

2013 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1262

2013 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1262
January 24, 2013
17669

☐ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to reconvened regular sessions of the legislative assembly in even-numbered years

Minutes:

You may make reference to "attached testimony."

Chairman Jim Kasper opened the hearing on HB 1262.

Rep. Kempenich passed out **Attachments 1, 2, and 3**. This bill is proposing to move us to annual sessions. There are four states that call biannual sessions--Texas, Nevada, Montana, and North Dakota. Montana and North Dakota are truly biannual states. Texas and Nevada meet for long times in one year, but then there are special sessions throughout the rest of the biennium. I thought about this when we had the special session in November. It felt like we were beginning another session. We were meeting for a month before that special session about things that were happening in the western part of the state with their changes and issues. If we wouldn't have had that redistricting session in November, we would have been called in for a special session. If we wouldn't have, we would have had a mess, probably a bigger mess than we have right now. It seems like we are letting a lot of the agencies make decisions. You see it a lot in appropriations that we okay something that has already happened. The biggest problem is the transition. Once it would start, the flow would be better. We would see a lot of bills drop off. When you read the constitution, it says that the legislature shall meet no more than 80 days every two years. There are pros and cons on what you want to do. We do over budget for a lot of what we do. The smaller agencies are usually closer. Next year we are going to hit PPACA, Obamacare, which is going to come into law. These are just some examples.

Rep. Karen Rohr These are some of the issues that could sell the point--duplication of bills, over budget, and the number of special sessions. Is there some kind of a trending chart that we could get in terms of the numbers we were over budget in the last three sessions?

Rep. Kempenich Yes, but I don't want council to go through that. In the smaller agencies there is not a lot of turn back money. Human Resources has put together this Haye Group which shows what has been rolled out with performance, etc. We are seeing a trend, but it is hard to compile because it would be little numbers to get on one page. What we are

seeing is how agencies are managing their money differently. Larger agencies have stayed within their quartiles because they have dollars to work with. The general fund spending this last biennium was around \$4 billion. We are going up to close to \$7 billion. Our total spending is going to \$12 billion overall. Then he went over some more advantages and disadvantages of having annual sessions.

Rep. Scott Louser There is at least eight members on our committee that have never been a part of that debate. What was the rationale on other assemblies to not change?

Rep. Kempenich There is a perceived notion that annual sessions would start moving us to a more full-time legislature. It is more on how individuals' lives are affected with annual or biannual sessions. We still want to keep this a citizen legislature. I do know that committees kill bills to speed up processes in a lot of these annual session states.

Rep. Marie Strinden You mentioned having a citizen legislature, and I think we can all agree that it is difficult for many of our citizens to be able to serve in the legislature. Does the annual session make that easier and how?

Rep. Kempenich I think that becomes an individual preference. It works both ways. The last couple sessions have become more complicated, so they were not the benchmarks to follow for the ending of sessions.

Rep. Gail Mooney If we have 1400 bills whether that is in a biennium or an annual, we still have the same number of bills or issues to address. Correct?

Rep. Kempenich We have about 800.

Rep. Gail Mooney Regardless of the number, we still have the same number?

Rep. Kempenich You could on some of it. What would happen is if you started going into that, there would be some of this that probably would be getting addressed and wouldn't have to had legislation necessarily to get outside of some policy changes.

Rep. Gail Mooney Addressed how? Through special committee?

Rep. Kempenich A lot of it would be reports that would need to be filed. I would like to see what Wyoming has done. They went to a very long session and then had a short one to finish out.

Chairman Jim Kasper You talked about the biennial session not changing the budgeting. You talked about having your hearings like normal. When we start a session like we have here, it takes about a week to get the session going. The ending time is about one to two weeks. We have two to three weeks in each session where it is starting up and ending. If we are trying to be more effective and have more time to do our job, now that would theoretically double the amount of time have for startup and ending, so we are wasting time, and I don't mean wasting in a bad way. We would have the double wasted time. How do you address the lost time in the annual sessions compared to the biennial sessions?

Rep. Kempenich That is a paradigm. It depends where you are at in the makeup of the legislature. Usually at the end of the session it is the money bills that wind up taking the two or three weeks. Time wise I think that process would probably speed up somewhat too, because there is a lot of maneuvering in the different chambers. It does get to be frustrating because the end game is all the same. It is how we get there. I think there would be a lot more communication if we had the timeframes.

Chairman Jim Kasper You talked about oversight. You said being here every year, we would have more oversight of the agencies. We have interim committees which have oversight. The interim committees can't make legislative decisions, but they certainly are charged with oversight, and we have administrative rules committee for further oversight. You don't think we have enough oversight right now?

Rep. Kempenich There is functionality in what happens today. There are some other options of what we are doing.

Chairman Jim Kasper You stated that the number of bills might go down. I don't know how the rest of the committee decides how they are going to do bills. Mine generally come to mind in a couple of ways, either it is past legislation that didn't get passed or past legislation that I think needs to be fixed, or I am driving around and I hear something and I say I think we ought to look at the next session and make a phone call. Whether we have biennial or annual sessions, how would that change?

Rep. Kempenich You can't control that. Other states that have switched that I have read about have had some growing problems. South Dakota, for example, tried to do a long, short, and tried to do just a policy and budgetary session. That didn't work. They basically do a biennial budget, but they are tweaking the budget in the second half.

Chairman Jim Kasper You think our ideas might get shorter if we have annual sessions? You talked about potentially we wouldn't have so many bills coming to the floor, and you were sort of skirting the concept that a committee like our committee could kill a bill and it would never go to the floor. I for one am opposed to that concept. We could change those rules right now without an annual session, could we not?

Rep. Kempenich Yes. Basically all we need to do is meet and have a rule change. The reason I introduced this is that you are not going to get this conversation going in a private meeting.

Rep. Vicky Steiner appeared in support of this bill. One thing that concerns me as a member of policy and some of you who always serve on policy is that they thought we were going to end last session with \$55 million but we ended with a \$1.2 billion surplus. Yes, we missed, and it was to the good. I think it shows how much change happened between when we were able to get together. We went from 9th oil producing state to second in a relatively short period of time. I know change is hard, but what is our job? Our job is to do the best job we can with the policy and dollars that operate this state. Rep. Kempenich talked about how rapid our expenditures and revenues are going up and the management of this unprecedented growth. Personally, I like to meet every two years. Annual sessions will be harder for me personally with my job. As I look at the budget and as policy

members, you will have more input, I believe, into the budget if we are meeting every year. For example, when they met in December, the Highway Patrol was over budget by \$500,000. What that means is they didn't have enough money, and so they went ahead and spent a half million dollars without authorization, came back to budget section, and said is this okay. Of course, what are you going to do? They spent it on overtime and taking care of some of the problems that we have. The northwest section of North Dakota has twice the fatalities of any other section of the state so the Highway Patrol is trying to address a very serious issue and so budget section gave them the okay. Budget section also had the opportunity to discuss what they were going to do with the water budget. There was about \$50 million left over that was surplus in the water fund, and the water agencies were asking could we go ahead and get this money now so we could let the contracts in March? Budget section took the position that we should discuss it when legislature meets in January. In my thinking, if we would have sessions every year, I think we would be able to address this rapid change better. I would have liked to seen it where we do every year for the next four years, and see if we can't go back to every other year. They say once you go to every year, it is hard to go back. I thought the redistricting session we had went really well. I think if you know you only have so many days, you get down to it. I also think we would have to change the way we organize. I agree it probably takes a week to get organized, but when you know how many days you have, perhaps you get your staff organized ahead of and you hit the ground running. I know there are organizations that can help us get our organization up quicker. Montana goes into special session quite regularly, because their Governor is comfortable calling them, because it is kind of a cultural thing in Montana. Our Governor is very reluctant to call a special session. I have talked to him on occasion and asked if we are going to be able to wait with this problem. You have to have an overwhelming push to have a special session. This idea needs some discussion. I realize some people really enjoy that it is every other year for their own personal reasons. With what I see happening from the budget perspective, it will serve all of us to meet every year for the next four years at least to make sure that we have everything covered for this state. Last summer the oil and gas industry was spending \$2 billion a month in our state. That has never occurred at that level with that industry so that is pushing quite a bit of change. They are looking at new technology. Instead of using water, there is a company that is saying they can use natural gas to frac. If we go away from water for fracing, how does that impact all the policies and procedures we have in place? We won't be able to meet for two years if in fact that technology was to take off, what does that mean? I am disappointed that the interim committees' bills are a lot of times killed or not recognized during the legislative session. If you did annual sessions, those interim committees would actually become very important, because those bills would be rolling into that next session that is coming up.

Rep. Scott Louser Not taking into consideration our state budget, do you feel there is a state in this country that is run better than North Dakota?

Rep. Vicky Steiner I wonder how well we are run when I look at some of the issues that are going on that have not been addressed. I know we pride ourselves and we have a lot of spin of how well we are run. There are still some issues that need to be addressed and we need to address those issues as quickly as we can.

Rep. Scott Louser Is there a particular state that comes to mind? I traveled a lot last year and spent time in different assemblies, and I came back thinking we do it better here than anywhere I have seen.

Rep. Vicky Steiner Yes, we are a very well run state.

Chairman Jim Kasper There are many independent studies that verify that. It is not simply our opinion in this committee. It is some outside authorities that say we are one of the best run states. We can always get better.

Rep. Vicky Steiner I think we could get better if we would consider some of these options we have.

Rep. Karen Rohr In these states where they went from biennial to annual, did they get any citizen input?

Rep. Vicky Steiner I don't know.

Vice Chair Randy Boehning One of the things I always thought of is why don't we start with the committees a week or so ahead of time so when the session starts, we have our feet running? What do you think of that?

Rep. Vicky Steiner The reason I wanted this discussion was can we organize differently to, like you say, get your feet running sooner. I agree the first week we are getting organized, but we also know that we have this length of time. When we had our redistricting session, I felt that went very well and there were a lot of significant dollars that were discussed. Did you think that was well run?

Vice Chair Randy Boehning I think it ran very well, but I think a lot of the things happened before that session.

Chairman Jim Kasper I would remind the committee that if we started early, it would be count as one day, so we would lose whatever days we start early from the 80 days which may be an issue all to itself.

Rep. Ben Koppelman Being that we meet in interim committees and they do work and some of that work results in recommended legislation, could you start what Rep. Boehning is suggesting, and do some of that work and not have it count as a session legislative day? It would be a legislative day for the sake of paying legislators just like interim committee days are. Are there limitations on that?

Chairman Jim Kasper We are going to ask our intern to research.

Rep. Ben Koppelman Do you know if there is a way that we can encourage the Governor from the legislative perspective to call special sessions when they are needed to deal with issues rather than being reluctant?

Rep. Vicky Steiner It is very rare in North Dakota. We were very fortunate to have that redistricting just happen and it came into place. We did need to get together and refine the budget. If you talk to the appropriations people, they will say that if we go every year, you will have less agency decisions being made and you will have more decisions made by the legislative body. While you are gone, they have to make decisions and things change for them.

Rep. Steven Zaiser The leaders of the House often talk about this being a citizen legislature. What do you think if we were going to an annual session that would do to that concept?

Rep. Vicky Steiner I don't really think it would make any difference with the citizen legislature. It might make it easier for some of the people's schedules.

There was no opposition.

The hearing was closed on HB 1262.

2013 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1262
January 25, 2013
17772

☐ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to reconvened regular sessions of the legislative assembly in even-numbered years

Minutes:

You may make reference to "attached testimony."

Chairman Jim Kasper opened the session on HB 1262.

Rep. Gary Paur I personally don't believe there is much room for discussion here. I would just like to see it go to the floor and let the discussion happen there.

Chairman Jim Kasper It will go to the floor, but it is going to come out of this committee with a vote first.

Rep. Gary Paur I would recommend a **Do Pass**.

Rep. Marie Strinden seconded the motion.

Rep. Jason Dockter They said it is hard to have the Governor go into special session. What is the procedure for special session? Can you give us some information on this?

Chairman Jim Kasper We have a constitutional limit of 80 days that we can be in session as a legislature. If we are in session for our biennial session and we have any days left out of the 80 days, then the legislature itself can call ourselves back to session. If we use the entire 80 days, the only method to get us back in the session is where the Governor would call a special session. They are very reluctant to do that unless there is an extreme emergency.

Rep. Steven Zaiser That 80 day limitation is something that can be changed. As you well know, we can propose a change to the constitution that goes to the voters.

Chairman Jim Kasper Correct. Any citizen group or legislator could lead an initiated measure drive to do just that.

Rep. Karen Rohr I would have difficulty supporting this bill unless there is an analysis done. Everything we have received so far is kind of vague and nothing is specific in terms of data. Is it a structure problem? Process problem? Outcome problem? What are we basing our approval or disapproval on other than the 80 days?

Rep. Marie Strinden I agree with Rep. Rohr that we should make informed decisions, so I would be in support of adding an amendment like that. I am in support also of the bill as it stands right now, because we are in the extreme minority of states that only meets once every two years. There are five of us. Our state is changing so quickly. At least in the next five or ten years, it really might behoove us to try this for a couple years. If it doesn't work, we could go back.

Rep. Bill Amerman I will be opposing the do pass recommendation. This has been proposed before, and the general feeling I got from the public is we don't want you up there every year. We all serve on interim committees and we are given various studies and things that come up with legislation. A lot of times you have to bring in a lot of different entities to these committee meetings to figure out if there should be legislation. If we have a session every year and let's say get done at the end of February and now you have the interim committee, you have to come up with something within just that few months that you have. You probably aren't going to do the justice that needs to be done.

Chairman Jim Kasper Rep. Amerman makes an excellent point. Interim committees will start in June until September or October of the following year. There we have the resolutions that we study. We have various issues that we study. The legislative management will have before it 30, 40, or 50 issues that they are going to consider to assign to an interim committee. That is where you flush out the real details of what is going on in legislation. On the interim committee level, you can have three, four, or five hearings that could last a whole day on a bill or bills that you are considering.

Rep. Gail Mooney I agree with Rep. Karen Rohr and Rep. Bill Amerman. In all the testimony that we heard, I didn't hear anything data driven that would prove that this would actually be a more efficient way of running our government. I would also not be in support of a do pass.

Vice Chair Randy Boehning The interim committees would probably meet throughout the whole two years. They would have to report back in the second session in order to get the proper information. I am in favor of the bill.

Rep. Scott Louser It was mentioned earlier about the public. This is one of the things that I think the public would want some input on. There has to be a number of employees that are making quite a commitment to allow somebody to come and serve every other year, and we would be asking them to make that commitment to allow somebody to come and serve every year. I think, generally, the public would be opposed to this.

Rep. Marie Strinden I respectfully disagree with Rep. Louser. I think the public could either way, just like this committee could. I agree with Rep. Steiner that it is really about the good of the state, and it is not about the good of us. For me personally, being gone

from my job for four months is a huge drain on my staff, and if I was only gone for two months, then I could back that much sooner and take care of problems that much quicker.

Rep. Gary Paur I see no reason why committees such as ours could not meet in the interim between the two sessions.

Rep. Steven Zaiser This state is evolving. There are a lot of changes going on. We could still have interims. If it doesn't work, we could back. I would support the proposed legislation.

Rep. Ben Koppelman The concept from a budgeting standpoint and the time spent on larger and larger budgets and the accuracy at which budgets could be projected for a two-year period versus annually, it could make sense to do annual sessions. However, I am not sure that this legislation is needed to be able to do that. I am not going to support a do pass.

Vice Chair Randy Boehning Under Section 2, No. 2, regular session means legislative session commencing in January of the odd-numbered years. I don't know what we would call it in the even-numbered years.

Rep. Ben Koppelman Let us say we are only here for 60 days this year and we had 20 days remaining under our constitutional authority, although we commence the named session in that odd-numbered year, there is no prohibition that I can see within the constitutional allowance or within the statute, for us to use those remaining 20 days anytime during the biennium that are left.

Chairman Jim Kasper Correct.

Rep. Marie Strinden What Rep. Ben Koppelman said earlier made me really nervous. I think moving towards a system where we have leadership coming together to make decisions about the budget in the interim and we don't have quorum talking in an open forum, is not the way to move our state.

Chairman Jim Kasper I don't think Rep. Ben Koppelman said that all. I think what he said is that the leadership recalls back in the session without the bill. I don't think he was implying that they would be making decisions anywhere near on the budget, because they can't. We have an emergency commission, budget stabilization fund, and emergency funds that can take care of something that comes up during the interim where there are funds that are short or something that has to be done. We have the checks and balances and opportunities built in to address major crises during emergencies.

Rep. Marie Strinden I apologize to Rep. Ben Koppelman. I am no longer scared.

Rep. Gail Mooney When we had Measure 2 discussion in the first half of 2012, there was a tremendous amount of discussion if Measure 2 would have passed, the legislation may become a full-time legislation. I know the people of my area were not at all pleased about that and not open to that prospect at all. Out of your discussions on the western side of the state, what did your constituents say about this?

Rep. Scott Louser There was the same concerns throughout the state.

Chairman Jim Kasper You recall that I talked to Rep. Kempenich when he testified about the process when you have a session, whether it is annual or biennial. I estimate that if we had annual sessions, we waste and I mean waste in the term of duplication, at least two and maybe three weeks because we would have to duplicate the beginning session and the ending session. Frankly, I would rather see that we had the ability to be in session 100-120 days. If we had that amount of time, then I might consider an annual session. We do our work here. We go home and then we are a citizen legislature. That is what it is all about and I think that is why we are so widely recognized not only in our state but also the envy of the nation. We are going to call the question. This was for a **do pass** and rereferred to appropriations.

The motion failed, 4 yeas, 9 nays, 1 absent

Rep. Vernon Laning made a motion for a **Do Not Pass**.

Rep. Karen Rohr seconded the motion.

Rep. Scott Louser The process for the Governor to call a special session is simply a 30-day notice?

Chairman Jim Kasper The Governor can call for whatever reason. He has the executive power to do so. We just have to have the proper notice. I don't know if it is 30 days.

DO NOT PASS, 10-3, 1 ABSENT. Rep. Scott Louser is the carrier of this bill.

FISCAL NOTE
Requested by Legislative Council
01/15/2013

Bill/Resolution No.: HB 1262

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$(2,080,000)		\$2,275,000	
Appropriations			\$(2,080,000)		\$2,275,000	

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill requires annual legislative sessions beginning in 2015.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill requires the Legislative Assembly to meet for up to 45 days in each odd-numbered year and for up to 35 days in each even-numbered year. The total number of legislative days would still be limited to 80 over each two-year period. The bill includes a December 1, 2014, effective date.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The Legislative Assembly would be limited to meet for 45 legislative days in 2015. The 2013-15 biennium budget for the Legislative Assembly includes funding for an anticipated 77 legislative day session in 2015; therefore, there would be an estimated 32 fewer legislative days during the 2013-15 biennium. Based on an estimated cost of \$65,000 per legislative day, 2013-15 biennium expenditures would be reduced by \$2,080,000. This amount anticipates the Legislative Assembly would meet for 45 consecutive business days. For the 2015-17 biennium, the Legislative Assembly would meet for up to 35 days in 2016 and up to 45 days in 2017. Expenditures in 2015-17 would increase by an estimated \$2,275,000 for costs of 80 days in the 2015-17 biennium compared to the 45 days in the 2013-15 biennium. The anticipated additional costs reflect \$195,000 for an anticipated 3 additional legislative days, from a total of 77 to 80. Again, this amount anticipates the Legislative Assembly would meet for consecutive business days to complete its work each year. If the Legislative Assembly would choose to take extended breaks between legislative days, the costs for each session could increase significantly.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The 2013-15 biennium appropriation could be reduced by an estimated \$2,080,000 from the general fund to reflect 32 fewer legislative days during the 2015 legislative session as explained in the expenditures section above. The 2015-17 biennium appropriation would need to increase from the adjusted 2013-15 biennium appropriation level referred to above by an estimated \$2,275,000 from the general fund in anticipation of meeting for 35 legislative days in 2016 and 45 legislative days in 2017 as explained in the expenditures section above.

Name: Allen Knudson

Agency: Legislative Council

Telephone: 328-2916

Date Prepared: 01/21/2013

Date: 1-25-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1262

House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☒ Rerefer to Appropriations ☐ Reconsider

Motion Made By Paur Seconded By Strinden

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper		X	Rep. Bill Amerman		X
Vice Chairman Randy Boehning	X		Rep. Gail Mooney		X
Rep. Jason Dockter		X	Rep. Marie Strinden	X	
Rep. Karen Karls		X	Rep. Steven Zaiser	X	
Rep. Ben Koppelman		X			
Rep. Vernon Laning		X			
Rep. Scott Louser		X			
Rep. Gary Paur	X				
Rep. Karen Rohr		X			
Rep. Vicky Steiner					

Total (Yes) 4 No 9

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 1-25-13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1262

House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☒ Do Not Pass ☐ Amended ☐ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Lanning Seconded By Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman	X	
Vice Chairman Randy Boehning	X		Rep. Gail Mooney	X	
Rep. Jason Dockter	X		Rep. Marie Strinden		X
Rep. Karen Karls	X		Rep. Steven Zaiser		X
Rep. Ben Koppelman	X				
Rep. Vernon Lanning	X				
Rep. Scott Louser	X				
Rep. Gary Paur		X			
Rep. Karen Rohr	X				
Rep. Vicky Steiner					

Total (Yes) 10 No 3

Absent 1

Floor Assignment Louser

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1262: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING).
HB 1262 was placed on the Eleventh order on the calendar.

2013 TESTIMONY

HB 1262

#1 1262



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Annual versus Biennial Legislative Sessions

Legislatures continually look for ways to improve their effectiveness. One reform frequently debated is annual versus biennial sessions.

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. 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, 46 state legislatures meet annually. The remaining four states—Montana, Nevada, North Dakota and Texas—hold session every other year. All of the biennial legislatures hold their regular sessions in the odd year. Oregon, Arkansas, 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 2011, 2009, 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.	

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1262

State	Dates of session	Session length limit [1]
Alabama	March 1 through June 9	30 legislative days in 105 calendar days
Alaska	January 18- April 17. Mid-term recess April 18 - January 16, 2012. [2] Special sessions April 18-May 14, June 27-28.	90 calendar days
Arizona	January 10 through April 20. Special sessions, January 19-20, February 14-16, June 10-13. [3]	Saturday of the last week in which the 100th calendar day falls
Arkansas	January 10-April 27	60 calendar days
California*	January 3-September 9. Extraordinary session convened January 20, 2011. Spring recess April 14-April 25, Summer recess July 15 - August 15. Special session mid-term recess September 9 through January 4, 2012. [4] Regular session adjourned September 9, 2011. [5]	September 12
Colorado	January 12-May 11	120 calendar days
Connecticut	January 5-June 8. Special sessions, June 30, October 26.	June 8
Delaware	January 11-June 30. Recess July 1, 2011 - January 10, 2012. [6]	June 30
Florida*	March 8-May 6	60 calendar days
Georgia	January 10 through April 14. Mid-term recess April 15, 2011 - January 8, 2012. [7] Special session August 15 -August 31. [8]	40 legislative days
Hawaii	January 19 through May 5. Mid-term recess May 6 - January 17, 2012. [9]	60 legislative days
Idaho	January 10 through April 7	None

State	Dates of session	Session length limit [1]
 Illinois*	January 12-June 1. Special session June 22 (single day). Recess June 23 - October 24, 2011. Special veto session October 25 ^[10] Special session December 12. ^[11]	None
 Indiana	January 5-April 29. ^[12]	April 29
 Iowa	January 10 - July 1. (per diem ended April 30, budgeted year ends June 30) Mid-term recess June 30 - January 8, 2012. ^[13]	110 calendar days
 Kansas	January 10-June 1. Mid-term recess June 2 - January 8, 2012. ^[14]	None
 Kentucky	January 4-March 9. Special session March 14-April 6	30 legislative days or March 30
 Louisiana	Regular session: April 25-June 23. Special session March 20- April 13.	45 legislative days in 60 calendar days
 Maine	December 1, 2010-June 16 (statutory adjournment was June 15) Special veto session June 28-29. Redistricting session September 27. Mid-term recess June 30 - January 3, 2012. ^[15]	June 15
 Maryland	January 12 through April 11. Special redistricting session October 17-20. ^[16]	90 calendar days
 Massachusetts*	January 5-November 16 ^[17] ^[18]	Formal sessions, November 16; informal, no limit
 Michigan*	January 12-mid December ^[19]	None
 Minnesota	January 4-May 23. Mid-term recess May 24 - January 23, 2012. Special session July 19-20. ^[20]	120 legislative days in 2 years, or the 1st Monday after the 3rd Saturday in May each year
 Mississippi		

State	Dates of session	Session length limit [1]
	January 4 through April 7. Special session September 2. ^[21]	90 calendar days
 Missouri	January 5-May 30.	May 30
 Montana	January 3 through April 28	Biennial session; 90 legislative days
 Nebraska	January 5 through April 12. Mid-term recess May 27 - January 3, 2012. ^[22] Special session begin November 1 ^[23]	90 legislative days
 Nevada	February 7-June 6	Biennial session; 120 calendar days
 New Hampshire	January 5-September 30.	45 legislative days or July 1
 New Jersey*	January 12, 2011-January 10, 2012. In recess until November 17, 2011. ^[24]	None
 New Mexico	January 18-March 19. Special redistricting session scheduled September 6-October 6. ^[25]	60 calendar days
 New York State*	January 5-June 24. Mid-term recess June 25 - January 3, 2012. ^[26]	None
 North Carolina	January 26-June 18. Special redistricting session July 13-July 29. ^[27] Special session September 12-15. ^[28] Recessed until November 6. Special Session began November 7. ^[29]	None
 North Dakota	January 4 through April 28. Special session November 7-21. ^[30]	Biennial session; 80 legislative days
 Ohio*	January 3-December 2012 ^[31]	None
 Oklahoma	February 7-May 27. Mid-term recess May 28 - February 5, 2012. ^[32]	May 27
 Oregon	February 1-June 30	160 calendar days

State	Dates of session	Session length limit [1]
 Pennsylvania*	January 4, 2011-November 30, 2012.	None
 Rhode Island	January 4-October 30. Special session October 18.	None
 South Carolina	January 11-June 2. House Special session June 14-July 1. ^[33] Special session July 26. ^[34] Mid-term recess until January 9, 2012. ^[35]	June 2
 South Dakota	January 11 through March 28. Special session October 24- October 31. ^[36]	40 legislative days
 Tennessee	January 11 through May 22. Mid-term recess May 22 - January 9, 2012. ^[37]	90 legislative days
 Texas	January 11-May 30. Special session May 31-June 29	Biennial session; 140 calendar days. Special session May 31- June 29.
 Utah	January 24-March 10. Special sessions March 25, July 27. Special redistricting session October 3-17. ^[38]	45 calendar days
 Vermont	January 5-May 6. Mid-term recess May 7 - January 3, 2012. ^[39]	None
 Virginia	January 12-February 27. Special session June 9-July 29. ^[40]	30 calendar days
 Washington	January 10-April 24. Mid-term recess April 23 - January 8, 2012. Special sessions April 26-May 25, November 28-December 12. ^[41]	105 calendar days
 West Virginia	January 12 through March 18. Special redistricting session August 1-5. Second redistricting session August 18-21. Special session December 11-16. ^[42]	60 calendar days
 Wisconsin*	January 11-2012. ^[43] The January special session is ongoing. An	None

State	Dates of session	Session length limit ^[1]
	extraordinary session was called by Legislature from June 13-30. The legislature met in Extraordinary session on July 19-29, and again on September 13, 2011. ^[43] Fall session began September 13, 2011. ^[44] Special session September 28-November 4	
 Wyoming	January 11 through March 3	40 legislative days

See also

- Dates of 2012 state legislative sessions

External links

- *StateScape*, 2011 Session Schedules (<http://www.statescape.com/resources/Sessions/SessionsNew.asp>)
- National Conference of State Legislatures-Legislative Session Dates, 2011 (<http://www.ncsl.org/default.aspx?tabid=21346>)

References

- ↑ Legislative Session Lengths, NCSL (<http://www.ncsl.org/default.aspx?tabid=17272>)
- ↑ *StateScape*, Session Schedules, accessed Sept. 12, 2011 (<http://www.statescape.com/resources/Sessions/SessionsNew.asp>)
- ↑ Bloomberg Businessweek, *Ariz. Gov won't seek session without bill backing, June 15, 2011* (<http://www.businessweek.com/ap/financialnews/D9NSDGHG1.htm>)
- ↑ *The Sacramento Bee*, California Democrats, backed by business, roll out last-minute proposal on regulations, Sept. 2, 2011 (<http://www.sacbee.com/2011/09/02/3879477/california-democrats-backed-by.html>)
- ↑ *StateScape*, Session updates, accessed Sept. 12, 2011 (<http://www.statescape.com/SessionUpdates/Sessionupdates.asp#item994>)
- ↑ *StateScape*, Session Schedules, accessed Sept. 12, 2011 (<http://www.statescape.com/resources/Sessions/SessionsNew.asp>)
- ↑ *StateScape*, Session Schedules, accessed Sept. 12, 2011 (<http://www.statescape.com/resources/Sessions/SessionsNew.asp>)
- ↑ *AJC.com*, General Assembly heads home; court date could be next, Aug. 31, 2011 (<http://www.ajc.com/news/georgia-politics-elections/general-assembly-heads-home-1152960.html>)
- ↑ *StateScape*, Session Schedules, accessed Sept. 12, 2011 (<http://www.statescape.com/resources/Sessions/SessionsNew.asp>)
- ↑ *StateScape*, Session Schedules, accessed Sept. 12, 2011 (<http://www.statescape.com/resources/Sessions/SessionsNew.asp>)

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Dates of 2012 state legislative sessions

From Ballotpedia

■ 2012 state legislative calendar

Legend:

- = This state's **regular** session has been adjourned for 2012.
- = This state's legislature is in regular session.
- = This state's legislature is in recess.
- = Special session.
- (*) - This state has full-time legislators (which does not mean that the legislature never adjourns).

State Legislatures



2012 Elections

Primary elections
State legislative elections
State legislative special elections

2012 Ballot Measures

2012 State Executive Elections

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State	Dates of session	Session length limit [1]
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State	Dates of session	Session length limit [1]
State	Dates of session	Session length limit [1]

State	Dates of session	Session length limit [1]
Alabama	February 7 - May 16. Special session May 17-24.	30 legislative days in 105 calendar days
Alaska	January 17 - April 15. Special session April 18 - April 30.	90 calendar days
Arizona	January 10 - May 3	Saturday of the last week in which the 100th calendar day falls
Arkansas	February 13 – March 9 (Fiscal session)	30 calendar days
California*	January 4 – August 31	August 31
Colorado	January 11 – May 9. Special session May 14-16	120 calendar days
Connecticut	February 8 – May 9. Special session June 12-13	
Delaware	January 10 – June 30	June 30
Florida*	January 10 - March 9 ^[2] Special session March 12-28.	60 calendar days
Georgia	January 9 – mid April	40 legislative days
Hawaii	January 18 – May 3	60 legislative days
Idaho	January 9 – mid April	None
Illinois*	January 11 - TBD. Special session August 17	None
Indiana	January 4 - March 10	March 14
Iowa	January 9 – May 9	100 calendar days
Kansas	January 9 – May 20	90 calendar days
Kentucky	January 3 – April 9. Special session April 16-20.	60 legislative days or April 15
Louisiana	March 12 – June 4	60 legislative days in 85 calendar days
Maine	January 4 – May 31	April 18
Maryland	January 11 – April 9. Special sessions May 14-16, August 9-15	90 calendar days

State	Dates of session	Session length limit [1]
 Massachusetts*	January 4 – January 1, 2013	Formal sessions, July 31; informal, no limit
 Michigan*	January 11 –	None
 Minnesota	January 24 – May 10. Special session August 24	120 legislative days in 2 years, or the 1st Monday after the 3rd Saturday in May each year
 Mississippi	January 3 – May 3	125 calendar days
 Missouri	January 4 – May 30. Special session October 12	May 30
 Montana	<i>No regular session in 2012</i>	
 Nebraska	January 4 – April 18	60 legislative days
 Nevada	<i>No regular session in 2012</i>	
 New Hampshire	January 4 – June 27	45 legislative days or July 1
 New Jersey*	January 10 – TBD. Special sessions July 2 and July 30	None
 New Mexico	January 17 – February 16	30 calendar days
 New York State*	January 4 – June 22	None
 North Carolina	May 16 – July 4. Special sessions January 4 and February 16-18.	None
 North Dakota	<i>No regular session in 2012</i>	
 Ohio*	January 3 –	None
 Oklahoma	February 6 – May 25	May 25
 Oregon	February 1 – March 6	35 calendar days
 Pennsylvania*	January 3 - November 30	None
 Rhode Island	January 3 – June 13	None
 South Carolina	January 11 – June 7. Special session June 19-29	June 7
 South Dakota	January 10 – March 19	40 legislative days
 Tennessee	January 10 – mid-May	90 legislative days
 Texas	<i>No regular session in 2012</i>	

State	Dates of session	Session length limit [1]
Utah	January 23 – March 8. Special session June 20	45 calendar days
Vermont	January 3 – May 5	None
Virginia	January 11 – March 10. Special session March 10 - May 2.	60 calendar days
Washington	January 9 – March 8. Special sessions March 12 to April 10, second special session April 10-11.	60 calendar days
West Virginia	January 11 – March 10	60 calendar days
Wisconsin*	January 10 – March 16. Returned for limited business on April 24	None
Wyoming	February 13 – March 9	20 legislative days

See also

- Dates of 2011 state legislative sessions
- Dates of 2013 state legislative sessions

External links

References

- ↑ Legislative Session Lengths, NCSL (<http://www.ncsl.org/default.aspx?tabid=17272>)
- ↑ In 2012, the Legislature began its session in January so more time could be devoted to map drawing and debate. Lawmakers usually don't meet until March.

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