

AGENDA FOR DISCUSSION OF LEGISLATIVE BRANCH IN COMMITTEE ON GOVERNMENTAL
INSTITUTIONS

A. What powers will the legislative branch possess?

1. What will be the extent of the legislative power to be vested in the legislature as a whole?

- a) Should the legislative branch receive a full grant of all legislative authority made available by the Covenant subject only to the express and implied limitations imposed by other articles of the Constitution? (Pages 15-19).
- b) Should the Constitution confer on the legislature a full grant of legislative authority subject to specified exceptions in the article on the legislative branch?
 - (i) Should the Constitution forbid any limitation on special or local laws? (Page 21).
 - (ii) Should the Constitution forbid all special and/or local laws? (Page 22).
 - (iii) Should the Constitution permit special and/or local laws but limit the number of classifications which the legislature may make? (Pages 22-23).
 - (iv) Should the Constitution forbid special laws as to subjects covered or potentially covered by general laws? (Page 23).
 - (v) Should the Constitution regulate the manner by which a local law is adopted, without regard to the subject matter of that law? (Page 23).
- c) Should the powers of the legislative branch be restricted to those enumerated in the Constitution? (Pages 24-28).

2. How will the Constitution allocate the power vested in the legislative branch as between the houses of the legislature?
- a) What should be the general approach to the powers of the two houses?
- (i) Should the powers of the two houses be identical, neither being able to act on any matter without the other? (Pages 28-30).
 - (ii) Should a requirement of joint action be qualified by an arrangement permitting one of the houses to override actions of the other? (Pages 30-31).
 - (iii) Should one or both houses be able to act alone on certain matters? (Pages 31-32).
- b) How should power be allocated regarding certain specific matters?
- (i) Should one house receive the power to impeach, with the other body assigned the authority to try impeachments? (Pages 32-33).
 - (ii) Should the upper house be granted the power to confirm executive appointments? (Page 33).
 - (iii) Should the Constitution require that legislation affecting only one locality originate in the house in which that locality's proportion of seats is greater and that the originating house participate in overriding a gubernatorial veto of such legislation? (Pages 33-34).
 - (iv) Should the Constitution provide that bills for raising revenue originate in the lower house? (Page 34).

B. How will the legislature be organized?

1. What will be the names of the legislature and each of its houses?

(Page 35).

2. Of how many members will each house consist? (Pages 35-36).

a) Should the Constitution fix the specific number of seats in each house? (Page 37).

b) Should the Constitution set a maximum or minimum size for each house, permitting the legislature to determine the exact size of the two bodies within the specified constitutional limitations? (Page 38).

c) Should the Constitution leave the entire decision concerning the size of each house to the legislature? (Pages 38-39).

3. What method or methods of representation and of voting for legislators will be used for each house?

a) What form should be adopted for representation in the upper house?

(i) Should at-large election be used? (Defined at page 39, discussed at pages 42-43).

(ii) Should single member districts be adopted? (Defined at pages 39-40, discussed at pages 43-44).

(iii) Should multi-member districts be preferred? (Defined at page 40, discussed at pages 43-44).

b) What form of voting system should be used for the upper house?

(i) Should the single vote system be adopted? (Defined at page 40, discussed at pages 44-45).

- (ii) Should either a cumulative or a non-cumulative multiple vote system be installed? (Defined at pages 40-41, discussed at pages 45-56).
 - (iii) Should proportional voting be required? (Defined at pages 41-42, discussed at pages 46-47).
 - c) What should be the form of representation for the lower house? (Pages 47-49).
 - (i) Should at-large elections be used? (Pages 49-51).
 - (ii) Should multi-member districts be used? (Pages 51-52).
 - (a) What body, if any, should be given responsibility for reapportionment? (Pages 52-53).
 - (b) What standards and time frame for reapportionment, if any, should the Constitution set? (Pages 53-54).
 - (iii) Should single-member districts be used? (Pages 54-55).
4. What will be the length of the terms of office of members of each house? (Pages 56-58).
- C. What provisions affecting legislators will the Constitution include?
- 1. What qualifications should be required of legislators?
 - a) What age requirements, if any, should legislators meet? (Pages 59-60).
 - b) Should non-citizens be eligible to serve as legislators? (Page 61).
 - c) What requirements of residence, if any, should be imposed on legislators? (Pages 61-63).
 - 2. To what forms of removal should legislators be subject? (Pages 63-65).
 - 3. How will vacancies in the legislature be filled?

- a) Through appointment by the governor or by another official?
(Pages 65-67).
 - b) Through selection by the legislative delegation from the former legislator's municipality? (Page 66).
 - c) By special election? (Page 67).
 - d) By the succession of the runner-up in the previous election?
(Page 67).
 - e) By a method determined by the legislature? (Page 68).
4. What should the Constitution provide as to legislators' salaries and outside employment?
- a) What limits, if any, should the Constitution set on legislators' outside employment? (Page 68).
 - b) How should the Constitution deal with the question of legislative salaries?
 - (i) Should the Constitution set a salary or per diem? (Pages 68-69).
 - (ii) Should the matter be left to the legislature or some other agency? (Pages 69-70).
 - (iii) Should legislators be forbidden from receiving salary increases during the term in which the increases were enacted?
(Page 70).
5. How should the Constitution provide for rules of conduct for legislators?
- a) Should the Constitution be silent on the subject? (Page 71).
 - b) Should the Constitution explicitly grant power to the legislature or some other body to act on the subject? (Pages 71-72).

- c) Should the Constitution require the legislature to forbid certain activities? (Page 72).
 - d) Should the Constitution itself forbid certain activities? (Page 73).
6. Should the Constitution specify the personnel which will be made available to the members of the legislature? (Pages 74-75).
7. Should the Constitution protect legislators from arrest for certain types of crimes during a legislative session? (Pages 75-76).
- D. What provisions concerning legislative procedure will the Constitution contain?
- 1. What rules, if any, for general and special legislative sessions should the Constitution prescribe?
 - a) Should general legislative sessions be held every year or every other year? (Page 77).
 - b) Should the Constitution limit the length of general legislative sessions? (Pages 77-79).
 - c) Should the subjects of general legislative sessions be limited? (Pages 79-80).
 - d) Should the Constitution permit special legislative sessions and, if so, who should be empowered to call such sessions? (Page 81).
 - e) Should the Constitution limit the length of special legislative sessions? (Page 81).
 - f) Should the subjects which may be considered at special sessions be limited? (Page 82).

2. Should the Constitution require the legislature to hold all or some of its sessions in public and to maintain a journal of its proceedings? (Pages 82-83).
3. Should the Constitution prohibit any legislative bill from dealing with more than one subject, require that the bill's title reflect the subject, and forbid "amendment by reference"? (Pages 84-86).