

Issues Too Big for Session

CONFLUENCE PSG WHITE PAPER

Executive Summary

Some issues are too technically complex, too politically divided, and too consequential to resolve well inside an ordinary legislative session, no matter how capable the legislators working on it. States have already built the tools to handle these issues: more calendar time, real authority shared beyond the legislature, or a process built entirely outside government, but rarely name why one tool fits and another does not. This paper names that choice directly, and shows it happening across the country right now.

The Three-Condition Test

- ☐ Technically complex enough that no legislator can gather full command of it inside a session
- ☐ Divided enough that a bill arrives already opposed
- ☐ Consequential enough that a rushed answer costs more to fix than to build right the first time

If all three, the ordinary process is the wrong tool, not an inferior one.



The ordinary process is not simply inefficient. It is the wrong tool for the job, in the same way a five-month construction schedule is the wrong tool for a project that needs five years, regardless of how skilled the crew is.

A

Model A: Extended Time, Same Authority

same decision-makers, more calendar.

Colorado's Joint Budget Committee.
Florida's committee weeks.



B

Model B: Authority Beyond the Legislature

real authority shared with people the legislature doesn't control.

Minnesota's Sentencing Guidelines Commission.
Colorado's redistricting commission.



C

Model C: No Government Convener at All

built and run entirely outside government.

Colorado's LTSS Work Group.



50 years

Minnesota's Sentencing Commission, across multiple generations of political turnover

13 days

from Colorado's AI Policy Working Group's unanimous recommendation to law

4 states

actively building data-center structure right now, in four different shapes

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Letting go, building something that can reach a conclusion its creator did not choose in advance, is not a lesser form of leadership. It is a harder one, because it trades the certainty of control for the possibility of a better answer, and accepts that the second thing is worth more than the first.

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