

Public Hearing

2/24/94
1992 b

before

ASSEMBLY STATE GOVERNMENT COMMITTEE

Assembly Concurrent Resolution No. 61 (1R)

(Proposes Constitutional amendment concerning
introduction and passage of legislation
during "lame-duck" period)

LOCATION: Legislative Office Building
Committee Room 11
Trenton, New Jersey

DATE: March 9, 1992
10:15 a.m.

New Jersey State Library

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Robert J. Martin, Chairman
Assemblyman John E. Rooney
Assemblywoman Virginia Haines
Assemblyman David C. Russo
Assemblyman Byron M. Baer
Assemblyman Bernard F. Kenny, Jr.
Assemblyman John Hartmann



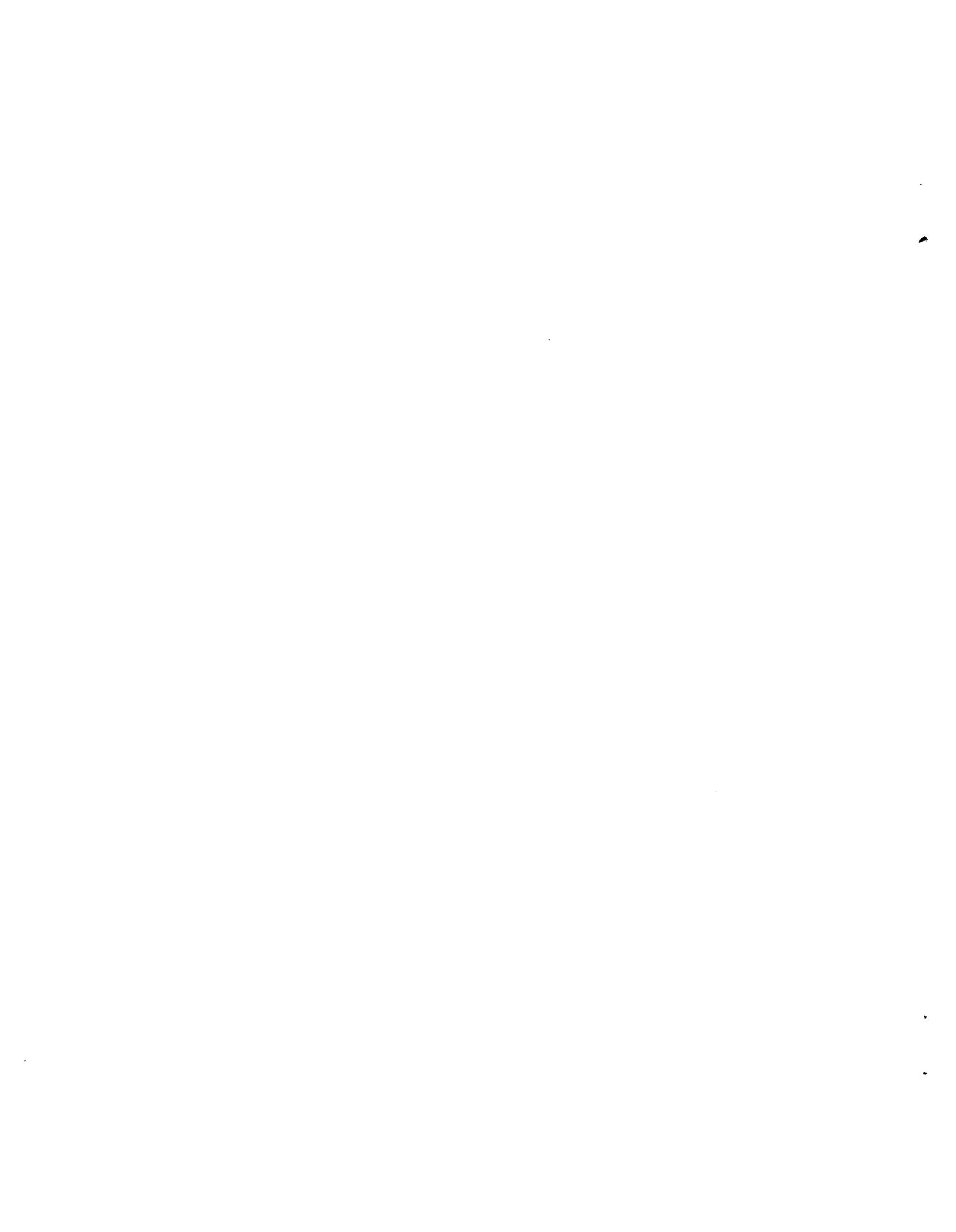
ALSO PRESENT:

Donald S. Margeson
Office of Legislative Services
Aide, Assembly State Government Committee

* * * * *

Hearing Recorded and Transcribed by

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[FIRST REPRINT]

ASSEMBLY CONCURRENT RESOLUTION No. 61

STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1992

By Assemblyman WOLFE and Assemblywoman HAINES

1 A CONCURRENT RESOLUTION proposing to amend ¹[Article IV,
2 Section I, paragraph 3 and] ¹ Article IV, Section IV, paragraph 6
3 of the Constitution of the State of New Jersey and providing a
4 schedule therefor.

5

6 BE IT RESOLVED by the General Assembly of the State of
7 New Jersey (the Senate concurring):

8 1. The following proposed amendment to the Constitution of
9 the State of New Jersey is hereby agreed to:

10

11 PROPOSED AMENDMENT

12 1[a. Amend Article IV, Section I, paragraph 3 as follows:

13 3. Each Legislature shall be constituted for a term of 2 years
14 beginning at noon on the second Tuesday in January in each even
15 numbered year, at which time the Senate and General Assembly
16 shall meet and organize separately and the first annual session of
17 the Legislature shall commence. Said first annual session shall
18 terminate at noon on the second Tuesday in January next
19 following, at which time the second annual session shall
20 commence and it shall terminate at noon on the second Tuesday
21 in January then next following but either session may be sooner
22 terminated by adjournment sine die. All business before either
23 House or any of the committees thereof at the end of the first
24 annual session may be resumed in the second annual session. The
25 legislative year shall commence at noon on the second Tuesday in
26 January of each year.

27 No bill or resolution shall be introduced in either the Senate or
28 the General Assembly during that period, if any, in the second
29 annual session of any legislative term which follows the general
30 election.

31 (cf: Art.IV, Sec.I, par.3 amended effective December 3, 1968)

32 b.] ¹ Amend Article IV, Section IV, paragraph 6 as follows:

33 6. a. All bills and joint resolutions shall be read three times in
34 each house before final passage. No bill or joint resolution shall
35 be read a third time in either house until after the intervention of
36 one full calendar day following the day of the second reading; but
37 if either house shall resolve by vote of three-fourths of all its
38 members, signified by yeas and nays entered on the journal, that
39 a bill or joint resolution is an emergency measure, it may proceed
40 forthwith from second to third reading.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

Assembly ASG committee amendments adopted February 20, 1992.

1 b. [No] A bill or joint resolution shall pass[, unless] if there
2 shall be a majority of all the members of each body personally
3 present and agreeing thereto, and the yeas and nays of the
4 members voting on such final passage shall be entered on the
5 journal.

6 Notwithstanding the foregoing provisions of this subparagraph,
7 during that period, if any, in the second annual session of any
8 legislative term which follows the general election, or during any
9 special session or portion thereof which follows that general
10 election, [passage in each body of any bill or joint resolution,
11 including concurrence by one body in amendments adopted by the
12 other body, shall require a three-fifths majority of all the
13 members of each body. This requirement shall not, however,
14 apply to (1) concurrence by one body, without further
15 amendment, in amendments of a bill or joint resolution passed
16 with those amendments by the other body prior to that general
17 election, and (2) adoption by each body of amendments
18 recommended by the Governor of a bill or joint resolution which
19 shall have been presented to the Governor on or before the day of
20 that general election] no bill or joint resolution shall pass unless,
21 during such period, there shall be a two-thirds majority of all the
22 members of each body personally present and agreeing thereto,
23 and the yeas and nays of the members voting on such final
24 passage shall be entered on the journal¹.

25 (cf: Art.IV. Sec.IV. par.6)

26 2. When this proposed amendment to the Constitution is finally
27 agreed to, pursuant to Article IX, paragraph 1 of the
28 Constitution, it shall be submitted to the people at the next
29 general election occurring more than three months after such
30 final agreement and shall be published at least once in at least
31 one newspaper of each county designated by the President of the
32 Senate and the Speaker of the General Assembly and the
33 Secretary of State, not less than three months prior to said
34 general election.

35 3. This proposed amendment to the Constitution shall be
36 submitted to the people at said election in the following manner
37 and form:

38 There shall be printed on each official ballot to be used at such
39 general election the following:

40 a. In every municipality in which voting machines are not used,
41 a legend which shall immediately precede the question, as
42 follows:

43 If you favor the proposition printed below make a cross (X),
44 plus (+) or check (✓) in the square opposite the word "Yes."

45 If you are opposed thereto make a cross (X), plus (+) or check
46 (✓) in the square opposite the word "No."

47 b. In every municipality the following question:

		REGULATING LEGISLATIVE PROCEDURE DURING "LAME-DUCK" SESSIONS OF LEGISLATURE
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	YES.	Shall the amendment to ¹ [Article IV, Section I, paragraph 3 and] ¹ Article IV, Section IV, paragraph 6 of the State Constitution, agreed to by the Legislature, providing that during the period between legislative elections in November of odd-numbered years and the end of the two-year legislative term in the following January, ¹ [no new legislation shall be introduced except in the case of a special session of the Legislature, and pending] ¹ legislation ¹ [in either the second annual session or a special session] ¹ shall ¹ [generally] ¹ require a ¹ [three-fifths] ^{two-thirds} ¹ vote in each House of the Legislature for passage, be approved?
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52	NO.	INTERPRETIVE STATEMENT The State Constitution allows the State Legislature to meet and conduct legislative business during the period between the legislative elections held in November of odd-numbered years and the end of the legislative term the following January, the so-called "lame-duck" period. This proposed Constitutional amendment would ¹ [prohibit the introduction of new legislation during any "lame-duck" period of the second annual session; this prohibition, however, would not apply to the introduction of legislation in a special session during the "lame-duck" period. It also would] ¹ require that, ¹ [with a limited number of exceptions,] ¹ during ¹ [an annual session or a special session following the general election in odd-numbered years] <u>the "lame-duck" period</u> , ¹ [pending] ¹ legislation must receive the support of ¹ [three-fifths] ^{two-thirds} ¹ of each House of the Legislature, rather than a simple majority as ordinarily required.

53 SCHEDULE

54 This Constitutional amendment shall become a part of the
 55 Constitution at noon on the second Tuesday in January next
 56 following the general election at which it is approved by the
 57 voters.

58
 59
 60
 61 Proposes Constitutional amendment concerning introduction and
 62 passage of legislation during "lame-duck" period.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY CONCURRENT RESOLUTION No. 61

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 20, 1992

The Assembly State Government Committee reports favorably and with committee amendments Assembly Concurrent Resolution No. 61.

This concurrent resolution proposes an amendment to the State Constitution to require that, during the period between the general election held in each odd-numbered year and the end of the two-year legislative term the following January (the so-called "lame-duck" period), passage of legislation shall require a two-thirds majority of all the members of each body. The amendment would take effect at the beginning of the next regular legislative session following its approval by the people.

COMMITTEE AMENDMENTS

The committee adopted amendments to this bill (1) to eliminate a prohibition against introduction of new bills during the "lame-duck" period, and (2) with respect to the supermajority requirement, (a) to eliminate a provision for certain exceptions to the requirement, and (b) to increase the size of the required supermajority vote from three-fifths to two-thirds.



ROBERT J. MARTIN
CHAIRMAN
JOHN HARTMANN
VICE-CHAIRMAN
VIRGINIA HAINES
MONROE JAY LUSTBADER
DAVID C. RUSSO
BYRON M. BAER
BERNARD F. KENNY, JR.

New Jersey State Legislature
ASSEMBLY STATE GOVERNMENT COMMITTEE
Legislative Office Building CN 068
TRENTON, NEW JERSEY 08625-0068
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NOTICE OF PUBLIC HEARING

The Assembly State Government Committee will hold a public hearing on the following legislation:

ACR-61 (1R)	Proposes Constitutional amendment concerning
Wolfe/V.Haines	introduction and passage of legislation during "lame-duck" period.

The hearing will be held on Monday, March 9, 1992 at 10:00 A.M.* in Committee Room 11 of the Legislative Office Building, Trenton, New Jersey.

This public hearing has been ordered by the General Assembly under Rule 143 of the Rules of the General Assembly and in compliance with the requirements of Article IX, paragraph 1 of the State Constitution, concerning proposed constitutional amendments.

Immediately following the public hearing, the committee will hold a regular meeting. The agenda for this meeting will be announced.

The public may address comments and questions to Donald S. Margeson, Committee Aide, or make bill status or scheduling inquiries to Deborah Del Vecchio, Secretary, at (609) 292-9106.

Issued 2/28/92
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Assemblyman David W. Wolfe District 10	3

* * * * *

hw: 1-11

ASSEMBLYMAN ROBERT J. MARTIN (Chairman): Seeing that we have a quorum, I would like to open this up. I would like to welcome Assemblyman Rooney, who is joining this Committee as a permanent member of the standing Committee.

Before we begin the schedule, we are required by law to have the public hearing on the-- What's the number on the--

MR. MARGESON (Committee Aide): ACR-61

ASSEMBLYMAN MARTIN: --ACR-61 that deals with the lame duck session of the Legislature. Is there anyone who would like to be heard with respect to the public hearing on ACR-61?

Mr. Trivelli wants one more shot.

VINCENT M. TRIVELLI: One more shot at it. I mean, it's an interesting system; a public hearing after the bill has been reported out of Committee, but--

ASSEMBLYMAN MARTIN: Briefly, this is a bill that would make it, during the time in which, after the November election in the second year of the two-year legislative session, in order for a bill to be passed into law both Houses would have to vote on it with a two-thirds majority. If it had cleared one House it would go before the second House, and it would need a two-thirds majority and it would have to be returned to the first House for a two-thirds majority. So it would create a system by which legislation would be much more difficult to be passed during the lame duck period.

I see Assemblyman Wolfe is here, so we'll let Mr. Trivelli have his piece, and if there is no one else who wishes to be heard on that, we will allow Assemblyman Wolfe, one of the prime sponsors, with Assemblywoman Haines, to say something.

Mr. Trivelli?

MR. TRIVELLI: Thank you, Mr. Chairman. I'll just be very brief since we already discussed this at Committee, but since it is a public hearing, I just wanted to say on the record, that I'm Vince Trivelli, Legislative Coordinator for CWA, and our position on this basically is that this is an

antidemocratic -- small "d" -- democratic bill; that there is no reason that a bill that moves at one month should require a supermajority, and a bill that moves in another month should require a regular majority. If there are too many bills that move or things that shouldn't be considered, that should be done through leadership. It should be done through the ability of the Legislature to control itself and not vote on these bills, not create a situation where, because of timing or other events an important bill doesn't become law because it needs a two-thirds or, I guess, it's now a three-fifths vote.

We're opposed to it. We just think it's a bad idea. We think it's bad for democracy, and we just urge it not be moved.

ASSEMBLYMAN MARTIN: Well, would you rather have an extra majority vote, or the Legislature not to vote on anything at all? That's what you are suggesting.

MR. TRIVELLI: Well, I think the Legislature can go out of -- you know, go sine die, if they wish, at the end of the summer before the election. They have all sorts of options. They don't need to change the Constitution of the State to say that certain bills need a larger number of votes to pass. They can, amongst themselves, decide that only certain bills are going to go up, or they can, like I say, go sine die. They can do a series of things. They don't need to change the Constitution to make supermajorities.

You know, the Constitution is set up -- the system is set up -- so that supermajorities are for veto overrides, not for regular business. We oppose it on that basis.

ASSEMBLYMAN MARTIN: Well, the Constitution is what the people say it is, so if they vote on this and pass it--

MR. TRIVELLI: I know. I understand that.

ASSEMBLYMAN MARTIN: Does anyone have any questions for Mr. Trivelli? (no response)

Is there anyone else who wishes to be heard on the ACR? Seeing none-- Mr. Rooney?

ASSEMBLYMAN ROONEY: I wasn't privy to the discussion on the bill, but had I been here I certainly would have voted for this bill. I think it's an idea whose time has come. It's probably overdue. There were a lot of things that were done in the last session that should have been -- probably can be undone, this time. But I believe in the bill. I think it's right, and I think it belongs on the ballot. If there is two-thirds of the people who decide that it should be done and should be passed into law, then it should happen.

There are too many times the minimum majority of 41 was State policy. I think that we saw that in probably the worst case situation last term, and it should be prevented in the future. So I would have voted in the affirmative for it. I don't know if I have a vote today, or not?

ASSEMBLYMAN MARTIN: You're one of the last Assembly members who had a bill that was sponsored that became a constitutional amendment on the special elections.

ASSEMBLYMAN ROONEY: That's right.

ASSEMBLYMAN MARTIN: I don't know if there was any opposition, but that didn't--

ASSEMBLYMAN ROONEY: There was opposition, from my own party.

ASSEMBLYMAN MARTIN: --but I don't think it radically altered the government in New Jersey, except it saved the taxpayers some money on special elections.

ASSEMBLYMAN ROONEY: Millions and millions of dollars.

ASSEMBLYMAN MARTIN: Joining us is Assemblyman Russo. Good morning, David--

ASSEMBLYMAN RUSSO: Good morning.

ASSEMBLYMAN MARTIN: --and Assemblyman Wolfe, the sponsor of the legislation. Good morning, David.

A S S E M B L Y M A N D A V I D W. W O L F E: Good morning, Mr. Chairman and Committee members, Assemblywoman Haines, the co-sponsor. I just would-- Not to add to previous

testimony, but to just make an additional statement: Since this was proposed originally there have been some modifications, primarily due to the suggestions of Assemblyman Kenny and Assemblyman Baer, and other Committee members. But since it was also proposed, there has been a greater amount of support from the public for this basic concept.

Recognizing the concerns of the first speaker in opposition to this today, I might add that the Asbury Park Press, The Trenton Times, the Atlantic City Press, and most recently last Friday, The Star-Ledger of Newark in their editorial basically said, this is something that deserves to be voted upon by the public. Whether they are in favor of it or against it, it is an issue that should be decided by the public. I think that certainly is a very fair way of looking at this particular issue.

Again, not to politicize it, but to give the public a chance to have their say, I think, is the issue that we are asking the Committee to consider.

I'd like to thank you for your previous consideration, and I also appreciate your guidance and suggestions. Thank you very much.

ASSEMBLYMAN MARTIN: Assemblywoman Haines?

ASSEMBLYWOMAN HAINES: I don't want to reiterate or go on with what Assemblyman Wolfe said, but just to thank the Committee for just voting it out of Committee, and having the public hearing, so that we can, hopefully, get it posted for a floor vote and get it over to the Senate, so that we can get this done and voted on, so it can get on the ballot. It is, we feel, an important piece of legislation for the people of the State.

I mean, not to keep going back to what had just happened in the last legislative session, but this we have to think of for the future. We as legislators are responsible for the people, and if we're going to put pieces of legislation in

that we feel are good pieces of legislation when we initially put them in, then we would believe in them prior to an election as well as we would believe in them after an election.

I just think it will make us more responsive as legislators.

ASSEMBLYMAN MARTIN: Get all this down? (addressing the hearing reporter) Okay, no one else wishes to be heard on this?

ASSEMBLYMAN KENNY: Mr. Chairman?

ASSEMBLYMAN MARTIN: Mr. Kenny?

ASSEMBLYMAN KENNY: Just for the record, I spoke against this at the two hearings that we had, and I just want to, at this hearing, restate my opposition in brief terms.

I agree with Mr. Trivelli, first of all, that by changing the requirement for a vote for a bill to pass, what you are in effect doing, is tampering with the very important legislative tradition of majority rule in a participatory type democracy that we have. There is no rational basis for making a piece of legislation require 54 votes on, say, November 5, when it only required 41 votes on, say, November 3. It just doesn't have any basis in fact. What we really have here is a reaction to the lame duck session that we just concluded a few months ago.

As I said in previous hearings, I think it's always a mistake when a political system reacts and changes its constitution based on one set of circumstances. I have before me the last four lame duck sessions that have occurred here since 1984, and there are some 60 or 70 bills that were passed with bipartisan support out of those lame duck sessions, many of which had -- the vast majority of which had fewer votes than would be required under the Assemblyman's bill, here.

Some of these are very, very critically important pieces of legislation, and are now laws of the State of New Jersey that affected good government policy. If you change the

laws to require 54 votes in the Assembly and whatever the number is in the Senate, not only do you weaken each legislators' vote on any piece of legislation, you also, in fact, change the very dynamics of the politics of getting bills out of the Legislature. Now everybody needs 54 votes instead of 41 votes, which dramatically alters the nature of the give and take that is part of the legislative process. I don't know what the consequences would be, but I would venture a guess that we would really kill very worthwhile legislation.

The other point I made is, by weakening our individual votes, we, in effect, strengthen the power of the Governor, whoever he or she may be, and we strengthen the power of the judiciary in this State to pass on laws that are passed. So when we weaken ourselves, we strengthen the other branches of government. I would ask that we think twice about doing that.

The other point that I made is, we have to realize that we don't, in general, meet from June of the year of an election until after the election. The month of June is dominated by the budget, so in effect, there is almost a five- or a six-month period where little, if any, legislation is moved on by the legislative bodies of both the Assembly and the Senate. That is why there is a great number of bills that come to the Speaker when the lame duck session begins; not because they have been holding them on purpose, but because the legislative process in the State has been dormant for five or six months. That's the historical tradition.

Now you want to change that tradition. Well, I would say that we ought to think about, if we want to change it, how we ought to change it without diluting the power of the legislators' vote. I think that's a drastic alteration of the Constitution.

You know if you are concerned about the fact that no bills move for five months, and then we have a short period of

time to address legitimate concerns of the State, then we ought to pay attention to that problem, if, in fact, that's what the concern is.

Just to give you an idea -- and I'll be very brief, but I think it's important -- some of the lame duck items that have come out with bipartisan support: Two-and-a-half million dollars for Hamilton for its wastewater sewer treatment; \$5 million to deal with Hurricane Gloria; revaluation of real property, legislation pertaining to that; \$2.5 million for Union County College; uniform securities law was significantly altered in 1985; \$70 million for the Monkville Reservoir in the Wanaque South Water Project; Drunk Driving Victims' Bill of Rights; Aquarium in Camden, by Assemblyman Rocco, as a lame duck bill; the Jersey City school takeover was a lame duck bill; Medicaid income eligibility standards for the elderly and the disabled; Shareholders Protection Act; Fox-Lance legislation -- significant legislation; Family Leave Act, by Senator DiFrancesco. These all passed with fewer than the required number of votes, and bipartisan support.

In our last legislative session: The Sports Authority and Exposition Authority, Rutgers University and Atlantic City Convention Center, and the Meadowlands bond refinancing.

ASSEMBLYMAN RUSSO: Bernie, are you giving that as an example?

ASSEMBLYMAN KENNY: These are bills that passed in the lame duck over the last -- I'm just taking a handful of them, there are some 70 here -- over the last three lame duck sessions--

ASSEMBLYMAN RUSSO: Oh, okay.

ASSEMBLYMAN KENNY: --that passed with bipartisan support, and in a majority of cases with fewer than the required number of votes than would be required by this bill. The Telecommunications Act -- that fiber-optics bill; bicycle operators, minors under the age of 14 to wear helmets;

mployment compensation benefits under the disability laws; electronic benefit distribution system for food for AFDC; ant Protection Act in Hudson County that we just passed; discrimination based on affectional or sexual orientations, it is just passed; the Family Development Act; AFDC benefits to changed by the Department of Human Services; and there are ny more.

What you have in a lame duck is an opportunity in a emocracy, once every two years, for bipartisan -- and all these bills -- bipartisan consensus on bills that not necessarily are controversial, but require a fair amount of consensus that cannot reasonably be expected to take place prior to a bipartisan election, which is in November. So it's an opportunity for things to get done. And I think that by this legislation, although very well intended, it may be counterproductive..

Finally, as I said the last time, I really feel the lame duck that we just concluded was colored primarily by my party's attempt to roll back the taxes that we enacted the year before. That was a highly emotional and intensely charged debate, not only on the floor but within our own caucus, and the press covered it intensely, and I think that gave a dimension to the lame duck that ordinarily would not have been there. Had that not occurred -- that roll back attempt -- I feel that the lame duck would have moved along probably without too much controversy. I'm suggesting that that type of event doesn't occur very often; nor does it occur very often in a lame duck when the ruling party gets wiped out of power and the party that was out becomes a supermajority. That only occurs, I am told, once every generation or so.

So let's not overreact to what happened here a few months ago, and let's think very closely about the benefits of changing our State Constitution. Thank you very much, Mr. Chairman.

ASSEMBLYMAN MARTIN: Thank you, Mr. Kenny. I would only say that there are points to be made on both sides. There are some of us, however, who feel that after the people spoke in November, it's somewhat disingenuous that you then vote on 200 bills and do more activity in the last six weeks of the legislative term after the elections are over than you did for the entire year before, and almost the two-year session. Whether that happens once in a generation or once every two years is hard to say, but I do know there has been a lot of activity, and for every good bill that has been pointed to, there is probably 20 bills that needed a little more time and probably could have at least waited to the next session before they were enacted into law.

Mr. Rooney?

ASSEMBLYMAN ROONEY: I just have a comment on some of those bills. Some of those bills shouldn't have been enacted into law, that passed in that lame duck session, and wouldn't have been enacted into law had they occurred prior to an election, because a lot of those bills were bills that would have made the difference as to whether a person had that on their record or not as voting for it.

What happened was--

ASSEMBLYMAN MARTIN: That's Mr. Kenny's point. He says that now you are free to do it because you have an opportunity where there is less politics -- there is a window of opportunity where some things may get done. Some things may get done that are meritorious because of that, and there are some things that may get done because, you know, because--

ASSEMBLYMAN ROONEY: I disagree totally on the basis that I believe that everyone should stand up for what their voting record is. If you vote on something, that record of what you voted on should be subject to public scrutiny, and by the election -- not after the election, after you have lost an election, and you're just doing it because you're not going to

ct to criticism after the fact or you're not going to
ect to another election. That's the wrong thing about
i I think that this changes that situation.

You know, as my old Irish grandmother used to say, if
't do it in public, then you shouldn't do it at all.
what happened after the window closed on the election.
hat they didn't have any accountability whatsoever in
ases, and they did things they wouldn't have done
y. They weren't subject to the criticism of the
ate. I believe, very firmly, that do it in public, let
electorate see what your votes are and let them judge you
votes. This legislation does it.

ASSEMBLYMAN MARTIN: I'm not sure you would have been
if she had taken that literally, John. (laughter)

ASSEMBLYMAN ROONEY: Try to, you try to.

ASSEMBLYMAN MARTIN: Is there anyone else? Okay,
you. Oh, I'm sorry, Mr. Baer?

ASSEMBLYMAN BAER: Yes. I've listened very carefully
e discussion, not only here, but particularly when the
was discussed more fully at the prior Committee meeting,
onsistently, the sponsor and advocates of the legislation
on what they perceive to be abuses when there is a change
ntrol, and particularly the most recent change of control.

Without getting into a lot of the questions that could
ised about that, I think the legislation here that is
sed should limit itself -- the amendment, I should say --
d limit itself to when there is a change of control, or
other threshold when there is a large amount of turnover.

A change of control occurs only in a minority of the
election periods, and yet we are limiting the Legislature
ery circumstance, post election, whether there is a change
ntrol or not. I think the public interest would have been
better served were this proposal not to attempt to hobble
Legislature in all those post election circumstances. Our

Constitution provides for a Legislature to function in post election circumstances because otherwise there would be a period of two to three months where there could be no activity. This, of course, will greatly limit the activity. I think the limitations deserve to be considered when there is that change of control. The amendment is overbroad and creates problems that it need not create that work against the public interest while it attempts to solve other problems.

ASSEMBLYMAN MARTIN: Anyone else? (no response) Seeing none, I thank the sponsor. That concludes the public hearing on ACR-61. It will go before the full Assembly, subject to the Speaker posting any legislation.

(HEARING CONCLUDED)

