

JARET GIBBONS, MEMBER
10TH LEGISLATIVE DISTRICT

117A EAST WING
P.O. BOX 202010
HARRISBURG, PENNSYLVANIA 17120-2010
(717) 705-2060
FAX: (717) 780-4766

309 5TH STREET
ELLWOOD CITY, PENNSYLVANIA 16117
(724) 752-1133
FAX: (724) 752-3784

E-MAIL: jgibbons@pahouse.net



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

MEMORANDUM

TO: Members of the House of Representatives

FROM: Representative Jaret Gibbons

DATE: January 20, 2011

SUBJECT: **Co-Sponsorship of Legislation: Reducing the Size of State Government**

In the near future, I plan to re-introduce a package of bills that will reform state government by making it smaller and more efficient.

1. Unicameral General Assembly (former HB 2389 of 2010)

My first bill proposes integrated amendments to the Pennsylvania Constitution providing for a unicameral General Assembly. A unicameral legislature would eliminate unnecessary duplication and provide better citizen access to the legislative process. Conversion to a unicameral system would result in immediate cost-savings as the need for duplicative staffing, constituent services, and other legislative functions would be eliminated.

The idea of a unicameral state legislature is not a new one, nor is current consideration limited to Pennsylvania. In fact, the Pennsylvania General Assembly was originally a unicameral body from 1777-1790. Nebraska is currently the only state with a unicameral legislature. U.S. Senator George William Norris is considered the architect of Nebraska's unicameral system. During the Great Depression, he traveled the state promoting the idea. He claimed the two-house system was "outdated, inefficient and unnecessary." Recently, on June 9, 2009, the Maine House of Representatives voted to form a unicameral legislature. Attached, you will find an article from the *Wall Street Journal* discussing efforts in several different states to move toward unicameral legislatures. Additionally, similar proposals have previously received support in editorials by the *New Castle News* and *Pottsville Republican & Herald*.

The bicameral legislative body represents a time in history when one house would represent the aristocracy and the other would represent the commoners. Recognizable bicameral institutions first arose in medieval Europe where they were associated with separate representation of different estates of the realm. Within the individual United States, bicameralism was usually modeled upon that of the United States federal government, with the upper house consisting of State Senators who represented geographic areas independent of their population, typically counties at the state level in correlation to the states at the federal level.

However, the United States Supreme Court ruled in *Reynolds v. Sims*, 377 U.S. 533 (1964), that under the “one person, one vote” principle all districts for both State Senate seats and State House seats must be more or less proportional to each other seat in that chamber. Thus, *Reynolds v. Sims* ended the traditional practice of having State Senators apportioned by county and eliminated the ability of the upper chamber to balance the interests of lower governmental units with varying populations.

The key elements of this amendment include that the General Assembly would consist of 201 members. At the first General Election after the adoption of the amendment, members from odd-numbered districts would be elected for a two-year term, and members from even-numbered districts would be elected for a four-year term. Afterwards, all members would be chosen for four-year terms. The impeachment process is changed to allow that the Supreme Court will try cases of impeachment filed by the General Assembly, except against a Supreme Court justice, in which case a panel of the Superior Court shall be chosen to hear the impeachment. This is modeled after the Nebraska impeachment process. The General Assembly shall be charged with consenting upon appointments made by the Governor. As there will no longer be a President pro tempore of the Senate, the order of succession is changed to allow for appointment of a Lieutenant Governor upon vacancy in that office. Should there be a vacancy in the office of Governor and no Lieutenant Governor, the Speaker of the General Assembly shall become Governor.

2. Eliminate Office of Lieutenant Governor (former HB 2391 of 2010)

My second bill would eliminate the position of Lieutenant Governor. Currently, six state constitutions do not provide for a lieutenant governor. The constitution currently provides three primary duties for the Lieutenant Governor. The primary day-to-day duty of Pennsylvania’s Lieutenant Governor is to serve as President of the Senate, which would be eliminated under a unicameral legislative system. The second duty is to serve as chairman of the Board of Pardons. Under my proposals, the governor would appoint an additional member to the board, who would be a member of the bar, and would name one appointee as chairman.

The third duty is to serve as Governor should the Governor be unable to fulfill the term. This bill changes the order of succession so that the State Treasurer shall become Governor upon a vacancy in that office. In reviewing the order of succession in other states without a Lieutenant Governor, I found the order varied in each state with no common successor. Considering our current statewide elected offices, I believe the State Treasurer to be the most reasonable successor. In some states where there is a Lieutenant Governor, the Governor will actually appoint the Lieutenant Governor to head an executive department, such as the state treasury. The State Treasurer shall run concurrently with the Governor to assure continuation of control of the Governor’s office by the elected governor’s political party. Should there be no State Treasurer, the order of success shall be the Auditor General and then Attorney General.

If enacted, this package of legislation could reduce legislative and executive spending by more than \$90 million. If you would like to co-sponsor either or both of these bills, please contact Susan Finger in my office at (717) 705-2060 or SFinger@pahouse.net (in-house ext. 6626).

A Capitol Reduction Project?

Some States Suggest Cutting Their Statehouses Down to One Legislative Body

By KEITH JOHNSON

Wall Street Journal

Oct. 26, 2010

WASHINGTON — A handful of state lawmakers are hoping to answer the rising call for smaller government by slicing their statehouses in half.

In Maine, members of the state's House of Representatives passed a bill last year that would shrink the legislature to one chamber from two. A Pennsylvania legislator introduced a bill this year to do the same. The speaker of the House in Kentucky also floated the idea. Over the past year, officials in half a dozen other states have discussed attacking the size of government by cutting the size of the legislature. The current election campaigns across the country have further fired the debate.

"It's about getting a better form of government for 2010," says Linda Valentino, a Democrat in Maine's House of Representatives. Ms. Valentino pushed the measure last year before it died in the state Senate. She plans to try again.

Nebraska is the only state with a single legislative body.

The debate over unicameralism is gathering steam because state governments are strapped for cash. The recent recession cracked many budgets, and the continuing sluggish recovery is taxing others. Modern-day proponents of unicameral legislatures tend to be Democrats. But the movement began with Nebraska Sen. George Norris, a Republican, who barnstormed the state to drum up support for his idea in 1934.

Ms. Valentino, like everybody else pitching the idea, looks to Nebraska for inspiration—the only state in the country that has a single-chamber statehouse.

At the height of the Depression, Nebraska decided to save money by getting rid of its second legislative chamber. It worked. When the unicameral legislature debuted in 1937, with each representative called a senator, the body cost half as much to run as the old one. And there is less duplication and overlap.

Jarret Gibbons, a Democratic state legislator in Pennsylvania, figures his plan to combine the state Assembly and Senate could save \$90 million a year by reducing the number of legislators and support staff and streamlining the legislative process. The idea went nowhere this year, but Mr. Gibbons hopes to start again after the current election campaign produces a new governor.

Most states modeled their legislatures after the federal government's when they joined the union. The general argument being that two legislative bodies ensures legislation receives sufficient attention.

Streamlining government is another driving force behind the push in Maine, Kentucky, and other states. The argument: Having a separate House and Senate that represent the same people and that draft identical legislation just wastes time.

"Without the duplication needed for every single bill, we could devote more time to public debate," says Greg Stumbo, a Democrat and the speaker of Kentucky's lower house. He argues that a streamlined legislature would be a more effective counterweight to the governor because it would give lawmakers more time for important matters, such as studying the budget. For Ms. Valentino, cutting the size of government is also a way to improve accountability.

"There are too many opportunities for representatives to say 'I supported' a measure when they know it's just going to die" in the other house, she says. "This is a way to bring efficiency, transparency, and accountability" back to government, she says.

But few people, including legislators, like to vote themselves out of a job. Proponents of one-chamber legislatures suspect that's what killed measures so far in Maine and Pennsylvania and helped derail Kentucky's plans. "Everybody thinks this is a turf war," says Mr. Gibbons.

Nebraska never faced that challenge. It cut its statehouse through a ballot initiative, not a law. And that 1934 ballot included a pair of popular measures—legalized gambling and an end to Prohibition—that likely propelled the full ballot to approval, says Richard Brown, the assistant clerk of Nebraska's statehouse.

The state's unicameral legislature is also the only one in the country that is nonpartisan: candidates, and senators, have no formal party affiliation. That is an idea that has yet to gain traction outside Lincoln.

"One fight at a time," says Mr. Gibbons.