

The Connecticut General Assembly

Legislative Commissioners' Office

Max S. Case
Commissioner
Robert G. Gilligan
Commissioner
Marcia B. Goodman
Director



Legislative Office Building
Suite 5500
Hartford, Connecticut 06106-1591
(860) 240-8410
fax (860) 240-8414
e-mail: lco@po.state.ct.us

Memorandum

To: Senator Joseph Crisco, Senate Chair, Legislative Process Advisory Committee

From: Marcia Goodman

Date: September 30, 2004

Subject: Tech Sessions

You asked me to develop some alternatives to the current practice in Connecticut of requiring two senators to be present in order to convene a "tech session". Since Connecticut has a "citizen legislature", and since the Senate has only 36 members, you said that on non-session days, it is sometimes difficult to locate two senators in the Capitol at the same time.

As I indicated to you, the Senate may adopt any rule it would like for "tech sessions". The Connecticut State Constitution provides, "Each house shall determine the rules of its own proceedings..." During tech sessions, the Senate and House, respectively, do not conduct legislative business. Rather, the typical activities are technical, such as the first reading of bills by accepting a printed list of bills and resolution and referring the bill to committee -- and the like. Unlike some states, none of these activities is specifically cited in the Connecticut Constitution, so, in accordance with the quoted provision from the Constitution, above, the Senate may adopt whatever practice it would like.

It may help you to know how other states handle similar situations. I posted an e-mail to NCSL's e-mail discussion listserv for state legislative attorneys, and received responses from 10 states. Of those states, Washington, Wisconsin, and North Carolina have sessions similar to Connecticut's tech sessions, and in each of those states, one senator is

required to convene the session. In Washington and Wisconsin, sometimes that legislator is with the minority party.¹

Vermont has a similar approach, called "token sessions", for which only staff is present, but these sessions are used only to advance the calendar and not for first reading or any other purpose.

For the reasons cited in this memo, I believe it would be acceptable to have tech sessions attended only by staff, but I question whether that would be seen as wise policy. Instead, changing the practice so that just one, and not two, senators are required -- i.e., the same as in Washington and Wisconsin -- might be a better compromise.

If I may be of further assistance, please let me know.

¹ The attorney from the State of Washington wrote, "We call those sessions 'pro forma.' Usually at least one member of each party attends the session. However, we make it a little bit easier by only requiring the presence of one member to make the technical motions. On occasion that one member has been from the minority party. Admittedly this requires a modicum of good faith between the parties. The system has built in protections. If anyone tried to do something more than technical or something inappropriate, it would be subject to reversal at a later time by the full Senate. It is also possible that it might be rejected by the presiding officer if the motion was really inappropriate for a "pro forma" session. The point is that a good deal of the work that is necessary but fairly formulaic is conducted with a minimum time burden on the vast majority of the members." The response from Wisconsin, which calls these sessions "skeleton sessions" was similar.