



FINAL REPORT

THE NORTHWEST REGIONAL AMERICAN ASSEMBLY
ON STATE LEGISLATURES IN AMERICAN POLITICS

The Northwest Regional American Assembly, University of Washington
in cooperation with the American Assembly of Columbia University
December 8-11, 1966, Alderbrook Inn, Union, Washington

PREFACE

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PREFACE

This pamphlet is a report of the consensus reached at the Northwest Regional American Assembly following the deliberations of 81 citizens from the states of Alaska, Oregon, and Washington who met at Alderbrook Inn on Hood Canal in the state of Washington on December 8-11, 1966, to consider the role and performance of state legislatures in the American political system.

The first two and one-half days of the session were devoted to four small group discussions of the issues raised by certain background materials and from the various experiences of the participants. The principal background materials were: (1) *State Legislatures in American Politics* (ed. Alexander Heard), Prentice Hall, Inc., Englewood Cliffs, New Jersey, 1966 (2) *The State Legislatures of Alaska, Oregon, and Washington* (ed. Ernest H. Campbell), The University of Washington, Seattle, Washington, 1966.

The final meeting was a plenary session in which all of the participants reviewed a statement of findings and recommendations prepared by the drafting committee under the chairmanship of Hugh A. Bone. After careful consideration and some modification this statement was approved and it appears in the following pages as the consensus of the Assembly.

Donald H. Webster
Director
Northwest Regional American Assembly

INTRODUCTION

Government at all levels has become increasingly significant in American life. Modern technology, the revolution in communication and transportation, the spectacular growth of urban areas, and the population explosion have borne down particularly hard on state government. An increasing sensitivity to the role, efficiency, and operations of state government becomes necessary for coping with present problems and anticipating and planning for those on the horizon. To this end interested citizens are discussing the revitalization of state government with the hope of making more effective the performance of the states in the American system.

Citizens and public officials from the states of Alaska, Oregon, and Washington in a regional American Assembly in December 1966, analyzed the role and operation of their legislatures and reached certain conclusions. In order for representative bodies to meet the challenges of the time more effectively, it was agreed that action is necessary along four fronts. First, additional talented and dedicated persons, who are willing to serve more than one term, must be attracted to run for the state legislatures. Second, the machinery of state legislatures must be modernized to facilitate legislative action. Third, increased facilities, staff, and better equipment are required for the legislators. Fourth, it is essential that greater citizen interest and participation in public affairs, as well as improved attitudes toward the state legislatures obtain in order to accomplish the first three recommendations.

Although recognizing political, social, and economic differences among the three states, we offer the following statements and suggestions for renewed efforts in each state to improve its legislature.

Hugh A. Bone
Editor of the Proceedings

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At the close of their discussions the participants in the Northwest Regional American Assembly on State Legislatures in American Politics reviewed as a group the following statement. The statement represents general agreement; however, no one was asked to sign it, and it should not be assumed that every participant necessarily subscribes to every recommendation.

The problems of state legislatures are growing both in number and in complexity. The qualifications of persons needed to cope with these problems include, but are not limited to, knowledge of public problems, intelligence, and integrity, as well as sensitivity to popular demands and the ability to formulate ways of accommodating them. At present in this region the part-time legislator is able to handle these problems. This will remain true as long as highly experienced persons can be induced to run for and remain in office. Both the initial election and reelection of properly qualified persons depends upon:

1. Citizen attitudes that encourage persons to seek state legislative office and that inspire support by and aggressive recruitment from political parties, private groups, and individuals.
2. Adequate campaign resources, financial and otherwise.
3. The availability of leaves of absence for persons in business, industrial, and professional firms, including educational institutions and governmental agencies, to serve in legislative office.
4. Adequate compensation for state legislators so that serving in the

legislature will not result in significant financial sacrifice during the time they hold office.

At present there does not appear to be a serious problem of conflict of interest or abuse of the lobbying privilege in the Northwest region. Nevertheless, the public would be better protected and the public image of the legislature less open to impairment if there were:

1. Constant legislative awareness of the need for self-enforcement of proper ethical conduct both individually and collectively.
2. Timely preelection and postelection reporting and publicizing of political contributions to campaigns and of campaign expenditures.
3. Development of methods to help defray the costs of campaigning.
4. The enactment by the legislatures of reasonable provisions for the compulsory disclosures of pecuniary interests of legislators, for codes of ethics, and for an adequate lobby registration law.

Legislatures have been reluctant to provide adequately for their work, partly because of fear of public opposition and misunderstanding. Broadly constituted citizens' groups and the communication media can be of assistance in preparing the public for the following types of improvement:

1. Additional personal tools and services such as secretarial help, office space, telephone allowances, and travel expenses connected with legislative work.
2. Institutional support including research staffs for committees, reference bureaus, bill-drafting services, physical facilities, both during and in the interval between legislative sessions, and the electronic data processing necessary to support decision making.

State legislatures should be encouraged to utilize fully all of their present powers in order to proceed efficiently and effectively. The legislature should not be hamstrung by constitutional provisions and restrictions that are unduly limiting; the state constitution should be a genuine "basic document." With this in mind we recommend that:

1. Constitutional prohibitions on the attachment of emergency clauses to tax measures be eliminated.

2. State constitutions not limit the forms of taxation open to legislative consideration and possible enactment.

3. Legislatures have greater flexibility in regard to methods of proposing and greater authority pertaining to the scope of constitutional amendments than is currently available.

4. Constitutional restrictions upon increasing the compensation of public officers during their term of office be eliminated.

5. Legislatures have maximum flexibility to meet their fiscal responsibilities. (The constitutional allocation of funds for specific purposes is unsound in principle.)

The legislature should, through statute and constitutional amendment, grant a larger measure of autonomy to local governments, subject to the removal of such powers by the legislature by general law. This would relieve the legislature of many burdensome housekeeping bills. At the same time the state legislature must continue to play an affirmative role in helping solve local problems, and it should take positive action to provide both financial and technical assistance to local governments with respect to federally assisted programs. It can supply leadership in achieving a dynamic balance between local initiative and central authority. In order to strengthen local government, consolidation of the numerous local units and the establishment of minimal service standards should be encouraged.

Legislatures need improved ways of receiving timely information about federal aid programs from both the federal government and state agencies.

Of the other numerous aspects of legislative organization and procedure, we make these observations and suggestions:

1. State legislative business is now so voluminous that more frequent sessions without constitutional limits on the subject matter are required. Legislatures should be empowered to convene themselves in session or recess to a time certain. The part-time citizen-legislator can be retained and the state legislature can best do an adequate job by meeting at regular intervals throughout its term, and maintaining a small number

of permanent standing committees with a full-time professional staff.

2. Legislators should be compensated in accordance with the increased degree of public service performed.

3. Staff, research, secretarial, physical, and reference facilities should be expanded to meet the needs of the legislature. A highly competent staff is a particularly critical necessity for the legislative committees, as well as for the legislative service agencies.

4. Although minority sentiment was expressed in favor of unicameral legislatures, a majority favored the retention of the bicameral system.

5. Presession orientation for new members, prefilings of bills, and the constitution of committees well in advance of the session would be most helpful in permitting the legislature to get an early start on its business.

6. The number of standing committees should be kept to a minimum, and a careful study made of the alternatives for performing the highly important interim work through the legislative service agencies and certain joint or other interim committees, such as budget and highways. The organization of the legislature is the responsibility of each house, but parallel committees and joint hearings should receive serious consideration.

7. Accountability, an essential of democratic government, would be enhanced by a public record of the yes and no votes of each member in all committees, including the rules committee or its equivalent.

8. There is need for greater legislative involvement in the post-audit function. The best method for performing this function can be determined by the legislature.

9. The use of the initiative and the referendum for statutory enactments should be retained, but there is need for reviewing the requirements for placing a measure on the ballot. A majority advocates that the initiative process be available for proposing constitutional amendments and for calling a constitutional convention. The number of signatures for constitutional issues should be more than that required for statutory propositions.

10. State legislatures should act expeditiously to establish an automatic system whereby, if the legislature or other assigned reapportioning agency should fail to reapportion periodically in substantial compliance with the standards enunciated by the United States Supreme Court,

such reapportionment and redistricting can be accomplished. Reapportionment and redistricting, when accomplished by legislative enactment, should not be subject to the Governor's veto.

11. A viable two-party system is essential to the proper operation of state government. Because a strong opposition party in the legislature is important to legislative effectiveness and because it provides closer scrutiny of proposed legislation, minority party committee assignments should approximate proportional representation and should be made by the minority party.

12. The need for greater public understanding of the meaning and purposes of government and for increased interest in its operation cannot be overemphasized. State governmental activities in the Pacific Northwest deserve more attention in the mass media than they have received in the past. The flow of information from the legislature to the public is insufficient; the legislature itself can do much to improve communication between its members and the electorate and between its members and the news media.

STATE LEGISLATURES IN AMERICAN POLITICS

Northwest Regional American Assembly

December 8-11, 1966

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