

HJR

8

Introduced: 1/24/79
Referred: Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE JOINT RESOLUTION NO. 8

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the Constitution
6 of the State of Alaska relating to the
7 term of office of the governor.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. Article III, sec. 4 of the Constitution of the State of
10 Alaska is amended to read:

11 SECTION 4. TERM OF OFFICE. The term of office of the governor
12 is six [FOUR] years, beginning at noon on the first Monday in December
13 following his election and ending at noon on the first Monday in
14 December six [FOUR] years later.

15 * Sec. 2. Article III, sec. 5 of the Constitution of the State of
16 Alaska is amended to read:

17 SECTION 5. LIMIT ON TENURE. No person who has been elected
18 governor [FOR TWO FULL SUCCESSIVE TERMS] shall be again eligible to
19 hold that office until one full term has intervened. If a lieutenant
20 governor succeeds to the office of governor under Section 11 of this
21 article and four or more years of the term of office of the governor
22 whom he succeeded remain, the lieutenant governor may not succeed
23 himself as governor until one full term has elapsed.

24 * Sec. 3. If the amendments proposed by this resolution are ratified by
25 a majority of the qualified voters voting on the question, the candidate
26 elected governor at the 1982 general election is elected to a six-year
27 term, but a governor who has served two four-year terms immediately before
28 1982 is ineligible to run again until 1988.

29 * Sec. 4. The amendments proposed by this resolution shall be placed

1 before the voters of the state at the next general election in conformity
2 with art. XIII, sec. 1 of the Constitution of the State of Alaska and the
3 state election laws.
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169R5

January 15, 1979

Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska constitution, I am transmitting a resolution proposing an amendment to the constitution to change the term of office for the governor from two four-year terms to a single six-year term. I have supported this sort of measure in the past in the belief that a governor who does not have to worry about re-election will more likely place principle above political considerations in making tough decisions which might affront special interests. During these crucial, complex times it is imperative that the public be provided as objective a view as possible of administrative actions. Unfortunately, such objectivity is lost in the heat of campaign rhetoric.

If this resolution is approved by the voters at the 1980 general election, it would be applicable to the gubernatorial term beginning in 1982. I urge your thoughtful consideration and passage of this resolution.

Sincerely,

JSH

Jay S. Hammond
Governor

ALASKA STATE LEGISLATURE

ELEVENTH Legislature FIRST Session

HOUSE JOINT RES. ... NO. 8

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Proposing an amendment to the Constitution of the State of Alaska relating to the term of office of the governor.

Term of office of the governor

Introduced in the House 1-24, 1979

HISTORY IN THE HOUSE

19 79

Jan. 24

Read first time and referred to Committee on

Judiciary

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

HJR

17

1-29-79
RECENT ICE FOG RESEARCH IN ALASKA: JANUARY 1978

Rich Seifert, Research Associate
Institute of Water Resources

and

Lee Leonard, Research Associate
Geophysical Institute

The Institute of Water Resources and the Geophysical Institute, along with the University's Mechanical Engineering Department are currently carrying out a research project to attempt to decrease the ice fog generated by coal-fired power plants in interior Alaska. A test case of the technology has been set up at the University's power plant. The principle used is called the wet countercurrent scrubber system in which cold water is sprayed down the stack counter to the flow of the exhaust gases. This process is intended to condense water vapor in the hot flue gas and remove it from the stream, where it would normally enter the atmosphere and freeze out as ice fog. Through this dehumidification process we seek to remove as much of the ice fog potential of the stack gas as possible before it leaves the stack.

This is a simple process in concept, but the technical details are challenging. Important variables are scrubber water temperature, flue gas volume, scrubber water flow rate, and the relative humidity of the ambient air. The project is funded by the U. S. Environmental Protection Agency and the project monitor is Mr. H. J. Coutts who is stationed at the EPA Lab building on campus. The project term is 8-76 through 6-78, and funding was \$65,000.

Previous work on ice fog was done by H. J. "Jack" Coutts and his associates. This work concerned practical methods of reducing automotive ice fog. It is reviewed in an article by Coutts and Turner in the Northern Engineer 3(2), summer 1976, pp 29-39. This report concludes that ice fog could be significantly reduced, but control measures would be 5100-500 per vehicle.

A review of ice fog suppression techniques is given by Dr. Terry McFadden in another Northern Engineer article, Vol. 7, No. 4, winter 75-76, pp. 26-31. This article deals with many of the possibilities for technical solutions to ice fog, some of which have not been tried. Another article in the same issue, pp. 32-40, is entitled "The Effect of Ice Fog on Thermal Stability," by Dr. Sue Ann Bowling. This article documents the physical effects of the ice fog problem, including the fact that the problem may be self-reinforcing. Another article by Leonard, entitled "Ice Fog, Big Problem, One Solution," is found again in the Northern Engineer, Vol. 4, No. 2, and describes a system used by the BLM facility near the Fairbanks Airport. The system is an air cooled heat exchanger system which cools the exhaust and condenses out the water vapor from the stack gases to sufficiently reduce ice fog from the facility. Hopefully, this information will help evaluate the ice fog research in interior Alaska.

A report of the results of our present ice fog research will be available in the summer of 1978. If you have any further questions please call the Institute of Water Resources, University of Alaska, Fairbanks, at 479-7775, or the Geophysical Institute, at 479-7798.

HJR

18

ing to, or returning from legislative sessions are not subject to civil process and are privileged from arrest except for felony or breach of the peace.

Salary and Expenses

SECTION 7. Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation.

Rules

Regular Sessions

SECTION 8. The legislature shall convene each year on the fourth Monday in January, but the month and day may be changed by law.

(Exercising its authority under this section, the legislature has provided that it shall convene on the second Monday in January, except in years immediately following a gubernatorial election when it shall convene on the third Monday in January; see AS 24.05.090.)

Special Sessions

SECTION 9. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor, legislation shall be limited to subjects designated in his proclamation calling the session, to subjects presented by him, and the reconsideration of bills vetoed by him after adjournment of the last regular session. Special sessions are limited to thirty days.

Form of Bills

(The amendment of this section was approved by the voters of the state November 2, 1976 and became effective December 23, 1976. This amendment deleted "or" preceding "to subjects" in the third sentence and added "and the reconsideration of bills vetoed by him after adjournment of the last regular session.")

Passage of Bills

Adjournment

SECTION 10. Neither house may adjourn or recess for longer than three days unless the other concurs. If the two houses cannot agree on the time of adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature.

Interim Committees

SECTION 11. There shall be a legislative council, and the legislature may establish other interim committees. The council and other interim committees may meet between legislative sessions.

Veto

Alaska, and that I
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Alaska and its people
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the Union. The State
im all right or title in

or to any property, including fishing rights, the
right or title to which may be held by for any
Indian, Eskimo, or Aleut, or community thereof,
as that right or title is defined in the act of admis-
sion. The State and its people agree that, unless
otherwise provided by Congress, the property, as
described in this section, shall remain subject to
the absolute disposition of the United States. They
further agree that no taxes will be imposed upon
any such property, until otherwise provided by the
Congress. This tax exemption shall not apply to
property held by individuals in fee without restric-
tions on alienation.

Consent to
Act of
Admission

SECTION 13. All provisions of the act admitting
Alaska to the Union which reserve rights or powers
to the United States, as well as those prescribing
the terms or conditions of the grants of lands or
other property, are consented to fully by the State
and its people.

ARTICLE XIII

AMENDMENT AND REVISION

Amendments

SECTION 1. Amendments to this constitution
may be proposed by a two-thirds vote of each
house of the legislature. The lieutenant governor
shall prepare a ballot title and proposition summar-
izing each proposed amendment, and shall place
them on the ballot for the next general election. If
a majority of the votes cast on the proposition
favor the amendment, it shall be adopted. Unless
otherwise provided in the amendment, it becomes
effective thirty days after the certification of the
election returns by the lieutenant governor.

(The amendment to this section was approved by the voters of
the State August 25, 1970 and became effective October 10, 1970.
The words "secretary of state" were changed to "lieutenant gover-
nor". The second amendment to this section, approved by the
voters August 27, 1974 and effective October 12, 1974, changed
"statewide" to read "general" in the second sentence.)

Alaska State Legislature

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REPRESENTATIVE BILL MILES

MEMORANDUM

TO: Charles Parr, Chairman
House Judiciary Committee

FROM: Bill Miles *BW*

RE: House Joint Resolution 18

DATE: March 27, 1980

Last year, House Joint Resolution 18 was introduced and referred to the House Judiciary Committee as a result of Proposition 1, the advisory vote on the length of the legislative session. The advisory vote was placed on the 1978 ballot because the legislature passed Committee Substitute for House Bill 983, a bill introduced at my request calling for the advisory vote.

The question of a limited legislative session has been debated for many years in Alaska. Presently, there is no limitation. However, should House Joint Resolution 18 be approved, the length of the legislative session shall be limited to 120 days; additionally, the session may be extended in increments of up to 10 days by a vote of two-thirds of the membership of each House.

I must admit to being a convert to a session limitation law. At first, when I began my service in the legislature, I thought it to be a bad idea. However, I soon became educated in favor of limiting the session. Simply put, attention wasn't given the State's business in expedited manner.

But there are many other reasons which argue for a limited session. Some of those are as follows:

- 1) Few things in life are realized without a person first having a goal set. It makes no difference if it be a business question, a diploma for a student, or a four minute mile for runner, most people operate more efficiently with a goal. A group of political persons forced to assemble away from home should have a reasonable time limitation allowed for their work. This limitation would demand that the work be planned and executed and concluded within a reasonable time frame;

2) Time affects all of us. We rise at a certain time each day, we work at a certain, we relax in the evenings. There is no reason that an orderly process with the beginning, a middle and an end should not be part of the legislative process. During most sessions, half the bills reaching the Governor's desk get passed on the closing days of the session. This makes neither for good legislation nor for well planned business session. And, it's a tremendously confusing process during which a few persons make most of the decisions;

3) If a limitation was imposed, the majority of the major issues would be presented to the legislature early in the session so that an adequate time for study would be allowed. During recent sessions, a number of major issues presented late in the session come to mind: the ALPETCO Contract, a contract worth billions of dollars, was not submitted to the legislature until the 57th day; the Northwest Gasline Financing Proposal was not introduced until the 102nd day. If those proposing such plans knew that the legislature would be concluded in 120 days, there is no question that they would have been submitted substantially earlier;

4) The current system of ending a meandering session allows the wheeler dealers to lay back and the power brokers to withhold the chits from public view. As floor sessions begin to run late into the night, these people surface with various "deals," with no specific time to adjourn, these "deals" get made in an endless ongoing fashion. No one wants his or her particular bill to be left on the table; concessions are readily made;

5) The voters have said they wanted the session limitation. When the question was put to them in 1978 through ballot Proposition 1, approximately 75% of those voting supported the session limitation. In fact, in all but one election district, voters supported the session limitation question by a 2 to 1 margin.

STATEMENT IN FAVOR OF BALLOT PROPOSITION NO. 1

Background

By necessity, legislative sessions nationally are more frequent and longer. In the forties, only four states held a session each year; in 1963, twenty states held annual sessions. Currently, thirty-six states hold annual sessions varying from twenty calendar days to an unlimited number. Twenty-one states have no session limitation whatsoever. Alaska is one.

The Argument Against a Limitation

The loudest cry in opposition to a limit heralds doom and gloom forecasts of "special interest" groups and "powerful lobbyists" manipulating any legislative body strapped with a time limit. However, if lobbyists or interest groups want to bombard the legislature with high-pressure tactics, it matters little whether that pressure is exerted on the twentieth day or the one-hundred-twentieth day. In fact, capitol hallways are jammed with lobbyists only during those final, meandering and uncertain days. Until then, most make only occasional visits to Juneau.

The Argument For a Limitation

1. Costly Trade-offs

In the helter-skelter approach to adjournment of our current system, the wheeler-dealers lay back until the ship of state is meandering, apparently rudderless, in the fog. That is the hour of the "I'll scratch your back if you scratch mine". No one wants his or her pet bill to be left on the table; concessions are readily made.

2. Timeliness in the Beginning

With a limitation, major issues will be presented to the legisla-

ture early in the session with adequate time for study, a practice not in current use. For example, during the last session, the Alpetco Royalty Oil Sale — a contract worth billions of dollars! — was not submitted until the 57th legislative day; the Northwest Gas Line financing proposal was not introduced until the 102nd day! Knowing this, it's not surprising the legislature went 162 days.

3. Order at the End

Time, often unfortunately, affects all of us. We rise at a certain time each day; we work and eat at a certain time; we relax in the evenings; we close the day. There is no reason that an orderly process, with a beginning and an end, should not be a part of the legislative process. During the last session, over half of the bills to reach the governor's desk were passed in the last ten days of the session, a confusing process at best.

4. A Goal to Reach

Be it a corporate vice-presidency for a businessman, a four-minute mile for an athlete or a diploma for a student, most people operate more efficiently with a goal. A session limitation is no different. It demands the work be planned and concluded within a reasonable time frame.

Conclusion

For many years, a limited session has been discussed in Alaska. For the first time, voters have a chance to speak directly to the issue. Support the limited session proposition.

— BILL MILES, Representative
Alaska State Legislature

STATEMENT AGAINST BALLOT PROPOSITION NO. 1

Although limiting the length of a legislative session sounds attractive on the surface, such limitation is actually not in the best interest of Alaska. In fact, limitations of this kind have been found, in many states of the union, to be harmful to the best interests of the people for one very basic reason: more often than not, the primary goal of powerful "special interest" groups is to block legislation, not pass it. By having an artificial limit on the length of a session, it's possible for such groups to prevail, not by the soundness of the cause of their arguments on the floor of the House and Senate, but rather by simply dragging out and delaying passage of legislation until the mandatory adjournment period comes and goes. In particular, a 90-day or 120-day or other artificial limit would play into the hands of the multinational corporate giants whose wealth and virtually unlimited resources put opposing viewpoints at a considerable disadvantage already.

The argument for a mandatory limit assumes that, by prioritizing a legislature has 90 days or 120 days (or some similar period) in which to "get its act together" and accomplish the people's business. In the real world of the legislative process, however, this

is not true. It is frequently the case that for very valid and unalterable reasons, major legislation simply cannot even be placed before the legislature until the legislature is well into its session. (The Alpetco Royalty Oil legislation of the last session is a good case in point. For reasons beyond his control, the governor could not even introduce this legislation until March 6, 1978 — the 57th day of the session.)

This is not to say that in the absence of mandatory limits the legislature should be expected to continuously lengthen its annual sessions. To the contrary, by better use of interim committees, by better use of staff (which has only recently been upgraded in the area of research and clerical support) and, most important, by a heightened resolve on the part of all members to expedite legislation as fast as possible and prudently, the session time of future legislation can — and I believe will — range in the 100 or 125-day time period in most instances.

— MIKE MILLER, Representative
Alaska State Legislature

PROPOSITION #1 - Advisory Vote on Session Limitation
November 7, 1980

	District	For	Against	Unanimous Support
Ketchikan	1	3193	1182	X
Petersburg	2	1704	684	X
Sitka	3	1886	636	X
Juneau	4	6758	2926	X
Seward	5	2708	929	X
Palmer	6	4562	1334	X
Downtown	7	4973	1402	X
Chugiak	8	7068	1984	X
Spennard	9	2914	874	X
Muldoon	10	7583	1920	X
Hillside?	11	8793	2375	X
Turnagain	12	7237	1865	X
Kenai	13	5632	1775	X
Kodiak	14	1276	574	X
Aleutians	15	719	316	X
Dillingham	16	1042	610	X
Bethel	17	1383	681	X
Sleetmute	18	1221	561	X
Delta Jct.	19	2174	971	X
Fairbanks	20	12,102	4632	X
Kotzebue	21	981	344	X
Nome	22	1201	518	X

TOTALS: 29 states have limited sessions

21 states have unlimited sessions

LEGISLATIVE SESSIONS: LIMITATION ON LENGTH

<u>State</u>	<u>Limitation</u>	<u>No Limit</u>
Alabama	30 legislative days in 105 calendar days	
Alaska		X
Arizona		X
Arkansas	60 calendar days (can be extended by vote of both houses)	
California		X
Colorado		X
Connecticut	odd years - early June: even years - early May	
Delaware	June 30	
Florida	60 calendar days (can be extended by vote of both houses)	
Georgia	40 legislative days	
Hawaii	60 legislative days (can be extended...)	
Idaho		X
Illinois		X
Indiana	Odd: 61 leg. days or April 30; Even: 30 leg. days or March 15	
Iowa		X
Kansas	Even: 90 calendar days	X (odd years)
Kentucky	60 legislative days	
Louisiana	60 leg. days in 85 calendar days	
Maine		X
Maryland	90 calendar days (can be extended)	
Massachusetts		X
Michigan		X
Minnesota	120 leg. days	
Mississippi	1st session of new legislature and every other even year at the beginning of the gubernatorial term limited to 125 calendar days; other years 90 calendar days.	
Missouri	Odd: June 30 Even: May 15	
Montana	90 legislative days	
Nebraska	Odd: 90 leg. days Even: 60 leg. days (can be extended..)	
Nevada	60 calendar days	
New Hampshire		X (no more pay after 90 leg. days or July 1)
New Jersey		X
New Mexico	Odd: 60 calendar days Even: 30 calendar days	
New York		X
North Carolina		X
North Dakota	80 natural days	
Ohio		X
Oklahoma	90 leg. days	
Oregon		X

LEGISLATIVE SESSIONS: LIMITATION ON LENGTH

<u>State</u>	<u>Limitation</u>	<u>No Limit</u>
Pennsylvania		X
Rhode Island	60 leg. days (can be extended)	
South Carolina		X
South Dakota	Odd: 45 leg. days Even: 30 leg. days	
Tennessee	90 leg. days	
Texas	140 calendar days	
Utah	Odd: 60 calendar days Even: 20 calendar days	
Vermont		X
Virginia	Odd: 30 calendar days Even: 60 calendar days (can be extended..)	
Washington	60 calendar days	
West Virginia	60 calendar days (can be extended..)	
Wisconsin		X
Wyoming	Odd: 40 leg. days Even: 20 leg. days	