

Alaska State Legislature



Chairman

State Affairs Committee

Member

Judiciary Committee

Labor & Commerce Committee

Health & Social Services Committee

Military & Veterans Affairs Committee

Finance Subcommittees

Labor and Workforce Development

Military and Veterans' Affairs

Public Safety

A Communication From

REPRESENTATIVE BOB LYNN

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SPONSOR STATEMENT HJR 13

TITLE: "Proposing amendments to the Constitution of the State of Alaska to correct obsolete references to the office of secretary of state by substituting references to the office of lieutenant governor."

In 1970 Alaska voters approved amendments to the state constitution changing the name of "Secretary of State" to "Lieutenant Governor." At that time, however, the drafting attorneys did not catch all of the references to "Secretary of State". HJR13 corrects the two remaining references to "Secretary of State" in the state constitution. The proposed amendments, if approved by the legislature, would be placed before the voters in the next general election.

HOUSE JOINT RESOLUTION NO. 13

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 2/2/09

Referred: State Affairs, Judiciary, Finance

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska to correct obsolete
2 references to the office of secretary of state by substituting references to the office of
3 lieutenant governor.

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** Article II, sec. 5, Constitution of the State of Alaska, is amended to read:

6 **Section 5. Disqualifications.** No legislator may hold any other office or
7 position of profit under the United States or the State. During the term for which
8 elected and for one year thereafter, no legislator may be nominated, elected, or
9 appointed to any other office or position of profit which has been created, or the salary
10 or emoluments of which have been increased, while he was a member. This section
11 shall not prevent any person from seeking or holding the office of governor,
12 lieutenant governor [SECRETARY OF STATE], or member of Congress. This
13 section shall not apply to employment by or election to a constitutional convention.

14 * **Sec. 2.** Article III, sec. 25, Constitution of the State of Alaska, is amended to read:

15 **Section 25. Department Heads.** The head of each principal department shall

1 be a single executive unless otherwise provided by law. He shall be appointed by the
2 governor, subject to confirmation by a majority of the members of the legislature in
3 joint session, and shall serve at the pleasure of the governor, except as otherwise
4 provided in this article with respect to the lieutenant governor [SECRETARY OF
5 STATE]. The heads of all principal departments shall be citizens of the United States.

6 * **Sec. 3.** The amendments proposed by this resolution shall be placed before the voters of
7 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
8 State of Alaska, and the election laws of the state.

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Sectional Analysis for HJR 13

Section 1. Amends Article II, sec. 5, Constitution of the State of Alaska

Adds: **lieutenant governor**

Removes: [SECRETARY OF STATE]

Section 2. Amends Article II, sec. 25 Constitution of the State of Alaska

Adds: **lieutenant governor**

Removes: [SECRETARY OF STATE]

These sections update by correcting the only two outdated references to "secretary of state" to "lieutenant governor" following the 1970 constitutional amendment that changed the name of that office.

Section 3. This section states that the constitutional amendments will be placed on the ballot at the next general election as required by Art. XIII, Sec. 1 of the Alaska Constitution. Two thirds of each House must approve the proposed amendments and a majority of the electorate voting must ratify it.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR13
 () Publish Date: _____

Identifier (file name): HJR003-OOG-DOE-2-5-09
 Title: Constitutional amendment to correct obsolete references to office of secretary of state
 Dept. Affected: OOG
 RDU: Elections
 Component: Elections
 Sponsor: House State Affairs Committee
 Requester: House State Affairs Committee
 Component Number: 21

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual			1.5				
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	1.5	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF			1.5				
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	1.5	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

The passage of this resolution would require the constitutional amendment to appear on the 2010 general election ballot. The cost of providing information about the constitutional amendment in the Official Election Pamphlet, as required by AS 15.58 is \$1.5. Should the addition of this question require printing an 8-1/2 by 18 inch ballot, the cost will increase to \$22.0.

Prepared by: Gail Fenumiai, Director Phone 465-4611
 Division: Division of Elections Date/Time 2/13/09, 8:26am
 Approved by: Linda Perez, Director Date 2/13/2009
Division of Administrative Services

States Pursue Title of Lieutenant Governor

The last states without lieutenant governors may soon jump on the bandwagon. Two states, Tennessee and Arizona, are pursuing in this legislation session the creation of the lieutenant governor position as a statewide elected office. Rhode Island lawmakers are considering expanding powers of the lieutenant governor. Only five states do not have lieutenant governors.

In each case, lieutenant governor supporters say the position allows for gubernatorial succession that's clear to voters, while protecting the continuity of government.

However, in Arizona, Oregon and Wyoming, states without the lieutenant governor position, the secretary of state is first in line for gubernatorial succession.

"People who are voting for secretary of state should note they are also electing the person next in line for governor," Arizona

Sen. Chuck Gray told the Cronkite News Service.

An East Valley Tribune editorial agreed: "Arizonans always should keep in mind that the official who oversees the state election system suddenly could have power to veto legislation and control a large portion of state government, if the governor became unable to do the job."

Gubernatorial succession has happened five times in Arizona's 95-year history, most recently in 1997 when then-Secretary of State Jane Hull replaced Fife Symington. Voters may not realize that the secretary of state is next in line if the current governor dies or resigns since nearly all other states have a lieutenant governor, according to the East Valley Tribune editorial.

Four states place the senate president first in line to replace the governor, but

Tennessee and West Virginia give the title lieutenant governor to this officer in recognition of the vital succession duty. Yet, Tennessee this year is considering creating an office of lieutenant governor, which would be elected statewide.

"An elected lieutenant governor is a companion piece to any sort of sensible line of succession," Gov. Phil Bredesen told The Tennessean. Only three officials are elected statewide in Tennessee, the governor and two U.S. senators.

New Hampshire and Maine are the other states where the senate president is first in line of succession and with no use of the lieutenant governor title. Voters in New Jersey approved creation of a statewide elected office of lieutenant governor in 2005; the first will be elected next year in 2009.

States Lengthen School Days



In an effort to raise achievement in schools, some states are looking to lengthen the school day. A handful of states and cities, along with many charter schools, are seeking to add more hours, days and weeks to their school calendar, according to *The Washington Post*.

Massachusetts is spending \$13 million this year as part of a program to lengthen school days, according to Heidi Guarino, spokeswoman for the Massachusetts Department of Education. Ten schools made school days longer for the 2006-2007 school year and this school year, the number of schools increased to 19, Guarino said.

An additional 33 schools in 16 districts are in the pipeline and hope to convert to longer days in the future, according to *The Boston Globe*.

In most cases, the school days are expanded from six-hour days to eight- or nine-hour days.

The Commonwealth Readiness Project—the cornerstone of Gov. Deval Patrick's education priorities—issued an update in January 2008 that continued the recommendation of expanded teaching and learning time in Massachusetts.

"Expanded teaching and learning time, whether through full-day kindergarten, longer school days, summer learning programs or high-quality out-of-school or after-school programs, can provide increased opportunities that impact academic achievement, address out-of-school factors, such as health and nutrition and enhance support services including in-home resources and parenting skills," the report stated.

The Massachusetts report also said schools with longer days narrowed the achievement gap at a faster rate than the state and increased the number of students

at or above the proficiency level by 10.8 percent compared to the state rate of only 3.5 percent.

Sen. Edward M. Kennedy, chairman of the U.S. Senate's Health, Education, Labor and Pensions Committee, joined with Boston Mayor Thomas M. Menino, to celebrate expanded school day programs in Massachusetts at the Clarence R. Edwards Middle School in Charlestown in January. The middle school implemented the state's expanded learning time initiative in 2006.

"It gives students the time not only to master the basics, but also to expand their horizons through art, music, physical education and other activities. It gives teachers additional time for collaboration and planning to improve instruction," Kennedy said in a press release.

New York tacked on minutes a day for schools in 28 different school systems, *The Washington Post* reports. New Mexico is also spending slightly more than \$7 million to add 25 extra days at 29 schools where students need the most help, according to the *Post*.

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To: Leg. Legal

Fax #: (907) 465-2029

Number of pages including cover: 1

From: Jane W. Pierson

Date: March 23, 2009

Re: Judiciary CS combining HJR13 and HJR2

Would you please draft me a HJUD CS for HJR2 adding in the language from HJR13.

Should you have any questions, please do not hesitate to contact me.

Thank you!

HP Officejet 7310xi
Personal Printer/Fax/Copier/Scanner

Log for
Representative Jay Ramras
(907) 465-2070
Mar 23 2009 1:08PM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Mar 23	1:07PM	Fax Sent	4652029	0:35	1	OK