amended so that it no longer applies to the court system or the legislative branch of government. (AS 44.62.310(h)(3)) At the same time AS 24.60.037 was amended to read:

Sec. 24.60.037. OPEN MEETINGS LAW. Legislators shall abide by open meetings principles. The committee shall develop guidelines for the application of principles of open meetings of governmental bodies to the legislature. The guidelines must permit closed caucuses and private, informal meetings or conversations between legislators in which political strategy is discussed. In a proceeding under AS 24.60.170 in which a violation of this section is alleged, if the committee finds that a person acted within the adopted guidelines, the committee shall dismiss the complaint as to that violation.

Under AS 24.60.170(a) the Select Committee on Legislative Ethics is charged with hearing a complaint alleging a violation of AS 24.60, including, presumably, a violation of AS 24.60.037. So, a legislator could face an ethics complaint alleging failure to "abide by open meetings principles." The Select Committee is required under AS 24.60.037 to adopt guidelines regarding open meetings. If a complaint alleging an open meetings violation is filed and if the committee finds that a legislator acted within the guidelines, the complaint is to be dismissed. Note that the guidelines act as a shield to a claim of an

Representative Eric Croft  
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open meetings violation. That is to say, if the guidelines are literally followed, the complaint is dismissed regardless of whether the facts of the case otherwise suggest that "open meetings principles" have been offended.

However, the obligation to adopt guidelines is modified under chapter 69, SLA 1994, sec. 10(a) which states in part: "Notwithstanding AS 24.60.037, adoption of initial guidelines applying the open meetings principles to the legislature are subject to approval by the legislature under this subsection." Initial guidelines have never been approved by the legislature. I am not aware that the Select Committee has taken the position that guidelines are in effect. This does not mean that a complaint may not be filed with the Select Committee alleging a violation of AS 24.60.037, but only that there are no guidelines for the committee to rely upon in deciding whether to dismiss the complaint. The committee must decide, based upon the facts of the particular case, whether "open meetings principles" have been violated, as I read the statute, even in the absence of guidelines. This is, after all, what the committee will have to do even when guidelines are in effect if those guidelines do not happen to address a particular situation that comes before the committee.

I base my conclusion upon the fact that AS 24.60.037 directs the Select Committee to prepare guidelines with no requirement for legislative approval of them. It is this aspect of the statute only that is being set aside with respect to the initial guidelines through use of the "Notwithstanding AS 24.60.037" phrase. Nothing in sec. 10(a) specifically sets aside or supercedes the command in the first sentence of AS 24.60.037: "Legislators shall abide by open meetings principles." This brings up the point that the legislature has retained for itself only a small amount of oversight in the implementation of AS 24.60.037. It is "initial guidelines" that are subject to legislative approval under chapter 69, SLA 1994, sec. 10. Subsequent amendments to those guidelines are not specifically subject to legislative approval, though use of the word "initial" strongly suggests that changes to the guidelines are contemplated. Presumably, these changes will be made by the Select Committee under its sole authority to "develop guidelines" contained in AS 24.60.037. Given the fact that the legislature plays a relatively small role in implementing AS 24.60.037, it seems to me to be a stretch to assume that the Select Committee has no jurisdiction at all over open meetings questions until after initial guidelines are adopted.

Despite the foregoing, it is ultimately up to the Select Committee to interpret the requirements of the Legislative Ethics Act and I cannot presume to know how the committee views its responsibilities under AS 24.06.037, if any, in the absence of open meeting guidelines. (See AS 24.60.158)

TBC:med  
03-733.med

# Alaska State Legislature

## Select Committee on Legislative Ethics

716 W. 4th, Suite 230  
Anchorage AK  
(907) 269-0150  
FAX: 269-0152

Mailing Address:  
P.O.Box 101468  
Anchorage, AK  
99510 - 1468

August 11, 2000

Senator Drue Pearce  
Senate President  
Anch. Legislative Building  
Anchorage, AK 99501

Representative Brian Porter  
Speaker of the House  
Anch. Legislative Building  
Anchorage, AK 99501

Dear Senate President Pearce and Speaker of the House Porter;

At the June 22, 2000 meeting of the Ethics Committee, the committee adopted a motion to recommend the Legislature remove the Ethics Committee from its statutory obligation to develop and submit Open Meetings Guidelines. Further, the committee recommends the Legislature establish guidelines in statute, similar to action other states have taken.

The history of action on the Open Meetings guidelines is as follows:

Based on the requirements set out in the Open Meeting Law (AS 44.62, amended 1994) the committee adopted proposed open meetings guidelines and submitted them to the legislature on January 15, 1995. The guidelines were published in the Joint Journal January 20, 1995. After receiving legislative input, the committee later adopted and submitted Revised Proposed Guidelines, published in the Joint Journal February 21, 1995. The committee requested Senate Rules to introduce a resolution approving the revised guidelines. Senate Rules introduced SCR 8.

On February 28, 1995 the Senate passed a version of the resolution (See CSSCR 8(RLS)) that approved the revised guidelines, in part, but placed these specific limitations on its approval; the presiding officer of each body would be the final arbiter on any point of order and the terms "Go Between or Serial Meetings" must be defined before affirmation. Further, CSSCR 8(RLS) did not affirm the parts of the guidelines that address "Meetings Not Otherwise Described", political strategy sessions and non-legislative organizations.

On March 1, 1995 the House amended the resolution and approved the revised guidelines without limitation (CSSCR 8(RLS) am H). The Senate declined to concur in the House-passed version of the resolution.

A Conference Committee was established in 1996, comprised of Senators Rieger, Frank, Donley and Representatives Davis, Porter and Mackie. The Conference Committee issued a report, which passed the Senate 18 to 1 on May 4, 1996. The House read over the report and placed it under Unfinished Business. The House did not bring the report to the floor prior to the close of the regular session.

Since that time, the committee has fulfilled its obligation to resubmit guidelines to each legislature and has annually requested introduction and/or passage of a resolution to adopt the guidelines. Though resolutions have been introduced at the request of the committee, the legislature has not taken action on any resolution since May 1996.

This important issue needs to be resolved. Without resolution, members of the legislature remain under a legal obligation to comply with the general "principles of open meetings" and we, as a committee, are under the burden of interpreting what those principles may be, in the event of a complaint.

I am enclosing a copy of the Minnesota Open Meetings Law for the Legislature, as one example of a state that adopted statutory guidelines for the legislature. I found it to be a straightforward approach to setting open meetings goals.

The committee stands ready to assist the legislature, whether it is hosting a forum on the topic or enforcing laws the legislature establishes. Please do not hesitate to contact me at (907) 452-1855 or Susie Barnett at the Ethics Office, 269-0150.

Thank you for any attention you and your staff give to this issue

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Cook", written in dark ink.

Dennis "Skip" Cook, Chair  
Select Committee on Legislative Ethics

cc: Members of the Alaska Legislature

**HCR**

**29**



# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HCR29-ACS-TC-2-27-04  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
 Title Support Therapeutic Courts BRU Alaska Court System  
 Component Trial Courts  
 Sponsor Representative Heinze  
 Requester \_\_\_\_\_ Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2005    | FY 2006    | FY 2007    | FY 2008    | FY 2009    | FY 2010    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

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| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
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| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
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**FUND SOURCE** (Thousands of Dollars)

|   |            |            |            |            |            |            |
|---|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts                   |            |            |            |            |            |            |
| 1003 GF Match                           |            |            |            |            |            |            |
| 1004 GF                                 |            |            |            |            |            |            |
| 1005 GF/Program Receipts                |            |            |            |            |            |            |
| 1037 GF/Mental Health                   |            |            |            |            |            |            |
| Other (Specify Type--Do not abbreviate) |            |            |            |            |            |            |
| <b>TOTAL</b>                            | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)  
 The court system does not anticipate any fiscal impact from the passage of HCR 29.

Prepared by: Doug Wooliver Administrative Attorney Phone 463-4750  
 Division Alaska Court System Date/Time 2/27/04 10:03 AM  
 Approved by: Stephanie Cole Administrative Director by Doug Wooliver Date 2/27/2004  
 Agency Alaska Court System

# Alaska State Legislature



**Representative Cheryll Heinze**

TO: Representative Lesil McGuire, Chairman  
House Judiciary Committee

DATE: February 20<sup>th</sup>, 2004

I would request that you schedule HCR 29 for a hearing before your committee.

Enclosed are:

1. HCR 29
2. Sponsor Statement
3. Anchorage Wellness Court's Feb. 2003 Summary of Facts
4. Criminal Justice Drug Letter 2002 Anchorage Drug Court Treats With Naltrexone
5. Alaska Therapeutic Court's Have You Heard About Therapeutic Courts?
6. Alaska Court System powerpoint presentation Driving While Impaired DWI Courts

Sincerely,

Representative Cheryll

# Alaska State Legislature

Interim:  
716 W. 4<sup>th</sup> Ave., #650  
Anchorage, AK 99501-2133

Phone: (907) 269-0160  
Fax: (907) 269-0177



Session:  
Alaska State Capitol, Rm 1081  
Juneau, AK 99801-1182

Phone: (907) 465-4930  
Fax: (907) 465-3834  
Toll Free: (800) 331-4930  
Rep.Cheryll.Heinze@legis.state.ak.us

**Representative Cheryll Heinze**  
District 24 - Anchorage

## Sponsor Statement

### HCR 29

This House Concurrent Resolution recognizes therapeutic courts and their effectiveness in treating alcoholism, particularly in regards to Driving Under the Influence (DUI).

In 2001 there were 85 traffic related fatalities. Over half of them were directly related to drunk driving. The cost and effectiveness of dealing with Drunk drivers in the conventional court system is prohibitive to say the least.

Therapeutic Courts on the other hand have a proven success rate as well as being significantly cheaper for the state. Conventional incarceration methods cost roughly six times as much as treatment from therapeutic courts.

HCR 29 encourages the Department of Law and the Public Defender Agency to actively participate in the startup of therapeutic courts in communities where there is a large population of DUI offenders and local support for therapeutic courts.

Anchorage Wellness Court: Summary of Facts

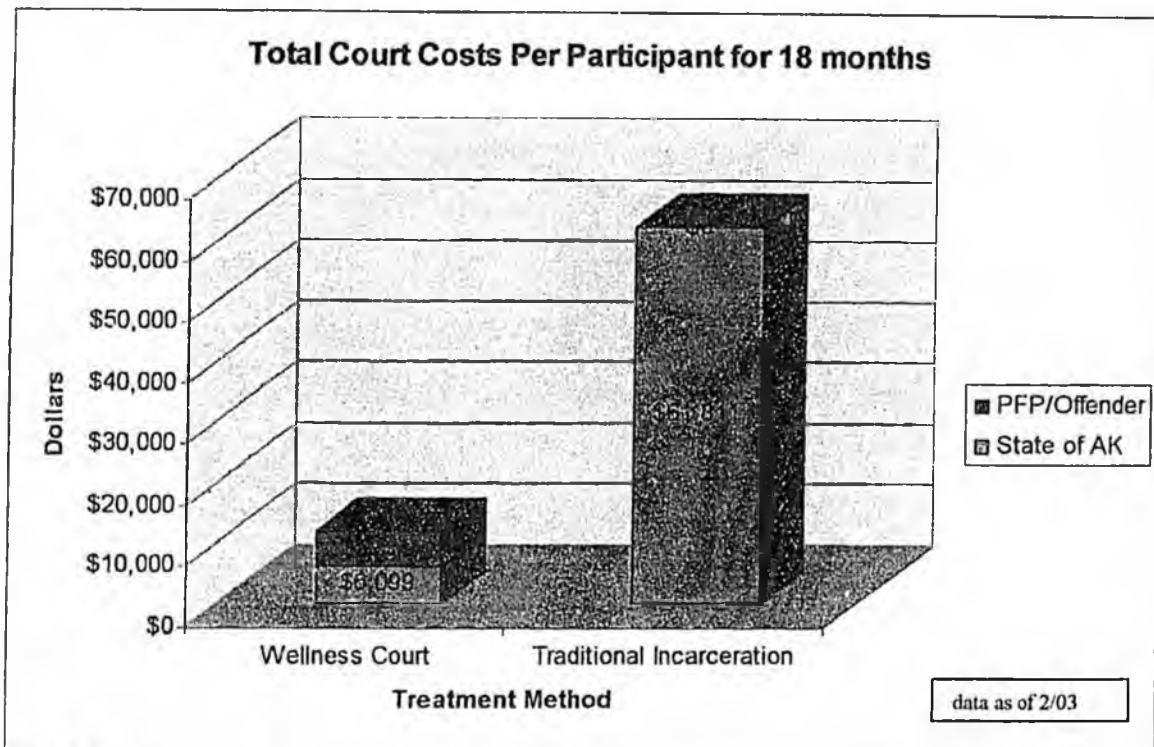


Figure 11

## Anchorage Drug Court Treats With Naltrexone

A drug court in Anchorage has reported success in treating its participants — all of whom have alcohol problems — with naltrexone, a medication that reduces the craving for alcohol.

The court, known as the Wellness Court, is a separate municipal docket for defendants who have been charged with alcohol-related offenses. Most have been charged with driving under the influence; others have been charged with assault, disorderly conduct, and child neglect.

The program is optional for defendants. Those who choose the program are required to spend 18 months in treatment with frequent court appearances before Judge Jim Wanamaker, who monitors their progress along with the Wellness Court "team," which includes a caseworker, treatment providers, prosecutors, and defense attorneys.

The Anchorage Wellness Court was established in 1999 by Judge Wanamaker and the Partners for Progress, an Anchorage nonprofit that provides services for the homeless and alcoholics. Partners for Progress now raises funds for the Wellness Court and administers the treatment program.

Defendants entering Wellness Court are assessed by a treatment professional who prepares a treatment plan. The offender then pleads guilty to the underlying charge and sentencing is deferred. The judge, after consulting with the Wellness Court team, issues a court order that includes the type of treatment to be provided. If the participant successfully completes the program, his or her sentence is dropped or reduced. Many Wellness Court participants who must serve some time after treatment are sentenced to home electronic monitoring instead of jail.

All of the Wellness Court participants are required to take naltrexone, which appears to reduce cravings in alcoholics and to block the reinforcing effects of alcohol in patients who drink. According to the National Institute on Alcohol Abuse and Alcoholism, the latter effect lessens the likelihood that patients treated with naltrexone who drink a small amount of alcohol will return to drinking. Wellness Court participants are required to take daily doses of naltrexone for four months. After that time, cravings are unlikely to occur in most patients.

In addition to naltrexone, participants are treated with cognitive-behavioral therapy. Although some

participants with particularly severe problems receive residential treatment, most are given intensive outpatient treatment. According to Janet McCabe, chairman of the board of directors of Partners for Progress, the emphasis on outpatient treatment is in keeping with the philosophy of the program — that treating an offender in the community, thus helping him integrate into society, will be more successful than isolating him in jail. Clients are also required to attend AA meetings and a support group for people who are taking naltrexone.

The Wellness Court contracts with various treatment providers but most treatment is done by Alaska Human Services, Inc., a local treatment program.

### Participants Monitored

Participants are required to maintain abstinence for 18 months and are monitored through a variety of methods, including random visits from Anchorage police officers. The intensity of the monitoring is reduced as the participant successfully progresses in the program.

The participants are mostly male and middle aged, according to the court. Most have prior convictions and have spent considerable time in jail. A majority have a history of prior treatment.

Last year — the first full year of the program — the court had 40 participants. This year it expects to have 80, Ms. McCabe said.

Although the treatment program is less than three years old, its staff considers it a success. In a progress report assessing the 2001 cases, Partners for Progress wrote: "The simple yet overriding fact about the 2001 Wellness Court is that 85 percent of its participants have stayed in the program and remained sober and lived crime-free lives under the program. For a group of people with severe alcohol addiction and a long history of repeated alcohol-related offenses, this is a remarkable outcome."

Ms. McCabe attributes the success of the court to two factors.

"First, the program recognizes that alcohol is a physical as well as psychosocial disease," she said. "The naltrexone takes care of that, but the treatment is not medicine alone."

The second factor, she said, "is the emphasis on helping people stay in the community." She noted that alcoholics who go to jail most often are "dry drunks" when they are released. By keeping offenders in the community, "We are giving them responsibility instead of giving up on them," she said. □

## Have You Heard About Therapeutic Courts?

Within the past two years, therapeutic justice in Alaska, and particularly in the Anchorage courts, has become a reality. Very simply, therapeutic justice is a concept where the justice system works primarily to restore a person to society. It requires a new kind of partnership from the various justice agencies, and it requires a shared vision of the goal: return the defendant to the community, as a contributing and healthy member.

The four courts which are currently operating in Anchorage have all forged unique relationships and explored new ways of working to achieve the goal of restoration. They share a common "Drug Court" model but serve a wide variety of constituents. The judge works with a team, which typically includes the prosecuting and defense attorneys, a treatment provider, a case manager and a member of a local law enforcement agency (corrections or police). The purpose of this structure is to provide a unique kind of support to the defendant: the focused attention of the entire justice community. Once defendants have "opted in" to one of these therapeutic courts, they become participants in a highly structured program and plan.

In each court, defendants enter a plea of "no contest" or guilty; their sentences are deferred for the duration of their participation in the program. Participants are required to attend court hearings on a weekly or bi-monthly basis, accounting to the court team for their progress - or lack of it. Positive effort and progress merits reward; lack of effort and progress results in sanction, and both, by virtue of frequent court appearances, are immediate. Upon successful completion of the programs, participants' sentences are imposed according to the previously negotiated agreements; this can include dismissal, or a reduction of jail time or probation. Participants who have entered their pleas and are unable or unwilling to complete the program are dismissed, and their cases are set for sentencing (outside of the previously negotiated agreement). It should be noted that participation in these therapeutic courts is voluntary but not automatic. Each court maintains the discretion to deny an individual the ability to participate based on an eligibility disqualifier or treatment recommendation. Hearings in each of these courts are public.

The Wellness Court works to restore misdemeanor alcohol offenders to sobriety through the use of Naltrexone (a pharmaceutical shown to be effective in reducing the craving for alcohol), court ordered treatment, police supervision, and electronic monitoring. Once accepted into this program, the participant is bound by plea agreement to participate in the program for the entire period of time (12-18 months), to maintain sobriety, and to abide by the orders of the court regarding his/her progress.

The Mental Health Court has focused its attention on mentally disabled misdemeanor offenders in an effort to divert them from jail and into appropriate community behavioral health treatment. Anyone charged with a misdemeanor and who experiences a mental health diagnosis is eligible to participate in this project. Once accepted into the court, a defendant is both required and assisted to obtain an appropriate treatment plan in the

community addressing his/her specific behavioral and health needs. If approved by the court, the treatment recommendations are ordered as conditions of bail or probation and are monitored by a case coordinator or the prosecutor.

The Drug Court and DUI Therapeutic Court serve the needs of felony drug and DUI offenders. Participants are required to work toward finishing their education, obtain employment, and, if appropriate, work to make restitution. The treatment requirement for both courts includes weekly-supervised drug and alcohol testing to ensure compliance with maintaining drug and alcohol-free lives. A unique feature of the Felony Drug and DUI Therapeutic Courts is that probation officers have been assigned to the courts to serve as the case managers for participants. The probation officers working with the Drug Court and the DUI Therapeutic Court are Judith Kalles and Olga Guerra.

## **COURT INFORMATION:**

### **Mental Health Court**

Judges Rhoades and Lohff, presiding  
Project Manager: Kathi Trawver 264-0886  
Hearings: Tuesday, Wednesday, Thursday, 2:00 p.m.  
Courtroom: check court calendar

### **Wellness Court**

Judge James Wanamaker, presiding  
Wellness Court Coordinator: Thea Whitehead 264-0656  
Hearings: Friday, 1:30 p.m.  
Courtroom: 202

### **Drug Court**

Judge Stephanie Joannides, presiding  
Hearings: Thursday, 3:00 p.m.  
Courtroom: 602

### **DWI Therapeutic Court**

Judge Stephanie Joannides, presiding  
Hearings: Friday, 2:30 p.m.  
Courtroom: 602

# Driving While Impaired

## DWI Courts:

Over 60 "DWI Courts" in operation, 25  
planning and many more "hybrid" Drug/DWI  
Courts operational

Bernalillo County, New Mexico (T-N)

Recidivism: 15.5% vs. 28.5% (2 yrs)

Lansing, Michigan

Recidivism: 13% vs. 33% (5 yrs)

# Driving While Impaired DWI Courts:

**Kootenai County, Idaho DUI Court (T-0)**

Recidivism: 4% vs. 25% (2 yrs)

70% Retention Rate

HJR

4

# HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: May 5, 2003

FURTHER REFERRALS: Finance

Date of Committee Action: January 21, 2004

The JUDICIARY Committee considered:

HJR 4

HOUSE JOINT RESOLUTION NO. 4

CONST AM: 90 DAY LEGISLATIVE SESSION

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

Recommends it be replaced with  HCS or  CS for HJR 4 ( STA )

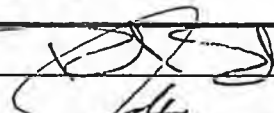

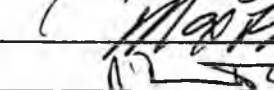
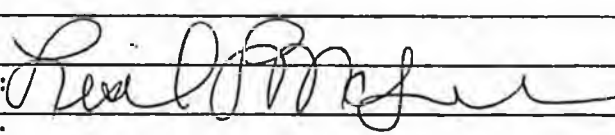
For Senate Bills with new title:  Technical Title  New Title: HCR \_\_\_\_\_  Same Title  New Title

- attach amendments
- add new referral to \_\_\_\_\_ Committee
- Letter of Intent \_\_\_\_\_ Committee

List of Abbrev for Depts.:  
 ADM  
 CED  
 COR  
 CRT  
 EED  
 DEC  
 DFG  
 GOV  
 HSS  
 LEG  
 LAW  
 LWF  
 MVA  
 DNR  
 DPS  
 REV  
 DOT  
 UA

| <u>NEW FISCAL NOTES</u>           |      |        |        |      |
|-----------------------------------|------|--------|--------|------|
| *Assigned by Chief Clerk's Office |      |        |        |      |
| List by Dept(s):                  | *FN# | Fiscal | Indet. | Zero |
| LEG                               |      | ✓      |        |      |
| GOV                               |      | ✓      |        |      |
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| <u>PREVIOUS FISCAL NOTES</u> |     |        |        |      |
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| <u>Signing with recommendations</u>  | Printed Last Name | DP | DNP | NR | AM |
|--|-------------------|----|-----|----|----|
|         | SAMUELS           | X  |     |    |    |
|         | HOLM              | ✓  |     |    |    |
| Tom Anderson   | ANDERSON          | X  |     |    |    |
| Max Gruenberg  | Gruenberg         |    |     | -  |    |
|         | O'Quinn           | X  |     |    |    |
|  |                   |    |     |    |    |
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| Chair:  | McBurne           | ✓  |     |    |    |
| Chair:   |                   |    |     |    |    |



# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHJR 4(STA)  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
 Title Proposing an amendment to the BRU Leg Council, Leg Operating Budget  
 Constitution of the State of Alaska relating to the duration... Component: All  
 Sponsor Representative Samuels, Rokeberg...  
 Requestor House Judiciary Component No. 782

**Expenditures/Revenues** (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2005    | FY 2006        | FY 2007        | FY 2008        | FY 2009        | FY 2010        |
|------------------------|------------|----------------|----------------|----------------|----------------|----------------|
| Personal Services      | 0.0        | (516.0)        | (172.0)        | (516.0)        | (516.0)        | (516.0)        |
| Travel                 | 0.0        | (285.0)        | (95.0)         | (285.0)        | (285.0)        | (285.0)        |
| Contractual            | 0.0        | (21.0)         | (7.0)          | (21.0)         | (21.0)         | (21.0)         |
| Supplies               | 0.0        | (21.0)         | (7.0)          | (21.0)         | (21.0)         | (21.0)         |
| Equipment              |            |                |                |                |                |                |
| Land & Structures      |            |                |                |                |                |                |
| Grants & Claims        |            |                |                |                |                |                |
| Miscellaneous          |            |                |                |                |                |                |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>(843.0)</b> | <b>(281.0)</b> | <b>(843.0)</b> | <b>(843.0)</b> | <b>(843.0)</b> |

|                             |            |            |            |            |            |            |
|-----------------------------|------------|------------|------------|------------|------------|------------|
| <b>CAPITAL EXPENDITURES</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |
|-----------------------------|------------|------------|------------|------------|------------|------------|

|                               |            |            |            |            |            |            |
|-------------------------------|------------|------------|------------|------------|------------|------------|
| <b>CHANGE IN REVENUES ( )</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |
|-------------------------------|------------|------------|------------|------------|------------|------------|

**FUND SOURCE** (Thousands of Dollars)

|  |            |                |                |                |                |                |
|--|------------|----------------|----------------|----------------|----------------|----------------|
| 1002 Federal Receipts                  |            |                |                |                |                |                |
| 1003 GF Match                          |            |                |                |                |                |                |
| 1004 GF                                | 0.0        | (843.0)        | (281.0)        | (843.0)        | (843.0)        | (843.0)        |
| 1005 GF/Program Receipts               |            |                |                |                |                |                |
| 1037 GF/Mental Health                  |            |                |                |                |                |                |
| Other (Specify Type-Do not abbreviate) |            |                |                |                |                |                |
| <b>TOTAL</b>                           | <b>0.0</b> | <b>(843.0)</b> | <b>(281.0)</b> | <b>(843.0)</b> | <b>(843.0)</b> | <b>(843.0)</b> |

Estimate of any current year (FY2003) cost: \_\_\_\_\_

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

CSHJR 4(STA) would amend the Constitution of the State of Alaska by limiting the regular session to 90 days. If this resolution is passed and approved by the voters at the next general election in 2004, the earliest the 90 day session limit would be in effect would be 2006. The Legislature would realize a cost savings of approximately \$28.1 per day for each day of a shorter session. Shortening the session by 30 days would result in a cost savings of, 30 times \$28.1, or \$843.0 per year. Also, if the amendments pass, in gubernatorial election years, such as FY07, the session would be limited to 110 days. A cost savings of \$281.0 would be realized during these years.

The Legislature traditionally charges expenses occurring during session to session expense accounts, and expenses occurring during the interim to interim expense accounts. For example: Most

Prepared by: Karla Schofield, Deputy Director Phone 465-6626  
 Division Administrative Services Date/Time 1/19/04 10:11 AM  
 Approved by: Pamela A. Varni, Executive Director Date 1/19/2004  
 Agency Legislative Affairs Agency

**FISCAL NOTE**

**STATE OF ALASKA  
2004 LEGISLATIVE SESSION**

**BILL NO. CSHJR 4(STA)**

**ANALYSIS CONTINUATION**

legislative staff payroll costs are charged to operating expense accounts during the interim. Staff salaries for most legislative staffers are charged to session expense accounts during the session. The legislative payroll is higher during a legislative session. If the session were shortened to 90 days, the session payroll would decrease and the interim payroll would increase. There would be a decrease in the total amount of the payroll due to the higher cost of personal services during a session. The majority of the personal services costs would be a transfer of costs between allocations.

The costs below are for items not needed for a shorter session.

|   | Per Day | times<br>30 days | Total |
|---|---------|------------------|-------|
| <b>Personal Services</b>  | 17.2    | 30               | 516.0 |
| <b>Travel</b>   |         |                  |       |
| Session per diem costs 10.5<br>per day. If session were shortened<br>more long term per diem claims<br>would be filed during the year,<br>approximately 1.0 per day<br>10.5 - 1.0 = 9.5 | 9.5     | 30               | 285.0 |
| <b>Contractual</b>  |         |                  |       |
| Telephones, chaplin fees,<br>copier maintenance   | 0.7     | 30               | 21.0  |
| <b>Supplies</b>   | 0.7     | 30               | 21.0  |
| Lounge supplies   |         |                  |       |
| Printshop paper supplies  | _____   |                  | _____ |
|   | 28.1    |                  | 843.0 |

|                                 |       |
|---------------------------------|-------|
| Current number of session days  | 120   |
| Proposed number of session days | 90    |
|                                 | _____ |
|                                 | 30    |

**Gubernatorial election year savings:**

|                   |       |    |       |
|-------------------|-------|----|-------|
| Personal Services | 17.2  | 10 | 172.0 |
| Travel            | 9.5   | 10 | 95.0  |
| Contractual       | 0.7   | 10 | 7.0   |
| Supplies          | 0.7   | 10 | 7.0   |
|                   | _____ |    | _____ |
|                   | 28.1  |    | 281.0 |

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HJR 4  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: OOG  
 Title Amendment to the Constitution relating RDU Elections  
to the duration of a regular session. Component Elections  
 Sponsor Rep. Samuels  
 Requester Judiciary Component No. 21

**Expenditures/Revenues** (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2005    | FY 2006    | FY 2007    | FY 2008    | FY 2009    | FY 2010    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            | 1.5        |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>1.5</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**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--Do not abbreviate) |            |            |            |            |            |            |
| <b>TOTAL</b>                            | <b>1.5</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**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. If this measure requires the printing of an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

Prepared by: Leonard G. Jones  
 Division Division of Elections  
 Approved by: Laura A. Glaiser, Director  
 Agency Office of the Lt. Governor, Division of Elections

Phone 465-3051  
 Date/Time 1/15/04 2:09 PM  
 Date 1/15/2004



# REPRESENTATIVE RALPH SAMUELS

HOUSE DISTRICT 29

## Memorandum

**Date:** April 24, 2003  
**To:** Representative Lesil McGuire  
Chair, House Judiciary Committee  
**From:** Representative Ralph Samuels  
**RE:** Hearing Request for HJR 4

---

Please schedule a hearing for HJR 4 at your earliest convenience. The resolution would limit the legislative session to 90 days and place the proposal before voters at the 2004 general election.

Attached you will find:

1. HJR 4
2. Sponsor Statement
3. Fiscal Notes
4. NCSL Comparison/overview of other state session limits
5. Alaska State Legislature session length comparison, Legislative Research
6. Newspaper Articles
  - a. "Too darned long," *The Anchorage Times*, May 9, 1997
  - b. "Set a 90-day legislative session," *Fairbanks Daily News Miner*, Feb. 1, 1997
  - c. "Thumbs up to discussion of a shorter legislative session," *Juneau Empire*, April 1, 2001
  - d. "Shorter session, better government," *Juneau Empire*, Jan. 26, 1997

Email: Representative\_Ralph\_Samuels@legis.state.ak.us

Session: Alaska State Capitol, Juneau, Alaska 99801-1182 • Phone: (907) 465-2095 Fax: (907) 465-3810  
Interim: 716 W. 4th Ave., Anchorage, Alaska 99501-2133 • Phone: (907) 269-0240 Fax: (907) 269-0242



# REPRESENTATIVE RALPH SAMUELS

HOUSE DISTRICT 29

## Sponsor Statement House Joint Resolution 4

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

By Representatives Samuels and Rokeberg

House Joint Resolution 4 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 2004 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 almost \$1 million in per diem and staffing costs; (2) aid in candidate recruitment; (3) and focus the public attention. Other states can do their work in 90 days or less -- Alaska should be able to accomplish this also. 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.

Your positive consideration of this measure would be appreciated.

Email: Representative\_Ralph\_Samuels@legis.state.ak.us

Session: Alaska State Capitol, Juneau, Alaska 99801-1152 • Phone: (907) 465-2095 Fax: (907) 465-3510  
Interim: 716 W. 4th Ave., Anchorage, Alaska 99501-2133 • Phone: (907) 269-0240 Fax: (907) 269-0242

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HJR4  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Office of the Governor  
 Title Constitutional Amendment relating to BRU Elections  
the duration of regular session. Component Elections  
 Sponsor Reps. Samuels and Rokeberg  
 Requester House State Affairs Component No. 21

**Expenditures/Revenues** (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2004    | FY 2005    | FY 2006    | FY 2007    | FY 2008    | FY 2009    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            | 1.5        |            |            |            |            |
| Supplies -             |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>1.5</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|  | FY 2004    | FY 2005    | FY 2006    | FY 2007    | FY 2008    | FY 2009    |
|--|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts                  |            |            |            |            |            |            |
| 1003 GF Match                          |            |            |            |            |            |            |
| 1004 GF                                |            | 1.5        |            |            |            |            |
| 1005 GF/Program Receipts               |            |            |            |            |            |            |
| 1037 GF/Mental Health                  |            |            |            |            |            |            |
| Other (Specify Type-Do not abbreviate) |            |            |            |            |            |            |
| <b>TOTAL</b>                           | <b>0.0</b> | <b>1.5</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2003) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**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. If this measure requires the printing of an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

Prepared by: Lauri Allred Phone 465-5347  
 Division: Division of Elections Date/Time 4/18/03 2:49 PM  
 Approved by: Laura A. Glaiser, Director Date 4/18/2003  
 Agency: Office of the Lt. Governor, Division of Elections

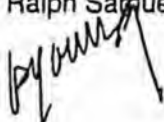
# Legislative Research Services

Alaska State Legislature  
Legislative Affairs Agency  
Division of Legal and Research Services

State Capitol  
Juneau, AK 99801  
Phone: 907-465-3991  
Fax: 907-465-3908

March 25, 2003

## Memorandum

TO: Representative Ralph Sarguels  
FROM: Patricia Young   
Manager  
RE: Session Length and Bills Passed

You asked for information on session length and the number of bills passed during various Legislatures. We include, as Attachment A, pertinent pages from the *Summary of Alaska Legislation 2002* showing information on legislative sessions since statehood, as well as pages showing the numbers of bills introduced in each chamber and the number that became law during each Legislature.

For each Legislature, the Legislative Affairs Agency also publishes a *Final Status of Bills and Resolutions*, and these contain a statistical summary of measures before the House and a similar summary for measures before the Senate. As Attachment B, we include information on the number of bills and resolutions passed by both chambers from 1979 through 1992. This information was taken from the various editions of the *Final Status of Bills and Resolutions*. Please note that because of the way legislation was tabulated in prior years, the numbers may be somewhat high. In some instances, a bill may have passed one chamber in a different form than it passed the other chamber and no concurrence or rescission occurred. While such legislation is counted as having passed both bodies, it did not pass in the same form and, thus, could not become law.

We also include, as Attachment C, a copy of a research report showing the number of bills passed during the final two weeks of session in 1985-87. This report, and supplemental information, is 88.113.

I hope this is helpful. Please let us know if you have questions or need additional information.

## LEGISLATIVE SESSIONS SINCE STATEHOOD

| Legislature/Session<br>& Number of Days  | Day/Date<br>Convened                                 | Day/Date<br>Adjourned                                | Adjournment Time                            |   |
|--|--|--|---|---|
|  |  |  | SENATE                                      | HOUSE   |
| <b>1ST LEGISLATURE: 1959 - 1960</b><br>1st Session - 81 days<br>2nd Session - 65 days  | Mo 1/26/59<br>Mo 1/25/60                             | Tu 4/16/59<br>Tu 3/29/60                             | 9:50pm<br>12:00pm                           | 9:45pm<br>12:00pm                                 |
| <b>2ND LEGISLATURE: 1961 - 1962</b><br>1st Session - 74 days<br>2nd Session - 81 days  | Mo 1/23/61<br>Mo 1/22/62                             | Th 4/6/61<br>Th 4/12/62                              | 2:01am<br>1:22am                            | 2:20am<br>1:10am                                  |
| <b>3RD LEGISLATURE: 1963 - 1964</b><br>1st Session - 76 days<br>2nd Session - 85 days*<br>1st Special Session - 3 days<br>*Formal recess, 40 days        | Mo 1/28/63<br>Mo 1/27/64<br>Mo 8/31/64               | Sa 4/13/63<br>Sa 5/30/64<br>We 9/2/64                | 10:46am<br>1:00am<br>11:12am                | 10:45am<br>1:00am<br>11:08am                      |
| <b>4TH LEGISLATURE: 1965 - 1966</b><br>1st Session - 75 days<br>2nd Session - 84 days  | Mo 1/25/65<br>Mo 1/24/66                             | Fr 4/9/65<br>Su 4/17/66                              | 4:32am<br>1:14am                            | 4:35am<br>1:28am                                  |
| <b>5TH LEGISLATURE: 1967 - 1968</b><br>1st Session - 77 days<br>1st Special Session - 6 days<br>2nd Session - 86 days                                    | Mo 1/23/67<br>Fr 9/29/67<br>Mo 1/22/68               | Su 4/9/67<br>We 10/4/67<br>Tu 4/16/68                | 11:35am<br>2:37am<br>8:05am                 | 11:32am<br>2:35am<br>8:00am                       |
| <b>6TH LEGISLATURE: 1969 - 1970</b><br>1st Session - 95 days<br>2nd Session - 147 days   | Mo 1/27/69<br>Mo 1/12/70                             | Th 5/1/69<br>Su 6/7/70                               | 4:18am<br>3:33am                            | 4:30am<br>3:51am                                  |
| <b>7TH LEGISLATURE: 1971 - 1972</b><br>1st Session - 121 days<br>2nd Session - 161 days  | Mo 1/11/71<br>Mo 1/10/72                             | Tu 5/11/71<br>Tu 6/18/72                             | 3:23am<br>12:50am                           | 3:26am<br>12:59am                                 |
| <b>8TH LEGISLATURE: 1973 - 1974</b><br>1st Session - 90 days<br>1st Special Session - 27 days<br>2nd Session - 96 days<br>2nd Special Session - 4 days   | Mo 1/8/73<br>We 10/17/73<br>Mo 1/21/74<br>Mo 6/17/74 | Sa 4/7/73<br>Mo 11/12/73<br>Fr 4/27/74<br>Th 6/20/74 | 5:45pm<br>4:35pm<br>8:21pm<br>6:17pm        | 5:50pm<br>4:35pm<br>8:25pm<br>6:12pm              |
| <b>9TH LEGISLATURE: 1975 - 1976</b><br>1st Session - 139 days<br>2nd Session - 142 days  | Mo 1/20/75<br>Mo 1/12/76                             | Sa 6/7/75<br>Tu 6/1/76                               | 2:30am<br>8:19am                            | 2:43am<br>8:14am                                  |
| <b>10TH LEGISLATURE: 1977 - 1978</b><br>1st Session - 141 days<br>2nd Session - 161 days   | Mo 1/10/77<br>Mo 1/9/78                              | Mo 5/30/77<br>Su 6/18/78                             | 10:41am<br>9:32pm                           | 12:33pm<br>11:36pm                                |
| <b>11TH LEGISLATURE: 1979 - 1980</b><br>1st Session - 112 days<br>1st Special Session - 3 days<br>2nd Session - 145 days<br>2nd Special Session - 3 days | Mo 1/15/79<br>Mo 8/6/79<br>Mo 1/14/80<br>Mo 9/22/80  | Su 5/6/79<br>We 8/8/79<br>Fr 6/6/80<br>We 9/24/80    | 12:15pm<br>2:16pm<br>8:43pm (6/5)<br>9:38am | 3:00pm<br>7:26pm (8/7)<br>1:01am<br>2:55am (9/23) |
| <b>12TH LEGISLATURE: 1981 - 1982</b><br>1st Session - 165 days<br>1st Special Session - 3 days<br>2nd Session - 144 days                                 | Mo 1/12/81<br>Mo 7/13/81<br>Mo 1/11/82               | Th 6/25/81<br>We 7/15/81<br>We 6/3/82                | 7:06pm (6/24)<br>6:11pm (7/14)<br>5:35pm    | 12:23am<br>1:32am<br>7:23am (6/2)                 |
| <b>13TH LEGISLATURE: 1983 - 1984</b><br>1st Session - 162 days<br>2nd Session - 152 days   | Mo 1/17/83<br>Mo 1/9/84                              | Mo 6/27/83<br>Fr 6/8/84                              | 9:39am<br>4:38pm                            | 9:28pm (6/26)<br>4:05pm                           |

Sent to you by  
**LEGISLATIVE RESEARCH  
SERVICES**

Terry Miller LOB, Room 305  
465-3991 (phone) 465-3908 (fax)

## LEGISLATIVE SESSIONS SINCE STATEHOOD

| Legislature/Session<br>& Number of Days  | Day/Date<br>Convened   | Day/Date<br>Adjourned  | Adjournment Time   |   |
|--|--|--|--|---|
|  |  |  | SENATE   | HOUSE   |
| <b>14TH LEGISLATURE: 1985 - 1986</b><br>1st Session - 119 days<br>1st Special Session - 30 days*<br>2nd Session - 120 days   | Mo 1/14/85<br>Mo 7/15/85<br>Mo 1/13/86                                 | Su 5/12/85<br>Tu 8/13/85<br>Mo 5/12/86                                   | 9:42pm<br>.<br>11:54pm                                     | 10:52pm<br>.<br>11:59pm                           |
| * The First Special Session of the Fourteenth Legislature (considering the question of impeachment of Governor Sheffield) adjourned in 30 days under Article II, Section 9, Constitution of the State of Alaska. |  |  |  |   |
| <b>15TH LEGISLATURE: 1987 - 1988</b><br>1st Session - 122 days**<br>1st Special Session - 3 days<br>2nd Session - 121 days   | Mo 1/19/87<br>Mo 7/1/87<br>Mo 1/11/88                                  | We 5/20/87<br>Fr 7/3/87<br>Tu 5/10/88                                    | 11:58pm (5/19)<br>1:31am<br>4:12am                         | 1:30am<br>12:12am<br>6:04am                       |
| ** The First Session of the Fifteenth Legislature was extended by a proclamation by the Governor.  |  |  |  |   |
| <b>16TH LEGISLATURE: 1989 - 1990</b><br>1st Session - 121 days<br>2nd Session - 122 days<br>1st Special Session - 14 days  | Mo 1/9/89<br>Mo 1/8/90<br>Mo 6/25/90                                   | Tu 5/9/89<br>We 5/9/90<br>Su 7/8/90                                      | 11:59pm<br>11:59pm (5/8)<br>5:13pm                         | 11:32pm<br>12:01am<br>5:00pm                      |
| <b>17TH LEGISLATURE: 1991 - 1992</b><br>1st Session - 122 days<br>2nd Session - 122 days<br>1st Special Session - 4 days<br>2nd Special Session - 8 days   | Mo 1/21/91<br>Mo 1/13/92<br>We 05/13/92<br>Mo 06/15/92                 | We 5/22/91<br>We 5/13/92<br>Sat 5/16/92<br>Mon 6/22/92                   | 9:39pm (5/21)<br>11:59pm (5/12)<br>4:56pm (5/15)<br>3:44pm | 12:37am<br>12:06am<br>5:40am<br>4:17pm            |
| <b>18TH LEGISLATURE: 1993 - 1994</b><br>1st Session - 121 days<br>2nd Session - 121 days<br>1st Special Session:<br>Senate - 7 days<br>House - 5 days<br>2nd Special Session - 3 days                            | Mo 1/11/93<br>Mo 1/10/94<br><br>Tu 5/10/94<br>Th 5/12/94<br>Mo 9/26/94 | Tu 5/11/93<br>Tu 5/10/94<br><br>Mon 5/16/94<br>Mon 5/16/94<br>We 9/28/94 | 9:02pm<br>unclear<br><br>4:36pm<br><br>12:35am             | 9:11pm<br>11:59pm<br><br><br>6:15pm<br>12:40am    |
| <b>19TH LEGISLATURE: 1995 - 1996</b><br>1st Session - 121 days<br>2nd Session - 122 days<br>1st Special Session - 30 days  | Mo 1/16/95<br>Mo 1/8/96<br>We 5/8/96                                   | Tu 5/16/95<br>We 5/8/96<br>Th 6/6/96                                     | 10:05pm<br>12:18am<br>4:37pm                               | 10:13pm<br>12:13am<br>4:51pm                      |
| <b>20TH LEGISLATURE: 1997 - 1998</b><br>1st Session - 119 days<br>2nd Session - 122 days<br>1st Special Session - 7 days<br>2nd Special Session - 2 days   | Mo 1/13/97<br>Mo 1/12/98<br>Tu 5/26/98<br>Mo 7/20/98                   | Su 5/11/97<br>We 5/13/98<br>Mon 6/1/98<br>Tu 7/21/98                     | 11:04pm<br>12:09am<br>1:26pm<br>9:25pm                     | 11:43pm<br>12:03am<br>1:51pm<br>8:57pm            |
| <b>21ST LEGISLATURE - 1999 - 2000</b><br>1st Session - 121 days<br>1st Special Session - 6 days<br>2nd Special Session - 9 days<br>2nd Session - 115 days<br>3rd Special Session - 3 days                        | Tu 1/19/99<br>Th 5/20/99<br>We 9/22/99<br>Mo 1/10/00<br>Th 5/4/00      | Tu 5/19/99<br>Tu 5/25/99<br>Th 9/30/99<br>We 5/3/00<br>Sa 5/6/00         | 11:56pm<br>6:06pm<br>6:55pm<br>7:11pm<br>11:47am           | 11:53pm<br>6:10pm<br>6:39pm<br>7:46pm<br>11:40am  |
| <b>22ND LEGISLATURE - 2001 - 2002</b><br>1st Session - 121 days<br>1st Special Session - 3 days<br>2nd Session - 123 days (extended)<br>2nd Special Session - 5 days<br>3rd Special Session - 4 days             | Mo 1/8/01<br>Th 6/7/01<br>Mo 1/14/02<br>Fr 5/17/02<br>Mo 6/24/02       | Tu 5/8/01<br>Sa 6/9/01<br>Th 5/16/02<br>Tu 5/21/02<br>Th 6/27/02         | 11:48pm<br>10:55am<br>11:59:59pm***<br>5:32pm<br>12:41am   | 11:52pm<br>10:41am<br>11:58pm<br>5:08pm<br>1:42am |
| ***Under the provisions of art. II, sec. 8 of the Alaska Constitution, the Senate was adjourned sine die at midnight, May 16, 2002.  |  |  |  |   |

NOTE: All Special Sessions were called by the Governor, except the 1st Special Session of the 14th Legislature, and the 1st Special Session of the 17th Legislature, which were called by the Legislature.

## HISTORICAL SUMMARY

1959 - present

| LEGISLATURE/SESSION<br>& NUMBER OF DAYS | BILLS INTRODUCED |            |            | BILLS<br>BECAME LAW |
|---|------------------|------------|------------|---------------------|
|   | HOUSE            | SENATE     | TOTAL      |                     |
| <b>1ST LEGISLATURE: 1959 - 1960</b>     |                  |            |            |                     |
| 1st Session - 81 days                   | 249              | 132        | 381        | 200                 |
| 2nd Session - 65 days                   | <u>225</u>       | <u>127</u> | <u>352</u> | <u>187</u>          |
| Total                                   | 474              | 259        | 733        | 387                 |
| <b>2ND LEGISLATURE: 1961 - 1962</b>     |                  |            |            |                     |
| 1st Session - 74 days                   | 285              | 178        | 463        | 147                 |
| 2nd Session - 81 days                   | <u>211</u>       | <u>120</u> | <u>331</u> | <u>169</u>          |
| Total                                   | 496              | 298        | 794        | 316                 |
| <b>3RD LEGISLATURE: 1963 - 1964</b>     |                  |            |            |                     |
| 1st Session - 76 days                   | 238              | 191        | 429        | 104                 |
| 2nd Session - 85 days*                  | 230              | 168        | 398        | 119                 |
| 1st Special Session - 3 days            | <u>9</u>         | <u>0</u>   | <u>9</u>   | <u>8</u>            |
| Total                                   | 477              | 359        | 836        | 231                 |
| *Formal recess, 40 days                 |                  |            |            |                     |
| <b>4TH LEGISLATURE: 1965 - 1966</b>     |                  |            |            |                     |
| 1st Session - 75 days                   | 289              | 192        | 481        | 117                 |
| 2nd Session - 84 days                   | <u>238</u>       | <u>149</u> | <u>387</u> | <u>169</u>          |
| Total                                   | 527              | 341        | 868        | 286                 |
| <b>5TH LEGISLATURE: 1967 - 1968</b>     |                  |            |            |                     |
| 1st Session - 77 days                   | 348              | 203        | 551        | 139                 |
| 1st Special Session - 6 days            | 17               | 17         | 34         | 31                  |
| 2nd Session - 86 days                   | <u>364</u>       | <u>209</u> | <u>573</u> | <u>236</u>          |
| Total                                   | 729              | 429        | 1,158      | 406                 |
| <b>6TH LEGISLATURE: 1969 - 1970</b>     |                  |            |            |                     |
| 1st Session - 95 days                   | 411              | 350        | 761        | 120                 |
| 2nd Session - 147 days                  | <u>466</u>       | <u>252</u> | <u>718</u> | <u>253</u>          |
| Total                                   | 877              | 602        | 1,479      | 373                 |
| <b>7TH LEGISLATURE: 1971 - 1972</b>     |                  |            |            |                     |
| 1st Session - 121 days                  | 470              | 247        | 717        | 131                 |
| 2nd Session - 161 days                  | <u>363</u>       | <u>189</u> | <u>552</u> | <u>208</u>          |
| Total                                   | 833              | 436        | 1,269      | 339                 |
| <b>8TH LEGISLATURE: 1973 - 1974</b>     |                  |            |            |                     |
| 1st Session - 90 days                   | 424              | 259        | 683        | 91                  |
| 1st Special Session - 27 days           | 10               | 9          | 19         | 8                   |
| 2nd Session - 96 days                   | 438              | 278        | 716        | 147                 |
| 2nd Special Session - 4 days            | <u>9</u>         | <u>8</u>   | <u>17</u>  | <u>9</u>            |
| Total                                   | 881              | 554        | 1,435      | 255                 |
| <b>9TH LEGISLATURE: 1975 - 1976</b>     |                  |            |            |                     |
| 1st Session - 139 days                  | 538              | 474        | 1,010      | 220                 |
| 2nd Session - 142 days                  | <u>397</u>       | <u>289</u> | <u>686</u> | <u>279</u>          |
| Total                                   | 935              | 761        | 1,696      | 499                 |
| <b>10TH LEGISLATURE: 1977 - 1978</b>    |                  |            |            |                     |
| 1st Session - 141 days                  | 552              | 370        | 922        | 155                 |
| 2nd Session - 161 days                  | <u>434</u>       | <u>272</u> | <u>706</u> | <u>182</u>          |
| Total                                   | 986              | 642        | 1,628      | 337                 |
| <b>11TH LEGISLATURE: 1979 - 1980</b>    |                  |            |            |                     |
| 1st Session - 112 days                  | 503              | 289        | 792        | 87                  |
| 1st Special Session - 3 days            | 3                | 2          | 5          | 4                   |
| 2nd Session - 145 days                  | 533              | 299        | 832        | 176                 |
| 2nd Special Session - 3 days            | <u>0</u>         | <u>0</u>   | <u>0</u>   | <u>3</u>            |
| Total                                   | 1,039            | 590        | 1,629      | 270                 |

| LEGISLATURE/SESSION<br>& NUMBER OF DAYS              | BILLS INTRODUCED |            |            | BILLS<br>BECAME LAW |
|--|------------------|------------|------------|---------------------|
|  | HOUSE            | SENATE     | TOTAL      |                     |
| 12TH LEGISLATURE: 1981 - 1982                        |                  |            |            |                     |
| 1st Session - 165 days                               | 620              | 606        | 1,226      | 120                 |
| 1st Special Session - 3 days                         | 0                | 1          | 1          | 0                   |
| 2nd Session - 144 days                               | <u>274</u>       | <u>292</u> | <u>566</u> | <u>144</u>          |
| Total  | 894              | 899        | 1,793      | 264                 |
| 13TH LEGISLATURE: 1983 - 1984                        |                  |            |            |                     |
| 1st Session - 162 days                               | 449              | 318        | 767        | 109                 |
| 2nd Session - 152 days                               | <u>273</u>       | <u>236</u> | <u>509</u> | <u>171</u>          |
| Total  | 722              | 554        | 1,276      | 280                 |
| 14TH LEGISLATURE: 1985 - 1986                        |                  |            |            |                     |
| 1st Session - 119 days                               | 448              | 322        | 770        | 105                 |
| 1st Special Session - 30 days                        | 0                | 0          | 0          | 0                   |
| 2nd Session - 120 days                               | <u>262</u>       | <u>167</u> | <u>429</u> | <u>146</u>          |
| Total  | 710              | 489        | 1,199      | 251                 |
| 15TH LEGISLATURE: 1987 - 1988                        |                  |            |            |                     |
| 1st Session - 122 days                               | 327              | 310        | 637        | 96                  |
| 1st Special Session - 3 days                         | 2                | 2          | 4          | 5                   |
| 2nd Session - 121 days                               | <u>238</u>       | <u>208</u> | <u>446</u> | <u>173</u>          |
| Total  | 567              | 520        | 1,087      | 274                 |
| 16TH LEGISLATURE: 1989 - 1990                        |                  |            |            |                     |
| 1st Session - 121 days                               | 360              | 331        | 691        | 117                 |
| 2nd Session - 122 days                               | 230              | 221        | 459        | 211                 |
| 1st Special Session - 14 days                        | <u>5</u>         | <u>4</u>   | <u>9</u>   | <u>1</u>            |
| Total  | 603              | 556        | 1,159      | 329                 |
| 17TH LEGISLATURE: 1991 - 1992                        |                  |            |            |                     |
| 1st Session - 122 days                               | 356              | 313        | 669        | 96                  |
| 2nd Session - 122 days                               | 236              | 164        | 400        | 137                 |
| 1st Special Session - 4 days                         | 6                | 6          | 12         | 5                   |
| 2nd Special Session - 8 days                         | <u>4</u>         | <u>2</u>   | <u>6</u>   | <u>1</u>            |
| Total  | 602              | 485        | 1,087      | 239                 |
| 18TH LEGISLATURE: 1993 - 1994                        |                  |            |            |                     |
| 1st Session - 121 days                               | 304              | 218        | 522        | 83                  |
| 2nd Session - 121 days                               | 244              | 163        | 407        | 131                 |
| 1st Special session<br>(7 days Senate, 5 days House) | 0                | 0          | 0          | 8                   |
| 2nd Special session - 3 days                         | <u>2</u>         | <u>2</u>   | <u>4</u>   | <u>2</u>            |
| Total  | 550              | 383        | 933        | 224                 |
| 19TH LEGISLATURE: 1995 - 1996                        |                  |            |            |                     |
| 1st Session - 121 days                               | 352              | 187        | 539        | 105                 |
| 2nd Session - 122 days                               | 202              | 140        | 342        | 146                 |
| 1st Special Session - 30 days                        | <u>10</u>        | <u>12</u>  | <u>22</u>  | <u>6</u>            |
| Total  | 564              | 339        | 903        | 257                 |
| 20TH LEGISLATURE: 1997 - 1998                        |                  |            |            |                     |
| 1st Session - 119 days                               | 289              | 206        | 495        | 113                 |
| 2nd Session - 122 days                               | 202              | 154        | 356        | 142                 |
| 1st Special Session - 7 days                         | 1                | 2          | 3          | 1                   |
| 2nd Special Session - 2 days                         | <u>1</u>         | <u>1</u>   | <u>2</u>   | <u>0</u>            |
| Total  | 493              | 363        | 856        | 256                 |

| LEGISLATURE/SESSION<br>& NUMBER OF DAYS | BILLS INTRODUCED |          |          | BILLS<br>BECAME LAW |
|---|------------------|----------|----------|---------------------|
|   | HOUSE            | SENATE   | TOTAL    |                     |
| <b>21ST LEGISLATURE: 1999 - 2000</b>    |                  |          |          |                     |
| 1st Session - 121 days                  | 253              | 185      | 438      | 94                  |
| 1st Special Session - 6 days            | 1                | 1        | 2        | 2                   |
| 2nd Special Session - 9 days            | 0                | 0        | 0        | 2                   |
| 2nd Session - 115 days                  | 195              | 129      | 324      | 136                 |
| 3rd Special Session - 3 days            | <u>2</u>         | <u>2</u> | <u>4</u> | <u>2</u>            |
| Total                                   | 451              | 317      | 768      | 236                 |
| <b>22ND LEGISLATURE: 2001 - 2002</b>    |                  |          |          |                     |
| 1st Session - 121 days                  | 276              | 229      | 505      | 103                 |
| 1st Special Session - 3 days            | 0                | 0        | 0        | 1                   |
| 2nd Session - 123 days                  | 256              | 143      | 399      | 143                 |
| 2nd Special Session - 5 days            | 8                | 12       | 20       | 5                   |
| 3rd Special Session - 4 days            | <u>2</u>         | <u>2</u> | <u>4</u> | <u>2</u>            |
| Total                                   | 542              | 386      | 928      | 254                 |

**Legislation Passed by Both Houses  
1979 - 1992**

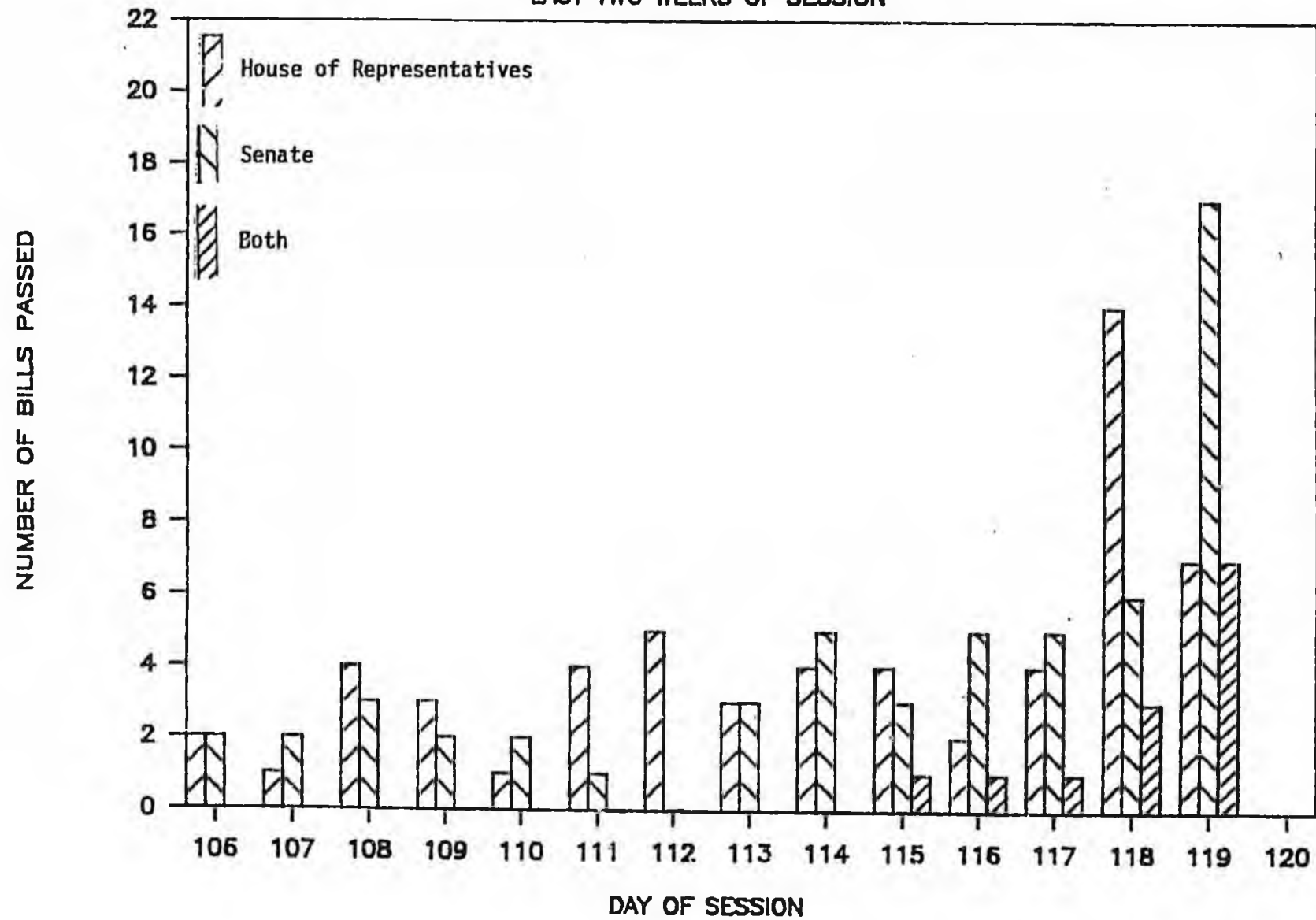
| <b>Legislature</b> | <b>Senate Bills</b> | <b>House Bills</b> | <b>Total Bills</b> | <b>Senate Resolutions</b> | <b>House Resolutions</b> | <b>Total Resolutions</b> |
|--------------------|---------------------|--------------------|--------------------|---------------------------|--------------------------|--------------------------|
| <b>11th</b>        |                     |                    |                    |                           |                          |                          |
| 1979               | 54                  | 62                 | 116                | 18                        | 15                       | 33                       |
| 1980               | 95                  | 104                | 199                | 20                        | 29                       | 49                       |
| <b>Total</b>       | <b>149</b>          | <b>166</b>         | <b>315</b>         | <b>38</b>                 | <b>44</b>                | <b>82</b>                |
| <b>12th</b>        |                     |                    |                    |                           |                          |                          |
| 1981               | 75                  | 58                 | 133                | 26                        | 20                       | 46                       |
| 1982               | 92                  | 69                 | 161                | 10                        | 10                       | 20                       |
| <b>Total</b>       | <b>167</b>          | <b>127</b>         | <b>294</b>         | <b>36</b>                 | <b>30</b>                | <b>66</b>                |
| <b>13th</b>        |                     |                    |                    |                           |                          |                          |
| 1983               | 54                  | 59                 | 113                | 11                        | 18                       | 29                       |
| 1984               | 90                  | 92                 | 182                | 17                        | 24                       | 41                       |
| <b>Total</b>       | <b>144</b>          | <b>151</b>         | <b>295</b>         | <b>28</b>                 | <b>42</b>                | <b>70</b>                |
| <b>14th</b>        |                     |                    |                    |                           |                          |                          |
| 1985               | 48                  | 59                 | 107                | 8                         | 17                       | 25                       |
| 1988               | 64                  | 90                 | 154                | 19                        | 15                       | 34                       |
| <b>Total</b>       | <b>112</b>          | <b>149</b>         | <b>261</b>         | <b>27</b>                 | <b>32</b>                | <b>59</b>                |
| <b>15th</b>        |                     |                    |                    |                           |                          |                          |
| 1987               | 47                  | 57                 | 104                | 18                        | 22                       | 40                       |
| 1988               | 94                  | 88                 | 182                | 36                        | 33                       | 69                       |
| <b>Total</b>       | <b>141</b>          | <b>145</b>         | <b>286</b>         | <b>54</b>                 | <b>55</b>                | <b>109</b>               |
| <b>16th</b>        |                     |                    |                    |                           |                          |                          |
| 1989               | 60                  | 59                 | 119                | 42                        | 31                       | 73                       |
| 1990               | 103                 | 112                | 215                | 38                        | 45                       | 83                       |
| <b>Total</b>       | <b>163</b>          | <b>171</b>         | <b>334</b>         | <b>80</b>                 | <b>76</b>                | <b>156</b>               |
| <b>17th</b>        |                     |                    |                    |                           |                          |                          |
| 1991               | 52                  | 54                 | 106                | 27                        | 34                       | 61                       |
| 1992               | 74                  | 75                 | 149                | 21                        | 29                       | 50                       |
| <b>Total</b>       | <b>126</b>          | <b>129</b>         | <b>255</b>         | <b>48</b>                 | <b>63</b>                | <b>111</b>               |

**Source:** Final Status of Bills and Resolutions, Statistical Summary, Legislative Affairs Agency.  
**Statistics used:** House Bills and Resolutions -- Number that passed the Senate.  
Senate Bills and Resolutions -- Number that passed the House.

Prepared by the Legislative Research Agency, August 1992.

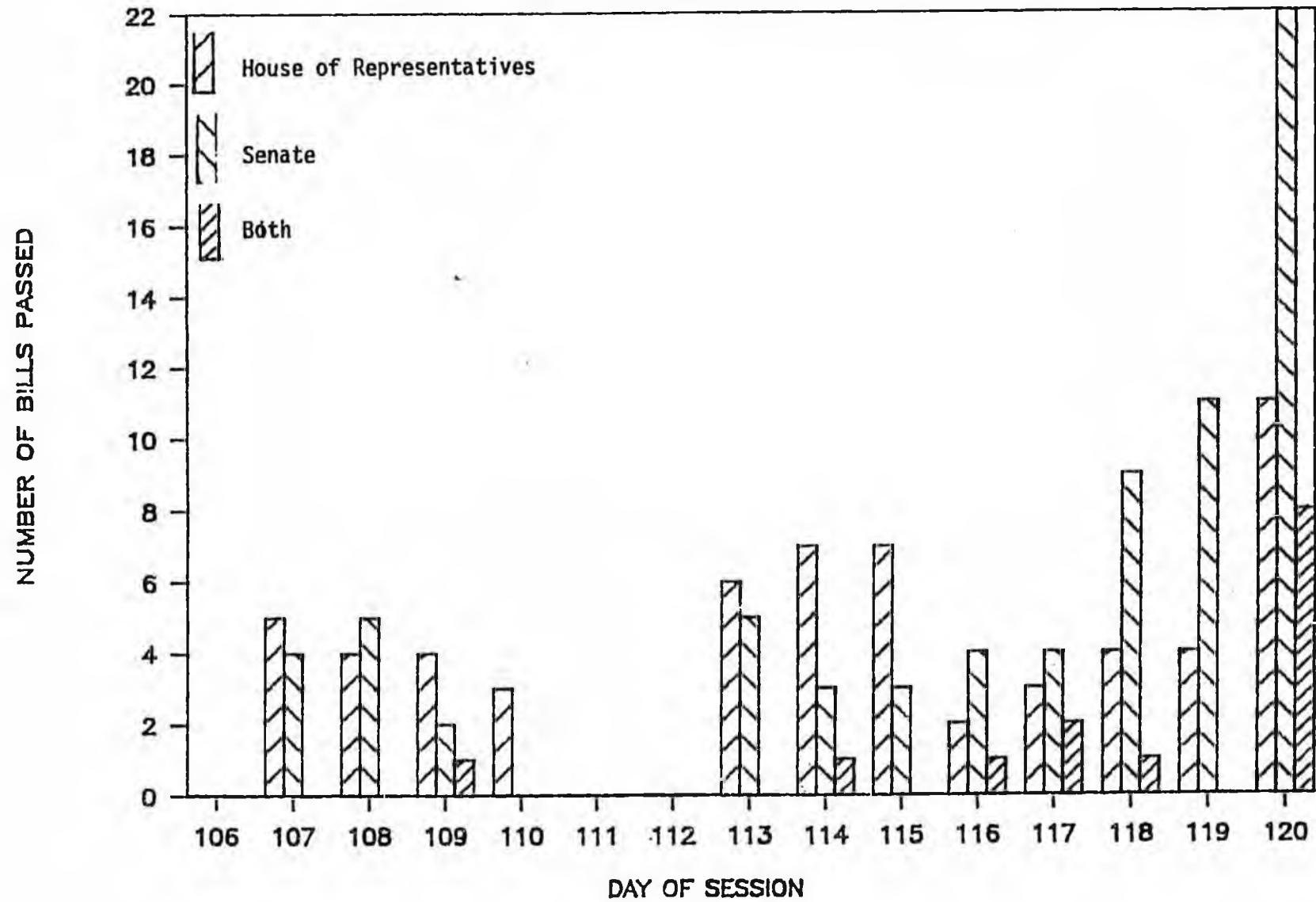
# BILLS PASSED BY LEGISLATURE - 1985

LAST TWO WEEKS OF SESSION



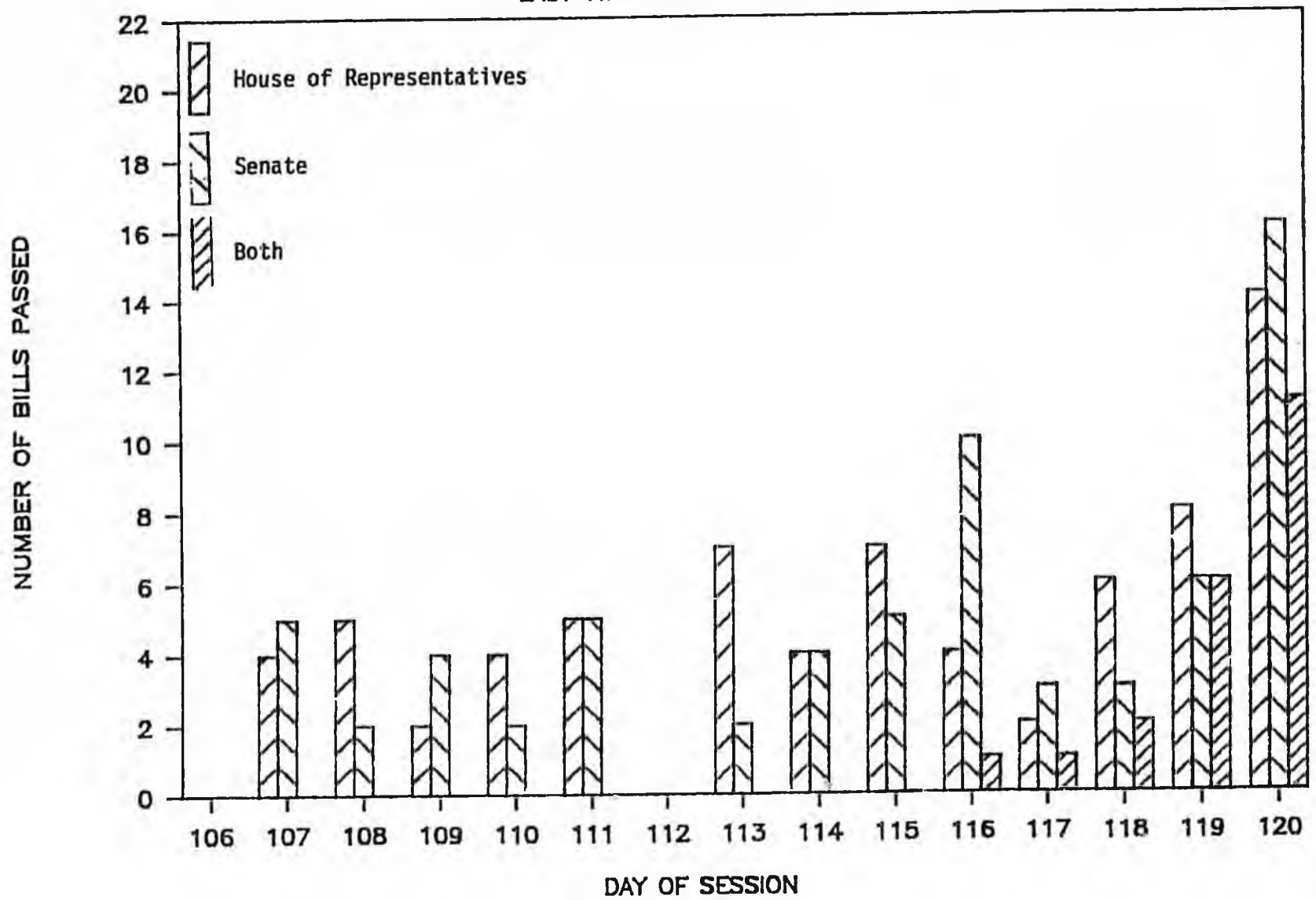
# BILLS PASSED BY LEGISLATURE — 1986

LAST TWO WEEKS OF SESSION



# BILLS PASSED BY LEGISLATURE — 1987

LAST TWO WEEKS OF SESSION



**BILLS PASSED BY THE ALASKA LEGISLATURE  
DURING THE LAST TWO WEEKS OF SESSION  
1985-1987**

| 1985    |                 |        |      | 1986 |                 |        |      | 1987 |                 |        |      |
|---------|-----------------|--------|------|------|-----------------|--------|------|------|-----------------|--------|------|
| DAY     | BILLS PASSED BY |        |      | DAY  | BILLS PASSED BY |        |      | DAY  | BILLS PASSED BY |        |      |
|         | HOUSE           | SENATE | BOTH |      | HOUSE           | SENATE | BOTH |      | HOUSE           | SENATE | BOTH |
| 106     | 2.0             | 2.0    |      | 106  |                 |        |      | 106  |                 |        |      |
| 107     | 1.0             | 2.0    |      | 107  | 5.0             | 4.0    |      | 107  | 4.0             | 5.0    |      |
| 108     | 4.0             | 3.0    |      | 108  | 4.0             | 5.0    |      | 108  | 5.0             | 2.0    |      |
| 109     | 3.0             | 2.0    |      | 109  | 4.0             | 2.0    | 1.0  | 109  | 2.0             | 4.0    |      |
| 110     | 1.0             | 2.0    |      | 110  | 3.0             |        |      | 110  | 4.0             | 2.0    |      |
| 111     | 4.0             | 1.0    |      | 111  |                 |        |      | 111  | 5.0             | 5.0    |      |
| 112     | 5.0             |        |      | 112  |                 |        |      | 112  |                 |        |      |
| 113     | 3.0             | 3.0    |      | 113  | 6.0             | 5.0    |      | 113  | 7.0             | 2.0    |      |
| 114     | 4.0             | 5.0    |      | 114  | 7.0             | 3.0    | 1.0  | 114  | 4.0             | 4.0    |      |
| 115     | 4.0             | 3.0    | 1.0  | 115  | 7.0             | 3.0    |      | 115  | 7.0             | 5.0    |      |
| 116     | 2.0             | 5.0    | 1.0  | 116  | 2.0             | 4.0    | 1.0  | 116  | 4.0             | 10.0   | 1.0  |
| 117     | 4.0             | 5.0    | 1.0  | 117  | 3.0             | 4.0    | 2.0  | 117  | 2.0             | 3.0    | 1.0  |
| 118     | 14.0            | 6.0    | 3.0  | 118  | 4.0             | 9.0    | 1.0  | 118  | 6.0             | 3.0    | 2.0  |
| 119     | 7.0             | 17.0   | 7.0  | 119  | 4.0             | 11.0   |      | 119  | 8.0             | 6.0    | 6.0  |
| 120     |                 |        |      | 120  | 11.0            | 22.0   | 8.0  | 120  | 14.0            | 16.0   | 11.0 |
| TOTAL   | 58.0            | 56.0   | 13.0 |      | 60.0            | 72.0   | 14.0 |      | 72.0            | 67.0   | 21.0 |
| AVERAGE | 4.1             | 4.0    | 0.9  |      | 4.3             | 5.1    | 1.0  |      | 5.1             | 4.8    | 1.5  |

Prepared by the House Research Agency, January 13, 1987, (100287-12; 88-113A).

**Table 1**  
**Number of Bills and Resolutions Passed During Legislative Session**  
**Fourteenth Alaska Legislature - 1st Session - 1985**

|                               | HOUSE<br>NUMBER OF BILLS PASSED |             |             |             | SENATE<br>NUMBER OF BILLS PASSED |             |             |             | BOTH<br>NUMBER OF BILLS PASSED |             |            |            |
|-------------------------------|---------------------------------|-------------|-------------|-------------|----------------------------------|-------------|-------------|-------------|--------------------------------|-------------|------------|------------|
|                               | HB                              | SB          | HR          | SR          | HB                               | SB          | HR          | SR          | HB                             | SB          | HR         | SR         |
| <b>Session Total</b>          | <b>110</b>                      | <b>48</b>   | <b>38</b>   | <b>8</b>    | <b>59</b>                        | <b>83</b>   | <b>17</b>   | <b>20</b>   | <b>59</b>                      | <b>48</b>   | <b>17</b>  | <b>8</b>   |
| Day 106                       | 2                               | 0           | 1           | 0           | 0                                | 2           | 0           | 0           | 0                              | 0           | 0          | 0          |
| Day 107                       | 1                               | 0           | 0           | 0           | 0                                | 2           | 0           | 1           | 0                              | 0           | 0          | 0          |
| Day 108                       | 2                               | 2           | 2           | 0           | 1                                | 2           | 0           | 0           | 0                              | 0           | 0          | 0          |
| Day 109                       | 3                               | 0           | 0           | 0           | 1                                | 1           | 0           | 0           | 0                              | 0           | 0          | 0          |
| Day 110                       | 1                               | 0           | 0           | 1           | 0                                | 2           | 1           | 0           | 0                              | 0           | 0          | 0          |
| Day 111                       | 4                               | 0           | 0           | 0           | 0                                | 1           | 0           | 2           | 0                              | 0           | 0          | 0          |
| Day 112                       | 5                               | 0           | 0           | 0           | 0                                | 0           | 0           | 0           | 0                              | 0           | 0          | 0          |
| Day 113                       | 2                               | 1           | 0           | 0           | 0                                | 3           | 0           | 0           | 0                              | 0           | 0          | 0          |
| Day 114                       | 4                               | 0           | 0           | 0           | 2                                | 3           | 1           | 1           | 0                              | 0           | 1          | 0          |
| Day 115                       | 3                               | 1           | 2           | 0           | 0                                | 3           | 0           | 2           | 0                              | 1           | 0          | 0          |
| Day 116                       | 1                               | 1           | 2           | 0           | 1                                | 4           | 0           | 0           | 0                              | 1           | 0          | 0          |
| Day 117                       | 3                               | 1           | 2           | 0           | 4                                | 1           | 0           | 1           | 1                              | 0           | 0          | 0          |
| Day 118                       | 10                              | 4           | 1           | 0           | 2                                | 4           | 0           | 1           | 1                              | 2           | 0          | 0          |
| Day 119                       | 1                               | 6           | 0           | 0           | 16                               | 1           | 0           | 1           | 4                              | 3           | 0          | 0          |
| Day 120                       | 0                               | 0           | 0           | 0           | 0                                | 0           | 0           | 0           | 0                              | 0           | 0          | 0          |
| <b>14 Day Totals</b>          | <b>42</b>                       | <b>16</b>   | <b>10</b>   | <b>1</b>    | <b>27</b>                        | <b>29</b>   | <b>2</b>    | <b>9</b>    | <b>6</b>                       | <b>7</b>    | <b>1</b>   | <b>0</b>   |
| <b>Daily Percent of Total</b> |                                 |             |             |             |                                  |             |             |             |                                |             |            |            |
| Day 106                       | 1.8                             | 0.0         | 2.6         | 0.0         | 0.0                              | 2.4         | 0.0         | 0.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 107                       | 0.9                             | 0.0         | 0.0         | 0.0         | 0.0                              | 2.4         | 0.0         | 5.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 108                       | 1.8                             | 4.2         | 5.3         | 0.0         | 1.7                              | 2.4         | 0.0         | 0.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 109                       | 2.7                             | 0.0         | 0.0         | 0.0         | 1.7                              | 1.2         | 0.0         | 0.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 110                       | 0.9                             | 0.0         | 0.0         | 12.5        | 0.0                              | 2.4         | 5.9         | 0.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 111                       | 3.6                             | 0.0         | 0.0         | 0.0         | 0.0                              | 1.2         | 0.0         | 10.0        | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 112                       | 4.5                             | 0.0         | 0.0         | 0.0         | 0.0                              | 0.0         | 0.0         | 0.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 113                       | 1.8                             | 2.1         | 0.0         | 0.0         | 0.0                              | 3.6         | 0.0         | 0.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| Day 114                       | 3.6                             | 0.0         | 0.0         | 0.0         | 3.4                              | 3.6         | 5.9         | 5.0         | 0.0                            | 0.0         | 5.9        | 0.0        |
| Day 115                       | 2.7                             | 2.1         | 5.3         | 0.0         | 0.0                              | 3.6         | 0.0         | 10.0        | 0.0                            | 2.1         | 0.0        | 0.0        |
| Day 116                       | 0.9                             | 2.1         | 5.3         | 0.0         | 1.7                              | 4.8         | 0.0         | 0.0         | 0.0                            | 2.1         | 0.0        | 0.0        |
| Day 117                       | 2.7                             | 2.1         | 5.3         | 0.0         | 6.8                              | 1.2         | 0.0         | 5.0         | 1.7                            | 0.0         | 0.0        | 0.0        |
| Day 118                       | 9.1                             | 8.5         | 2.6         | 0.0         | 3.4                              | 4.8         | 0.0         | 5.0         | 1.7                            | 4.2         | 0.0        | 0.0        |
| Day 119                       | 0.9                             | 12.5        | 0.0         | 0.0         | 27.1                             | 1.2         | 0.0         | 5.0         | 6.8                            | 6.3         | 0.0        | 0.0        |
| Day 120                       | 0.0                             | 0.0         | 0.0         | 0.0         | 0.0                              | 0.0         | 0.0         | 0.0         | 0.0                            | 0.0         | 0.0        | 0.0        |
| <b>14 Day Totals</b>          | <b>38.2</b>                     | <b>33.3</b> | <b>26.3</b> | <b>12.5</b> | <b>45.8</b>                      | <b>34.9</b> | <b>11.8</b> | <b>45.0</b> | <b>10.2</b>                    | <b>14.6</b> | <b>5.9</b> | <b>0.0</b> |

Note: HB - House Bills  
 SB - Senate Bills  
 HR - House Resolutions  
 SR - Senate Resolutions

Prepared by the House Research Agency, January 1988, (88-11351; 100287-12).

**Table 2**  
**Number of Bills and Resolutions Passed During Legislative Session**  
**Fourteenth Alaska Legislature - 2nd Session - 1986**

|                      | HOUSE                  |           |           |           | SENATE                 |           |           |           | BOTH                   |           |           |           |
|----------------------|------------------------|-----------|-----------|-----------|------------------------|-----------|-----------|-----------|------------------------|-----------|-----------|-----------|
|                      | NUMBER OF BILLS PASSED |           |           |           | NUMBER OF BILLS PASSED |           |           |           | NUMBER OF BILLS PASSED |           |           |           |
|                      | HB                     | SB        | HR        | SR        | HB                     | SB        | HR        | SR        | HB                     | SB        | HR        | SR        |
| <b>Session Total</b> | <b>144</b>             | <b>64</b> | <b>24</b> | <b>19</b> | <b>90</b>              | <b>94</b> | <b>15</b> | <b>32</b> | <b>90</b>              | <b>64</b> | <b>15</b> | <b>19</b> |
| Day 106              | 0                      | 0         | 0         | 0         | 0                      | 0         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 107              | 5                      | 0         | 0         | 0         | 0                      | 4         | 0         | 1         | 0                      | 0         | 0         | 0         |
| Day 108              | 4                      | 0         | 0         | 0         | 1                      | 4         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 109              | 3                      | 1         | 0         | 0         | 1                      | 1         | 0         | 0         | 0                      | 1         | 0         | 0         |
| Day 110              | 2                      | 1         | 1         | 0         | 0                      | 0         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 111              | 0                      | 0         | 0         | 0         | 0                      | 0         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 112              | 0                      | 0         | 0         | 0         | 0                      | 0         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 113              | 6                      | 0         | 1         | 0         | 0                      | 5         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 114              | 4                      | 3         | 1         | 0         | 0                      | 3         | 0         | 3         | 0                      | 1         | 0         | 0         |
| Day 115              | 5                      | 2         | 0         | 0         | 0                      | 3         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 116              | 1                      | 1         | 0         | 0         | 2                      | 2         | 0         | 1         | 0                      | 1         | 0         | 0         |
| Day 117              | 0                      | 3         | 0         | 0         | 2                      | 2         | 0         | 0         | 2                      | 0         | 0         | 0         |
| Day 118              | 1                      | 3         | 0         | 1         | 6                      | 3         | 0         | 0         | 0                      | 1         | 0         | 1         |
| Day 119              | 0                      | 4         | 0         | 1         | 10                     | 1         | 0         | 0         | 0                      | 0         | 0         | 0         |
| Day 120              | 1                      | 10        | 1         | 2         | 22                     | 0         | 3         | 0         | 6                      | 2         | 0         | 0         |
| <b>14 Day Totals</b> | <b>32</b>              | <b>28</b> | <b>4</b>  | <b>4</b>  | <b>44</b>              | <b>28</b> | <b>3</b>  | <b>5</b>  | <b>8</b>               | <b>6</b>  | <b>0</b>  | <b>1</b>  |

**Daily Percent of Total**

|                      |             |             |             |             |             |             |             |             |            |            |            |            |
|----------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|------------|------------|------------|------------|
| Day 106              | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 107              | 3.5         | 0.0         | 0.0         | 0.0         | 0.0         | 4.3         | 0.0         | 3.1         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 108              | 2.8         | 0.0         | 0.0         | 0.0         | 1.1         | 4.3         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 109              | 2.1         | 1.6         | 0.0         | 0.0         | 1.1         | 1.1         | 0.0         | 0.0         | 0.0        | 1.6        | 0.0        | 0.0        |
| Day 110              | 1.4         | 1.6         | 4.2         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 111              | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 112              | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 113              | 4.2         | 0.0         | 4.2         | 0.0         | 0.0         | 5.3         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 114              | 2.8         | 4.7         | 4.2         | 0.0         | 0.0         | 3.2         | 0.0         | 9.4         | 0.0        | 1.6        | 0.0        | 0.0        |
| Day 115              | 3.5         | 3.1         | 0.0         | 0.0         | 0.0         | 3.2         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 116              | 0.7         | 1.6         | 0.0         | 0.0         | 2.2         | 2.1         | 0.0         | 3.1         | 0.0        | 1.6        | 0.0        | 0.0        |
| Day 117              | 0.0         | 4.7         | 0.0         | 0.0         | 2.2         | 2.1         | 0.0         | 0.0         | 2.2        | 0.0        | 0.0        | 0.0        |
| Day 118              | 0.7         | 4.7         | 0.0         | 5.3         | 6.7         | 3.2         | 0.0         | 0.0         | 0.0        | 1.6        | 0.0        | 5.3        |
| Day 119              | 0.0         | 6.3         | 0.0         | 5.3         | 11.1        | 1.1         | 0.0         | 0.0         | 0.0        | 0.0        | 0.0        | 0.0        |
| Day 120              | 0.7         | 15.6        | 4.2         | 10.5        | 24.4        | 0.0         | 20.0        | 0.0         | 6.7        | 3.1        | 0.0        | 0.0        |
| <b>14 Day Totals</b> | <b>22.2</b> | <b>43.8</b> | <b>16.7</b> | <b>21.1</b> | <b>48.9</b> | <b>29.8</b> | <b>20.0</b> | <b>15.6</b> | <b>8.9</b> | <b>9.4</b> | <b>0.0</b> | <b>5.3</b> |

Note: HB - House Bills  
 SB - Senate Bills  
 HR - House Resolutions  
 SR - Senate Resolutions

Prepared by the House Research Agency, January 1988, (88-11352; 100287-12).

Table 3  
 Number of Bills and Resolutions Passed During Legislative Session  
 Fifteenth Alaska Legislature - 1st Session - 1967

|                        | HOUSE<br>NUMBER OF BILLS PASSED |      |      |     | SENATE<br>NUMBER OF BILLS PASSED |      |      |      | BOTH<br>NUMBER OF BILLS PASSED |      |     |     |
|------------------------|---------------------------------|------|------|-----|----------------------------------|------|------|------|--------------------------------|------|-----|-----|
|                        | HB                              | SB   | HR   | JR  | HB                               | SB   | HR   | SR   | HB                             | SB   | HR  | SR  |
|                        | -----                           |      |      |     | -----                            |      |      |      | -----                          |      |     |     |
| Session Total          | 106                             | 47   | 41   | 18  | 57                               | 106  | 22   | 48   | 57                             | 47   | 22  | 18  |
| Day 106                | 0                               | 0    | 0    | 0   | 0                                | 0    | 0    | 0    | 0                              | 0    | 0   | 0   |
| Day 107                | 4                               | 0    | 2    | 0   | 0                                | 5    | 0    | 2    | 0                              | 0    | 0   | 0   |
| Day 108                | 4                               | 1    | 2    | 0   | 0                                | 2    | 0    | 0    | 0                              | 0    | 0   | 0   |
| Day 109                | 2                               | 0    | 0    | 0   | 0                                | 4    | 0    | 1    | 0                              | 0    | 0   | 0   |
| Day 110                | 3                               | 1    | 1    | 0   | 0                                | 2    | 1    | 0    | 0                              | 0    | 0   | 0   |
| Day 111                | 4                               | 1    | 1    | 0   | 0                                | 5    | 0    | 1    | 0                              | 0    | 0   | 0   |
| Day 112                | 0                               | 0    | 0    | 0   | 0                                | 0    | 0    | 0    | 0                              | 0    | 0   | 0   |
| Day 113                | 7                               | 0    | 0    | 0   | 0                                | 2    | 1    | 0    | 0                              | 0    | 0   | 0   |
| Day 114                | 4                               | 0    | 0    | 0   | 1                                | 3    | 0    | 1    | 0                              | 0    | 0   | 0   |
| Day 115                | 6                               | 1    | 1    | 0   | 1                                | 4    | 0    | 0    | 0                              | 0    | 0   | 0   |
| Day 116                | 3                               | 1    | 1    | 0   | 3                                | 7    | 0    | 0    | 1                              | 0    | 0   | 0   |
| Day 117                | 1                               | 1    | 0    | 0   | 0                                | 3    | 0    | 1    | 0                              | 1    | 0   | 0   |
| Day 118                | 2                               | 4    | 3    | 1   | 2                                | 1    | 1    | 2    | 1                              | 1    | 0   | 1   |
| Day 119                | 1                               | 7    | 0    | 0   | 4                                | 2    | 0    | 1    | 1                              | 5    | 0   | 0   |
| Day 120                | 4                               | 10   | 2    | 0   | 11                               | 5    | 0    | 0    | 8                              | 3    | 0   | 0   |
| 14 Day Totals          | 45                              | 27   | 13   | 1   | 22                               | 45   | 3    | 9    | 11                             | 10   | 0   | 1   |
| Daily Percent of Total |                                 |      |      |     |                                  |      |      |      |                                |      |     |     |
| Day 106                | 0.0                             | 0.0  | 0.0  | 0.0 | 0.0                              | 0.0  | 0.0  | 0.0  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 107                | 3.8                             | 0.0  | 4.9  | 0.0 | 0.0                              | 4.7  | 0.0  | 4.2  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 108                | 3.8                             | 2.1  | 4.9  | 0.0 | 0.0                              | 1.9  | 0.0  | 0.0  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 109                | 1.9                             | 0.0  | 0.0  | 0.0 | 0.0                              | 3.8  | 0.0  | 2.1  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 110                | 2.8                             | 2.1  | 2.4  | 0.0 | 0.0                              | 1.9  | 4.5  | 0.0  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 111                | 3.8                             | 2.1  | 2.4  | 0.0 | 0.0                              | 4.7  | 0.0  | 2.1  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 112                | 0.0                             | 0.0  | 0.0  | 0.0 | 0.0                              | 0.0  | 0.0  | 0.0  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 113                | 6.6                             | 0.0  | 0.0  | 0.0 | 0.0                              | 1.9  | 4.5  | 0.0  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 114                | 3.8                             | 0.0  | 0.0  | 0.0 | 1.8                              | 2.8  | 0.0  | 2.1  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 115                | 5.7                             | 2.1  | 2.4  | 0.0 | 1.8                              | 3.8  | 0.0  | 0.0  | 0.0                            | 0.0  | 0.0 | 0.0 |
| Day 116                | 2.8                             | 2.1  | 2.4  | 0.0 | 5.3                              | 6.6  | 0.0  | 0.0  | 1.8                            | 0.0  | 0.0 | 0.0 |
| Day 117                | 0.9                             | 2.1  | 0.0  | 0.0 | 0.0                              | 2.8  | 0.0  | 2.1  | 0.0                            | 2.1  | 0.0 | 0.0 |
| Day 118                | 1.9                             | 8.5  | 7.3  | 5.6 | 3.5                              | 0.9  | 4.5  | 4.2  | 1.0                            | 2.1  | 0.0 | 5.6 |
| Day 119                | 0.9                             | 14.9 | 0.0  | 0.0 | 7.0                              | 1.9  | 0.0  | 2.1  | 1.8                            | 10.6 | 0.0 | 0.0 |
| Day 120                | 3.8                             | 21.3 | 4.9  | 0.0 | 19.3                             | 4.7  | 0.0  | 0.0  | 14.0                           | 6.4  | 0.0 | 0.0 |
| 14 Day Totals          | 47.5                            | 57.4 | 31.7 | 5.6 | 38.6                             | 42.5 | 13.6 | 18.8 | 19.3                           | 21.3 | 0.0 | 5.6 |

Note: HB - House Bills  
 SB - Senate Bills  
 HR - House Resolutions  
 SR - Senate Resolutions

Prepared by the House Research Agency, January 1968, (88-11333; 100287-12).

**ALASKA STATE LEGISLATURE**  
**SESSION LENGTH AND PERCENTAGE OF DAYS WITH FLOOR SESSIONS, 1981-2000**

| LEGISLATURE   | YEAR               | HOUSE          |                   |                        |                               | SENATE     |                   |                        |                               |
|---|--------------------|----------------|-------------------|------------------------|-------------------------------|------------|-------------------|------------------------|-------------------------------|
|   |                    | SPEAKER        | SESSION LENGTH(1) | DAYS NOT IN SESSION(2) | PERCENTAGE OF DAYS IN SESSION | PRESIDENT  | SESSION LENGTH(1) | DAYS NOT IN SESSION(2) | PERCENTAGE OF DAYS IN SESSION |
| Twelfth   | 1981(4)<br>1982    | J. Duncan      | 165               | 45                     | 68%                           | J. Kertula | 164               | 46                     | 73%                           |
|   |                    | J. Duncan      | 143               | 54                     |                               | J. Kertula | 144               | 38                     |                               |
| Thirteenth  | 1983<br>1984       | J. Hayes       | 161               | 62                     | 64%                           | J. Kertula | 162               | 45                     | 71%                           |
|   |                    | J. Hayes       | 152               | 53                     |                               | J. Kertula | 152               | 46                     |                               |
| Fourteenth<br>(First legislature under 120-day session limit) | 1985(4)<br>1986    | B. Grussendorf | 119               | 50                     | 57%                           | D. Bennett | 119               | 33                     | 73%                           |
|   |                    | B. Grussendorf | 120               | 52                     |                               | D. Bennett | 120               | 33                     |                               |
| Fifteenth   | 1987(4)<br>1988    | B. Grussendorf | 122               | 54                     | 58%                           | J. Faiks   | 121               | 33                     | 72%                           |
|   |                    | B. Grussendorf | 121               | 49                     |                               | J. Faiks   | 121               | 36                     |                               |
| Sixteenth   | 1989<br>1990(4)    | S. Cotten      | 121               | 50                     | 61%                           | T. Kelly   | 121               | 32                     | 74%                           |
|   |                    | S. Cotten      | 122(3)            | 46                     |                               | T. Kelly   | 121               | 33                     |                               |
| Seventeenth   | 1991<br>1992(4)    | B. Grussendorf | 122(3)            | 54                     | 57%                           | R. Ellason | 121               | 55                     | 55%                           |
|   |                    | B. Grussendorf | 122(3)            | 53                     |                               | R. Ellason | 121               | 58                     |                               |
| Eighteenth  | 1983<br>1994(4)    | R. Barnes      | 121               | 54                     | 57%                           | R. Hallord | 121               | 44                     | 60%                           |
|   |                    | R. Barnes      | 121               | 51                     |                               | R. Hallord | 121               | 54                     |                               |
| Nineteenth  | 1995<br>1996(4)    | G. Phillips    | 121               | 46                     | 59%                           | D. Pearce  | 121               | 42                     | 60%                           |
|   |                    | G. Phillips    | 122(3)            | 54                     |                               | D. Pearce  | 122(3)            | 54                     |                               |
| Twentieth   | 1997<br>1998(4)    | G. Phillips    | 119               | 50                     | 59%                           | M. Miller  | 119               | 48                     | 65%                           |
|   |                    | G. Phillips    | 121               | 49                     |                               | M. Miller  | 121               | 37                     |                               |
| Twenty-First  | 1999(4)<br>2000(4) | B. Porter      | 121               | 52                     | 56%                           | D. Pearce  | 121               | 38                     | 69%                           |
|   |                    | B. Porter      | 115               | 53                     |                               | D. Pearce  | 115               | 35                     |                               |

Notes:

- (1) Session lengths as published in "Summary of Alaska Legislation," Legislative Affairs Agency, Alaska State Legislature.
- (2) Information obtained from Alaska State Legislature's printed House and Senate Journals, and Legislative Affairs Agency Followviews Database.
- (3) House adjourned after midnight on the 121st day.
- (4) Legislature went into special session.



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## Legislative Sessions

### Annual v. Biennial

In the early 1960s, only 19 state legislatures met annually. The remaining 31 held biennial regular sessions. All but three (Kentucky, Mississippi and Virginia) held their biennial session in the odd-numbered year. Ten of the 19 states with annual sessions limited the "off-year" to consideration of budgetary and fiscal matters.

By the mid-1970s, the number of states meeting annually grew tremendously--up from 19 to 41. However, several of these states used a "flexible" session format in which the total days of session time was divided between two years; these states included Minnesota, North Carolina, Tennessee and Vermont.

Today, 44 state legislatures meet annually. The remaining six states--Arkansas, Montana, Nevada, North Dakota, Oregon and Texas--hold session every other year. All of the biennial legislatures hold their regular sessions in the odd year. Six states have limited scope sessions--that is, where one year of the biennium is limited to consideration of specific types of legislation. The states with limited scope sessions are Connecticut, Louisiana, Maine, New Mexico, North Carolina and Wyoming.

Kentucky, New Hampshire and Washington were the last states to change from biennial to annual regular sessions; these states held their first annual sessions in 2001, 1985 and 1981, respectively.

There are several basic arguments used by the respective proponents of annual or biennial sessions. Listed below are the ones set out by political scientists, William Keefe and Morris Ogul.

| For Annual Sessions  | For Biennial Sessions   |
|--|---|
| 1. The biennial format is unsuitable for dealing with the complex and continuing problems which confront today's legislatures. The responsibilities of a legislature have become so burdensome that they can no longer be discharged on an alternate-year basis. | 1. There are enough laws. Biennial sessions constitute a safeguard against precipitate and unseemly legislative action.   |
| 2. More frequent meetings may serve to raise the status of the legislature, thereby helping to check the flow of power to the executive branch.  | 2. Yearly meetings of the legislature will contribute to legislative harassment of the administration and its agencies.   |
| 3. Continuing legislative oversight of the administration becomes more feasible with annual sessions, and that administrative accountability for the execution of legislative policies is more easily enforced.  | 3. The interval between sessions may be put to good advantage by individual legislators and interim study commissions, since there is never sufficient time during a session to study proposed legislation. |
| 4. States may respond more rapidly to new federal laws which require state participation.  | 4. The biennial system affords legislators more time to renew relations with constituents, to mend political fences and to campaign for reelection.   |
| 5. The legislature cannot operate effectively in fits and starts. Annual sessions may help make the policy-making process more timely and orderly.   | 5. Annual sessions inevitably lead to a spiraling of legislative costs, for the legislators and other assembly personnel are brought together twice as often.   |
| 6. Annual sessions would serve to diminish the need for special sessions.  |   |

## Session Length

In the early 1960s, 17 states did not place restrictions on the length of their legislative sessions. In another 10 states, the limits were indirect--being set by restrictions on legislator compensation, per diem or travel reimbursements. Several states increased their session length. These were Colorado (from 120 to 160); Georgia (from 80 to 85); Kansas (from 90 to 120); Minnesota (from 90 to 120); and South Dakota (from 60 to 75).

Throughout the 1970s, 1980s and early 1990s, session limitations were becoming more defined. Fewer states had unrestricted sessions, and the number of states with indirect session limits had fallen.

Currently, only 12 states do not place a limit on the length of regular session. The remaining 38 set limits through a variety of ways. Constitutional provisions establish the limits in 28 states. Indirect limits on legislator compensation, per diem or mileage reimbursement are in effect in 3 states. Statutory provisions set the restrictions in 4, and another 3 use chamber rules.

Limits on Session Length

| State       | 1962-63                                  | 1972-73  | 1982-83  | Nov 2001  |
|-------------|--|--|--|---|
| Alabama     | 30 L                                     | 36 L   | 30 L in 105 C  | 30 L in 105 C<br>(by statute)   |
| Alaska      | None                                     | None   | None   | 120 C   |
| Arizona     | 63 C<br>(indirect)                       | None   | Sat of week in<br>which 100 <sup>th</sup> C<br>falls<br>(chamber rule)                       | Sat of week in<br>which 100 <sup>th</sup> C<br>falls<br>(chamber rule)                        |
| Arkansas    | 60 C                                     | 60 C   | 60 C   | 60 C  |
| California  | Odd-120 C<br>Even-30 C                   | None   | None   | Even-Nov 30<br>(constitution)<br><br>Odd-Sept 12<br>Even-Aug 31<br>(chamber rule)             |
| Colorado    | 160 C within<br>biennium<br>(indirect)   | None   | Odd-None<br>Even-140 C   | 120 C   |
| Connecticut | Wed after 1 <sup>st</sup><br>Mon in June | Odd-Wed after<br>1 <sup>st</sup> Mon in June<br>Even-Wed after<br>1 <sup>st</sup> Mon in May | Odd-Wed after 1 <sup>st</sup><br>Mon in June<br>Even-Wed after<br>1 <sup>st</sup> Mon in May | Odd-Wed after 1 <sup>st</sup><br>Mon in June<br>Even- Wed after<br>1 <sup>st</sup> Mon in May |
| Delaware    | Odd-90 L<br>Even-30 L                    | June 30  | June 30  | June 30   |
| Florida     | 60 C                                     | 60 C   | 60 C   | 60 C  |
| Georgia     | Odd-45 C<br>Even-40 C                    | Odd-45 L<br>Even-40 L  | 40 L   | 40 L  |
| Hawaii      | Odd-60 C<br>Even-30 C                    | 60 L   | 60 L   | 60 L  |
| Idaho       | 60 C<br>(indirect)                       | 60 C<br><br>(indirect)   | None   | None  |
| Illinois    | None<br>(by statute)                     | None   | None   | None  |

|               |                                     |   |   |  |
|---------------|-------------------------------------|---|---|--|
|               | 60 L                                |   |   |  |
| Indiana       |                                     | Odd-61 L or April 30<br>Even-30 L or March 15 | Odd-61 L or April 30<br>Even-30 L or March 15   | Odd-Apr 29<br>Even-Mar 14<br>(by statute)  |
| Iowa          |                                     | None  | (indirect)  | Odd-110 C<br>Even-100 C<br>(indirect)  |
| Kansas        | Odd-90 L<br>Even-30 C<br>(indirect) | Odd-90 C<br>Even-60 C<br>(indirect)           | Odd-None<br>Even-90 C   | Odd-None<br>Even-90 C  |
| Kentucky      | 60 L                                | 60 L  | 60 L  | Odd: 30 L or Mar 30<br>Even: 60 L or Apr 15  |
| Louisiana     | Odd-30 C<br>Even-60 C               | Odd-30 C<br>Even 60 C                         | 60 L in 85 C  | Odd-60 L in 85 C<br>Even-30 L in 45 C  |
| Maine         | None                                | None  | Odd-100 L<br>Even-50 L  | Odd-3 <sup>rd</sup> Wed in June<br>Even-3 <sup>rd</sup> Wed in Apr<br>(by statute)   |
| Maryland      | Odd-90 C<br>Even-30 C               | 90 C  | 90 C  | 90 C   |
| Massachusetts | None                                | None  | None  | Formal sessions:<br>Odd-3 <sup>rd</sup> Wed in November<br>Even-July 31<br><br>Informal sessions:<br>None<br>(by chamber rule) |
| Michigan      | None                                | None  | None  | None   |
| Minnesota     | 120 L                               |   | 120 L total within biennium or 1 <sup>st</sup> Mon after 3 <sup>rd</sup> Sat in May each year | 120 L total within biennium or 1 <sup>st</sup> Mon after 3 <sup>rd</sup> Sat in May each year                                  |

|                |                       |   |   |   |
|----------------|-----------------------|---|---|---|
| Mississippi    | None                  | 90 C except year after gubernatorial election, then 125 C | 90 C except year after gubernatorial election, then 125 C | 90 C except year after gubernatorial election, then 125 C |
| Missouri       | July 15               | Odd-June 30<br>Even-May 15                                | Odd-June 30<br>Even-May 15                                | May 30  |
| Montana        | 60 L                  | 60 L  | 90 L  | 90 L  |
| Nebraska       | None                  | Odd-90 L<br>Even-60 L                                     | Odd-90 L<br>Even-60 L                                     | Odd-90 L<br>Even-60 L                                     |
| Nevada         | 60 C<br>(indirect)    | 60 C<br>(indirect)  | 60 C<br>(indirect)  | 120 C   |
| New Hampshire  | July 1<br>(indirect)  | 90 days prior to July 1<br>(indirect)                     | 90 days prior to July 1<br>(indirect)                     | 45 L or July 1<br>(indirect)                              |
| New Jersey     | None                  | None  | None  | None  |
| New Mexico     | 60 C                  | Odd-60 C<br>Even-30 C                                     | Odd-60 C<br>Even 30 C                                     | Odd-60 C<br>Even-30 C                                     |
| New York       | None                  | None  | None  | None  |
| North Carolina | 120 C<br>(indirect)   |   | None  | None  |
| North Dakota   | 60 L                  | 60 L  | 80 L  | 80 L  |
| Ohio           | None                  | None  | None  | None  |
| Oklahoma       | None                  | 90 L  | 90 L  | Last Fri in May   |
| Oregon         | None                  | None  | None  | None  |
| Pennsylvania   | None                  | None  | None  | None  |
| Rhode Island   | 60 L<br>(indirect)    | 60 L<br>(indirect)  | 60 L<br>(indirect)  | None  |
| South Carolina | None                  | None  | 1 <sup>st</sup> Thurs in June<br>(by statute)             | 1 <sup>st</sup> Thurs in June<br>(by statute)             |
| South Dakota   | Odd-45 L<br>Even-30 L | Odd-45 L<br>Even-30 L                                     | Odd-40 L<br>Even-35 L                                     | Odd-40 L<br>Even-35 L                                     |
| Tennessee      | 75 C<br>(indirect)    |   | 90 L<br>(indirect)  | 90 L<br>(indirect)  |