



## **BERTA'S BRIEFINGS**

**REPRESENTATIVE BERTA GARDNER**

Serving Geneva Woods, College Village, Green Acres, Tudor, Taku & Campbell Park

**APRIL 16, 2011**

### **But is it Constitutional?**

Dear Friends and Neighbors,

During this morning's House floor session we rolled through the calendar:

- Messages from the Governor? None.
- Messages from the other body? None.
- Any new legislation? None.
- Anything on the daily calendar? None.

One of my colleagues expressed the feeling we all share when he commented "This feels like Groundhog Day". Though it looks and feels like nothing is happening except going through the motions that is somewhat deceptive. Much of what happens does so very quietly. Here is a quick status update.



Representatives Gardner and Kerttula met with new citizens today at the Capitol.

You may remember that the Governor's call to Special Session included 10 bills. Of those bills, 5 have been passed by both the House and the Senate and are simply awaiting transmission to the Governor. These include a supplemental budget bill (SB76), the extension of the Regulatory Commission of Alaska (HB24), some board extensions (HB126), a bill relating to funding for boarding schools and vocational education (SB84) and legislation relating to the Alaska Energy Authority and the Susitna River power project (SB42).

A couple of budget bills (HB108 & HB109) are in conference committee, meaning that the differences between the House and Senate versions are being resolved by a small subset of legislators

from each body. My understanding is that they are very close to completion with the remaining issue of dispute being the level of funding for education services.

The three biggest issues remain unresolved and are in the hands of the Senate: Coastal Management Program (HB106), Alaska Performance Scholarship (HB104) and Capital Budget (SB84). The Senate is negotiating with both the House and the Governor over these remaining pieces.

The most interesting question in this whole process is the matter of the constitutionality of the Senate language in the capital budget, namely, grouping the energy projects together with contingency language saying the Governor can veto all or none of those projects. In a climate of mistrust brought about by the Governor's promise to veto capital projects if the Senate failed to pass his dramatic oil tax reduction bill, this becomes a question about the power of the legislature to appropriate and the power of the Governor to line item veto budget items as well as the separation of powers which is at the heart of our governing system.

I hope a way out of the impasse is found soon.

I'm Berta and I'm still listening,



Berta

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