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INFORMATION FOR AUTHORS

The editors of the *Journal of the American Society of Legislative Clerks and Secretaries* welcomes manuscripts which would be of interest to our members and legislative staff, including topics such as parliamentary procedures, precedent, management, and technology. Articles must be of a general interest to the overall membership.

Contributions will be accepted for consideration from members of the American Society of Legislative Clerks and Secretaries, members of other National Conference of State Legislatures staff sections, and professionals in related fields.

All articles submitted for consideration will undergo a review process. When the Editorial Board has reviewed a manuscript, the author(s) will be notified of acceptance, rejection or need for revision of work.

STYLE AND FORMAT

Articles should follow a format consistent with professional work, whether it is in the style of the Chicago Manual, the MLA, or APA. Articles should be submitted in MS Word, single spaced with normal margins.

All references should be numbered as footnotes in the order in which they are cited within the text. Accuracy of the content and correct citation is expected of the author. Specialized jargon should be avoided as readers will skip material they do not understand. Charts or graphics which may assist readers in better understanding the article's content are encouraged for inclusion.

SUBMISSION OF ARTICLES

Articles for the 2020 Journal should be submitted electronically, not later than July 1, to the Chair:

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Inquiries from readers and potential authors are encouraged. You may contact the Chair by telephone at (916) 651-4171 or by email at Bernadette.McNulty@sen.ca.gov.

Letters to the editor are welcomed and may be published at the conclusion of the journal to provide a forum for discussion.

From the Editors

The *Journal of the American Society of Legislative Clerks and Secretaries* has been published since 1995. The *Journal* publishes articles meant to be of interest to our unique group of people. As we all know, the occupation of clerk or secretary is foreign to most people. No one really understands what it is we actually do, so having the ability to share experience, thoughts, trends, and historical perspective in a publication such as this is an invaluable resource.

The first volume of the *Professional Journal* as it is commonly referred to was packed with seven articles which covered topics in administration, case studies, historical preservation, and technology.

For this volume, the 24th, the ASLCS Professional Journal committee took a different approach by constituting subcommittees on case law, technology and legislative procedure. The contents before you are the product of the case law subcommittee.

We believe you will find these case summaries very interesting.

Sincerely,

The Editors

Recent Developments in the Law of Lawmaking

I. PREFACE

Written By: Tim Sekerak (OR)

Clerks, Secretaries and Parliamentarians have a unique and important role in the legislative branch of government. As stewards of the legislative process, we are in a position of great importance in assuring the public that they can trust that the results of lawmaking processes are a bona fide expression of the popular will of the body. Judicial and Executive deference to legislative sovereignty over the lawmaking function of government traces its roots back to 15th century England and was ultimately embedded in our system of separation of powers between the branches. Starting from its earliest cases, our actions have enjoyed a presumption of constitutionality in court proceedings. While legislative prerogative and independence are foundational principles of judicial interpretation, the following summaries of recent judicial opinions are intended to illustrate several aspects of the current state of this deference and independence:

- The boundaries of judicial power to interpret and enforce constitutional lawmaking provisions;
- The sources of authority to determine the validity of legislation; and
- The boundaries of the exclusive and final authority of legislative officers.

We hope these summaries of important cases in the law of lawmaking provide food for thought as you contemplate and guide the legislative action in your chamber.

II. CASES SUMMARIES

A. State ex rel. Workman v. Carmichael, 241 W.Va. 105 (2018)

Written by: Melissa Bybee-Fields (KY) and Tim Sekerak (OR)

While the three branches of government are typically allowed to exercise their own responsibilities independently, separation of powers is not absolute. The checks and balances system woven into our governmental structures provides some power of accountability over the other branches. Essential to that accountability is the legal authority of branches to appoint and remove members from the other branches.

The West Virginia Constitution provides that any officer of the state may be removed from office for "maladministration, corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor." West Virginia's legislators and the Governor might have felt additionally empowered by the fact that Article IV Section 9 of the state Constitution grants the legislature the 'sole power' over impeachment proceedings. This case explores the boundaries of what 'sole power' means, particularly when the legislative branch's process is challenged on the basis of violations that are legally the prerogative of the Judicial branch to resolve.

Like many a political drama, this one started with sensational media reports and, with public outrage ringing in their ears, the legislature launched into action. Legislative audits in April of 2018 explored the troubling spending practices of members of West Virginia's Supreme Court. On June 25, 2018, the West Virginia Republican Governor issued a Proclamation calling for a second special session of the state legislature. The purpose of this special session was to investigate and consider whether the actions of the Justices of the West Virginia Supreme Court rose to the level of impeachment. The House of Delegates adopted House Resolution 201 which laid the groundwork for the Judiciary Committee to investigate impeachable offenses, report its findings of facts, and present any proposed resolution of impeachment with articles of impeachment. Over a period of three and a half weeks the Judiciary Committee conducted its hearings and formally adopted fourteen articles of impeachment.

On August 13, 2018, as the deadline to fill court vacancies by statewide election instead of gubernatorial appointment was elapsing, the Republican-led House of Delegates voted to approve eleven of the fourteen proposed Articles of Impeachment against the Chief Justice and three other justices over matters including overpayment of senior judges, unnecessarily large travel budgets, personal use of state resources, failure to provide proper supervisory oversight of administrative duties, and, in total, being unmindful of the duties of their high offices and contrary to the oaths taken by them to support the Constitution of the State of West Virginia.

On August 20, 2018 the West Virginia Senate passed Senate Resolution 203 which set forth the rules of procedure for the impeachment trial. After pre-trial settlement offers were rejected in September 2018, a trial date was set for October 15, 2018.

The Petitioner, The Honorable Margaret L. Workman, then filed a writ of mandamus in the Supreme Court of West Virginia to halt the impeachment proceedings against her.

The opinion issued by the Supreme Court begins by establishing that it has proper jurisdiction over an action within the legislative branch. The United States Supreme Court laid out the foundation of the concept of jurisdiction via *Baker v. Carr*, 369 U.S. 186, 211, 82 S.Ct. 691, 706, 7 L.Ed.2d 663 (1962) by stating: "the determination of whether a matter is exclusively committed by the constitution to another branch of government 'is itself a delicate exercise in constitutional interpretation and is a responsibility of this court as ultimate interpreter of the Constitution.'" While the West Virginia Supreme Court noted that a judicial appeal is not explicitly authorized from a decision by a Court of Impeachment, however, the language set forth within Article IV, § 9 of the Constitution of West Virginia states "the Senators shall…do justice according to law and evidence." The Court therefore asserts that based on the inclusion of this "Law and Evidence Clause" there exists an implicit right of an impeached official to have access to the courts to seek redress if he or she believes the actions or inactions of the Court of Impeachment violate their rights under law. Therefore, the court decides, an officer of the state who is facing impeachment or has been impeached, may seek redress through filing a petition for an extraordinary writ under the original jurisdiction of the state Supreme Court.

In considering the merits of the case, the Supreme Court observes that the common thread within the Petitioner's arguments is that the legislative Court of Impeachment brought charges which expressly or implicitly violated the separation of powers doctrine. The Supreme Court reviewed the separation of powers doctrine by citing *State ex rel. Frazier v. Meadows*, 193 W.VA. 20, 454 S.E.2d 65 (1994), "the system of checks and balances provided for in American state and federal constitutions and secured to each branch of government by separation of powers clauses theoretically and practically compels courts, when called upon, to thwart any unlawful actions of one branch of government which impair the constitutional responsibilities and functions of a coequal branch. The court also highlights *State ex rel. Steele v. Kopp*, 172 W. Va. 329, 337, 305 S.E.2d 285, 293 (1983) by stating "the role of this court is vital to the preservation of the constitutional separation of powers of government where that separation, delicate under normal conditions, is jeopardized by the usurp actions of the executive or legislative branches of government."

The Supreme Court held that the Court of Impeachment violated its constitutional authority in the determination of whether or not there has been a violation of the West Virginia Code of Judicial Conduct. The Court pointed out that the state's 1974 Constitutional Reorganization Amendments placed the administration of the court system under the Supreme Court as opposed to the Legislature. Since two of the impeachment claims against the Petitioner were founded on the West Virginia Code of Judicial Conduct, the legislature was prohibited from further prosecution of the petitioner under those Articles.

Additionally, the Supreme Court found that Article XIV of the Articles of Impeachment, asserting a claim against the Petitioner set out in the Canons of the West Virginia Code of Judicial Conduct, was a clear violation of separation of powers since the exclusive authority to make those determinations are found within the judicial branch.

After the Supreme Court reached its decision that some of the claims were not within the scope of the legislative branch's power to bring against the Petitioner, it determined that the House failed to follow the procedures it created in Resolution 201 and was therefore a violation of due process.

Specifically, the Court found that the House of Delegates did not set forth separate "findings of fact" against the petitioner, nor did they return against her a conclusion that her alleged wrongful conduct amounted to "maladministration, corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor" as required by the West Virginia Constitution.

The court determined that the Petitioner has a liberty interest in not having these claims filed against her, insomuch that she does not want her name and reputation tainted. Additionally, the court determined that the Petitioner has a property interest in being able to draw her retirement when she so chooses.

For these reasons, the Supreme Court issued a halt to the impeachment proceedings.

B. **Bevin v. Commonwealth ex rel. Beshear**, 563 S.W.3d 74 (2018)

Written by: Morgan Speer (CO) and Heshani Wijemanne (CA)

In February 2018, Senate Bill 1 was introduced in the Kentucky State Senate to address a looming financial threat to the state's public pension system. Due to political opposition to the proposed pension reform, there was difficulty in moving the bill forward. The bill was referred back to committee and no action was taken on the bill for some time.

Eventually, on the 57th day of the Legislature's 60-day session, an agreement was reached on language to be used in the pension reform bill. However, with time running out, the legislature was faced with a procedural obstacle to advancing the bill in the remaining days of session. Section 46 of the Kentucky Constitution states in part that, "Every bill shall be read at length on three different days in each House." This provision also states that the second and third readings may be dispensed with by a majority vote.

In order to avoid a §46 violation, the committee decided to utilize a previously used tactic – amend a different bill, one that had already been given some readings, and insert the newly agreed upon language for pension reform in it. This practice was based upon the understanding that the earlier readings of that bill, before the new language was inserted, would still count towards the § 46 reading requirement.

Senate Bill 151 was selected as the new vehicle for the pension reform language. This bill had already received three readings on three different days in the Senate, and two readings in the House. Each of these readings were for the original substance and title of SB 151, "AN ACT relating to the local provision of wastewater services."

Once SB 151 was amended by committee substitute, the original language relating to wastewater services was struck out and replaced with the committee's newly agreed upon language relating to pension reform. The title of SB 151, however, remained unchanged.

Once the new language relating to pension reform was substituted into SB 151, it was voted out of committee and reported to the House, where it received its third reading. After it passed in the House, the newly amended SB 151 was returned to the Senate, where no additional readings occurred. Once SB 151 passed the Senate, it was sent to the Governor for signing.

Although it was read three times in each chamber, Senate Bill 151was never read in either chamber by its title as an act relating to retirement and pension reform.

Based on the foregoing, several interested parties brought an action in Franklin Circuit Court challenging the validity of Senate Bill 151. Plaintiffs included, among others, the Kentucky Education Association, the Board of Trustees of the Teachers' Retirement System of the State of Kentucky, and the Attorney General of Kentucky.

Finding no dispute about the procedural facts, the circuit court granted summary judgment in favor of the Plaintiffs, determining that Senate Bill 151 was passed in violation of §46 of the Kentucky Constitution.

Defendant, Governor Matthew Bevin, appealed the circuit court decision. Despite Bevin's appeal, and the Senate President and Speaker Pro Tempore's Amicus Curiae brief in support of the appeal, the appellate court affirmed the circuit court's decision.

The appellate court discussed two primary issues before coming to their decision.

First, the court discussed whether compliance with §46 is a justiciable issue. Appellant argued that the judicial branch was not authorized to address this case because of the separation of powers doctrine and because it was a non-justiciable political question.

Addressing the separation of powers and its part in maintaining the independence of all three branches of government, the Court points out that "under Kentucky's strong separation of powers doctrine, the power to declare a legislative enactment unconstitutional when its enactment violates constitutional principles is solidly within the Court's constitutional authority." Sibert v. Garrett, 246 S.W. 455, 457 (Ky. 1922). "The Court's power to determine the constitutional validity of a statute does not infringe upon the independence of the legislature." Stephenson v. Woodward, 182 S.W.3d 162, 174 (Ky. 2005). The Court goes on to state that "interpreting the constitution is, after all, the very essence of judicial duty." Marbury v. Madison, 5 U.S. 137, 177-78 (1803)

In response to the Appellants' argument that determining compliance with §46 is non-justiciable political question, the court looks to a six standard analysis, as set forth in Philpot v. Haviland, 880 S.W.2d 550 (Ky. 1994), citing Baker v. Carr, 369 U.S. 186 (1962). Discussing each of these standards as they relate to the facts, the court ultimately concludes that determining "whether a bill has been read at length on three different days is a straightforward matter clearly susceptible to judicial review." Bevin v. Commonwealth ex rel. Beshear, 563 S.W.3d 74, 85 (Ky. 2018). Applying these standards to the case at hand, the Court determined the following:

1. There is no 'textually demonstrable constitutional commitment' assigning to the General Assembly the sole authority to define the meaning of §46's three readings requirement. Though the Court acknowledges the General Assembly's explicit power under the Kentucky Constitution to make their own rules for their own proceedings, they are not tasked to do that in this instance. Section 46 of the constitution is not a rule of the General Assembly to be defined, interpreted, and applied exclusively by the General Assembly, but a section of the Kentucky Constitution.

2. The Court notes that they do not lack judicially discoverable and manageable standards for resolving the meaning of §46, as what constitutes a reading of a bill on different days is the most deferential of standards.

3. The determination of the three-reading requirement is not dependent upon an 'initial policy determination of a kind clearly for non-judicial discretion.' The Court's determination of the meaning of §46 does not involve policy.

4. The Supreme Court can undertake an independent resolution of the three readings requirement issue with no lack of respect for the legislature as it follows the Supreme Court's rules of constitutional construction.

5. The question before the court presents no 'unusual need' to adhere to political decisions already made.

6. There is no 'potential for embarrassment from multifarious pronouncements made by various departments on one question' that would weigh against a judicial interpretation of whether SB 151 was passed in compliance with §46, as the court's interpretation is the only one on record.

Id. at 83-84.

The court also briefly responds to an argument made in the Amicus brief, with regard to the judicial reviewability of mandatory and directory constitutional provisions. Appellants and the Amicus Brief asserted that the question before the Court was not justiciable, as the bill "*shall* be read at length on three different days in each House" [emphasis added] clause of §46 is not a mandatory prerequisite for the valid enactment of a bill, but rather is a directive or instructional guide to be interpreted or waived at the discretion of the General Assembly. Id. at 87. The Amicus tries to persuade the court that the legislature's failure to adhere to this provision of the constitution should not affect the validity of the bill, because the usage of "shall" was simply directive. The court disagrees with this line of thinking.

The court stated that "shall" is mandatory, unless the legislative intent or language appears to say otherwise. Id. The court was unable to derive any indication that the framers of the Kentucky Constitution intended to 'simply offer a mere helpful suggestion on how pending legislation might be presented in each chamber.' Id. at 89. Ultimately, the court concluded that they did not find any indication of directory language, but rather they found the language to be mandatory and that it required compliance.

Based on the foregoing, the appellate court rejected the Appellants' contention with regard to judicial review of §46 of the Kentucky Constitution.

Once the appellate court determined they had authority to review this matter, they went on to discuss the second issue - whether any of the prior readings of SB 151, in its original form before the committee substitute, could be counted towards satisfaction of the three-reading requirement, as stated in §46 of the Kentucky Constitution.

The court prefaces this discussion by stating some of the long-standing rules when it comes to the court's interpretation of the law. In establishing these principles, the court states that "court should avoid adopting a construction which would be unreasonable and absurd in preference to one that is reasonable, rational sensible, and intelligent." Id. at 90.

After going through each of the key words in Section 46, the court agrees with the Appellants and amicus that a literal interpretation of the words would be "absurd." For example, requiring the

reading of every word of every single bill would be ridiculous. However, they did find the reading of the title of a bill to be reasonable to constitute a "reading" and would pass "constitutional muster." Id. As such, the court finds that the title of SB 151 should have been "read," the requisite amount of times, in order for it to have been validly enacted. The court did not believe SB 151 received those readings.

The court then cites to §51 of the Kentucky Constitution, which says that every law enacted by the legislature shall relate to only one subject. In other words, the court finds that any bill being read by title must be germane to the law eventually being enacted.

Though the exact words of the title of SB 151 were read three times, the title by which SB 151 was read never had any connection with the subject matter of the measure enacted. Id. "Nothing in the utterance of the bill's numerical designation, SB 151, conveyed any information that the reading was related to a pension reform bill." Id.

The fact that the legislature had adopted this practice in the past did not deter the court from its final decision. Appellants suggested that if the court found SB 151 to be invalid on the basis of the readings, then this opinion would also invalidate all other laws enacted under these practices. The court was not swayed by this argument.

The Court acknowledged that legislators often amended the text of a bill between its readings without running afoul of §46, but made sure to point out how that revised text is some variation of the original and remains consistent with the theme reflected in the title of the bill. "The complete elimination of all the words of the prior readings and their total replacement with words bearing no relationship to the title of the bill is a far different matter with respect to Section 46 compliance." Id.at 91.

The court concludes that their opinion is not to challenge the legislative process used in this instance. Rather, they respond primarily to the issue of whether the reading of a title can satisfy the constitutional reading requirement set forth in § 46, when the title has nothing to do with the contents of the bill. The court believes the drafters of the constitution created this provision in order to give members time to consider a bill, so they could know what they were voting on. Id. at 93. And, while the court does believe this can be done by reading measure's title, they do not believe it can be achieved by reading the title of a bill that has nothing to do with the contents of the bill before the legislature.

Based on the foregoing, the court found the passage of SB 151 to be in violation of Section 46 of the Kentucky Constitution, and therefore void.

C. **Washington v. Dep't of Pub. Welfare of Pa.**, 188 A.3d 1135 (2018)

Written by: Adriane Crouse (MO) and Misty Greene (NC)

Three persons negatively affected by the provisions of a measure passed in the Pennsylvania legislature in 2012 alleged that the manner in which the Pennsylvania General Assembly enacted Act 80 of 2012 violated Article III sections 1, 3 and 4 of the Pennsylvania Constitution.

The legislative process at issue really begins the year prior to the 2012 action. In 2011, HB 1261 entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," was introduced in the Pennsylvania House of Representatives. This bill, as introduced, set out to define the terms of "applicants", "recipients", and "residence" and established requirements for public welfare eligibility using residency.

The bill went through the House Committee on Health, was reported out, and then considered on three separate days by the full House. Upon approval by the full House by a vote of 166-34, the bill was sent to the Senate. The bill was then referred to the Senate Public Health and Welfare Committee, where it stayed for quite a while.

As deliberations in the legislature evolved, the language of HB 1261 was inserted as an amendment into another piece of legislation and eventually became law in June of 2011 as Act 22 of 2011.

Thirteen months after being referred to the Senate committee, the original HB 1261 was revived by inserting all new provisions in lieu of the original language. The new provisions included two grammatical alterations to the previously enacted eligibility requirements but added several other provisions that weren't directly related to eligibility but amended other articles of the Public Welfare Code.

The amended bill was reported out of committee as HB 1261, and considered two times on two separate days by the full Senate. This version of the bill was then sent to the Senate Appropriations Committee where they added additional language. The bill, which was originally introduced as a three page bill, was now being reported to the full Senate as twenty-seven page bill, and it passed the Senate the same day by a vote of 31-18.

Upon receipt back in the House, they concurred in the Senate amendments the next day and finally passed the bill by a vote of 102-91. The Governor signed the bill into law and it became Act 80 of 2012.

The measure was challenged on the grounds that it violated Article III, Sections 1, 3, and 4 of the Pennsylvania Constitution. These provisions of Article III of the Pennsylvania Constitution state the following:

Section 1

"No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through either house, as to change its original purpose."

Section 3
"No bill shall be passed containing more than one subject, which shall be clearly expressed in its title, except a general appropriation bill or a bill codifying or compiling the law of a part thereof."

Section 4
"Every bill shall be considered on three different days in each House."

HB 1261 was modified from a bill that amended the Public Welfare Code regarding definitions and residency eligibility requirements, to a bill that dealt with adoption, kinship care and legal custodianship, a Pilot Block Grant Program, welfare to work requirements and noncompliance penalties, the elimination of General Assistance cash benefits, and nursing home assessments. The argument from the challengers was that those amendments were not germane to the original intent and purpose of HB 1261. Not only that, it was also argued that there was actually more than one subject being addressed in the legislation. Finally, as the bill was amended after all its considerations in the House and after two considerations in the Senate, the third issue of their argument was that the bill, in its final form, did not have the constitutionally required number of considerations.

The Department of Public Welfare argued that because the original bill and the amendments all dealt with the Pennsylvania Public Welfare Code that it was actually related to one single subject and was true to the original purpose of the bill dealing with public welfare laws. The lower court agreed with the Department and found no violation of constitutional requirements.

In overturning the lower court the Pennsylvania Supreme Court reasoned that a bill is "a piece of legislation which includes, in its entirety, all the language of a proposed law which the General Assembly is being asked to consider and take official action on." Scudder v. Smith, 200 A. 601, 604 (Pa. 1938). Therefore, the court rejected the argument that simply using the designation of "HB 1261" three times in each house satisfied the requirement of Article III, Section 4.
They observed that the original legislative policy proposal in HB 1261 had already been enacted and was cut from the bill. Therefore, since the original provisions of the bill were gone when the new provisions were added by the Senate, the court ruled that it was factually and legally impossible for the new provisions to work together with the deleted provisions to accomplish a single purpose. The Court held the amendments "to such enfeebled legislation" were not germane as a matter of law. Washington v. Dep't of Pub. Welfare of Pa., 188 A.3d 1135, 1153 (2018).

Consequently, the court found that the Senate amendments were not germane to the provisions of HB 1261 and, accordingly, the three times that HB 1261 was considered by the House in 2011 could not count towards the consideration requirements specified in Article III, Section 4. Therefore the entirety of the act was stricken as unconstitutional.

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Spring	2004	Dunlap, Matthew	*My Roommate Has a Mohawk and a Spike Collar: Legislative Procedure in the Age of Term Limits*
Winter	2000	Edwards, Virginia A.	*A History of Prefiling in Virginia*
Spring	2002	Erickson and Barilla	*Legislative Powers to Amend a State Constitution*
Spring	2001	Erickson and Brown	*Sources of Parliamentary Procedure: A New Precedence for Legislatures*
Summer	1999	Erickson, Brenda	*Remote Voting in Legislatures*
Fall	2013	Gehring, Matt	*Amending the State Constitution in Minnesota: An Overview of the Constitutional Process*
Fall	2010	Gieser, Tisha	*Conducting Special Session Outside of the State Capital*
Spring	2004	James, Steven T.	*The Power of the Executive vs. Legislature – Court Cases and Parliamentary Procedure*
Spring	1997	Jones, Jerry G.	*Legislative Powers and Rules of Procedure: Brinkhaus v. Senate of the State of Louisiana*
Spring	1998	King, Betty	*Making Tradition Relevant: A History of the Mason's Manual of Legislative Procedure Revision Commission*
Spring	2010	Kintsel, Joel G.	*Adoption of Procedural Rules by the Oklahoma House of Representatives: An Examination of the Historical Origins and Practical Methodology Associated with the Constitutional Right of American Legislative Bodies to Adopt Rules of Legislative Procedure*
Fall	2002	Maddrea, B. Scott	*Committee Restructuring Brings Positive Changes to the Virginia House*
Spring	2009	Marchant, Robert J.	*Legislative Rules and Operations: In Support of a Principled Legislative Process*
Fall	2016	Mason, Paul	*Parliamentary Procedure*
Fall	1997	Mayo, Joseph W.	*Rules Reform*
Spring	2011	McComlossy, Megan	*Ethics Commissions: Representing the Public Interest*
Fall	2014	Miller, Ryan	*Voice Voting in the Wisconsin Legislature*
Spring	2002	Mina, Eli	*Rules of Order versus Principles*
Spring	2011	Morgan, Jon C.	*Cloture: Its Inception and Usage in the Alabama Senate*
Fall	2008	Pidgeon, Norman	*Removal by Address in Massachusetts and the Action of the Legislature on the Petition for the Removal of Mr. Justice Pierce*

Fall	2007	Robert and Armitage	*Perjury, Contempt and Privilege–Oh My! Coercive Powers of Parliamentary Committees*
Fall	2017	Silvia, Eric S.	*Legislative Immunity*
Fall	2015	Smith, Paul C.	*Wielding the Gavel: The 2014 NH House Speaker's Race*
Spring	2003	Tucker, Harvey J.	*Legislative Logjams Reconsidered*
Fall	2005	Tucker, Harvey J.	*The Use of Consent Calendars In American State Legislatures*
Summer	2000	Vaive, Robert	*Comparing the Parliamentary System and the Congressional System*
Fall	2001	Whelan, John T.	*A New Majority Takes Its Turn At Improving the Process*

Staff

Spring	2001	Barish, Larry	*LSMI: A Unique Resource for State Legislatures*
Fall	2001	Best, Judi	*Legislative Internships: A Partnership with Higher Education*
Spring	1996	Brown, Douglas G.	*The Attorney-Client Relationship and Legislative Lawyers: The State Legislature as Organizational Client*
Fall	2002	Gallagher and Aro	*Avoiding Employment-Related Liabilities: Ten Tips from the Front Lines*
Spring	2011	Galvin, Nicholas	*Life Through the Eyes of a Senate Intern*
Spring	2003	Geiger, Andrew	*Performance Evaluations for Legislative Staff*
Spring	1997	Gumm, Jay Paul	*Tap Dancing in a Minefield: Legislative Staff and the Press*
Fall	1997	Miller, Stephen R.	*Lexicon of Reporting Objectives for Legislative Oversight*
Fall	2014	Norelli, Terie	*Building Relationships through NCSL*
Winter	2000	Phelps, John B.	*Legislative Staff: Toward a New Professional Role*
Spring	2004	Phelps, John B.	*Notes on the Early History of the Office of Legislative Clerk*
Winter	2000	Swords, Susan	*NCSL's Newest Staff Section: "LINCS" Communications Professionals*
Fall	1996	Turcotte, John	*Effective Legislative Presentations*
Fall	2005	VanLandingham, Gary R.	*When the Equilibrium Breaks, the Staffing Will Fall – Effects of Changes in Party Control of State Legislatures and Imposition of Term Limits on Legislative Staffing*

Technology

Spring	1996	Behnk, William E.	*California Assembly Installs Laptops for Floor Sessions*
Spring	1997	Brown and Ziems	*Chamber Automation in the Nebraska Legislature*
Fall	2008	Coggins, Timothy L.	*Virginia Law: It's Online, But Should You Use It?*

Spring	2002	Crouch, Sharon	*NCSL Technology Projects Working to Help States Share Resources*
Spring	1997	Finch, Jeff	*Planning for Chamber Automation*
Summer	1999	Galligan, Mary	*Computer Technology in the Redistricting Process*
Summer	1999	Hanson, Linda	*Automating the Wisconsin State Assembly*
Fall	1995	Larson, David	*Emerging Technology*
Fall	1996	Pearson, Herman (et al)	*Reengineering for Legislative Document Management*
Fall	1995	Schneider, Donald J.	*Full Automation of the Legislative Process: The Printing Issue*
Spring	2006	Steidel, Sharon Crouch	*E-Democracy – How Are Legislatures Doing?*
Fall	2007	Sullenger, D. Wes	*Silencing the Blogosphere: A First Amendment Caution to Legislators Considering Using Blogs to Communicate Directly with Constituents*
Spring	2009	Taylor, Paul W.	*Real Life. Live. When Government Acts More Like the People It Serves.*
Fall	2009	Taylor and Miri	*The Sweet Path - Your Journey, Your Way: Choices, connections and a guide to the sweet path in government portal modernization.*
Fall	1997	Tinkle, Carolyn J.	*Chamber Automation Update in the Indiana Senate*
Fall	2009	Weeks, Eddie	*Data Rot and Rotten Data: The Twin Demons of Electronic Information Storage*
Fall	2013	Weeks, Eddie	*The Recording of the Tennessee General Assembly by the Tennessee State Library and Archives*