

S

B

2666

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 26, 1982

SUBJECT: HCS CSSB 266 (Judiciary)

TO: Representative Ramona L. Barnes  
Chairman, House Judiciary Committee

FROM: David T. Walker *DTW*  
Co-Revisor of Statutes

Publishers deadlines for receipt of changes to titles of the Alaska Statutes reprinted this year span the time period of March 10, 1982 - June 30, 1982. Mr. Berrier advises that drafting staff cannot be spared to perform this task during the legislative session, but could be used during the interim.

I have attached a proposed committee substitute (and accompanying fiscal note) which postpones work on reprinted titles until this interim. Mr. Berrier has advised that if this bill passes he will require the drafting attorneys of the division of legal services to draft these changes during the interims for review by the revisor and submission to the publisher for inclusion in the 1983 and succeeding reprints. Based upon that premise no additional funding would be required to accomplish the responsibility assigned by this bill.

If the legislature wants to eliminate personal pronouns from the statutes then we (the revisors and the director of the division of legal services) strongly recommend and prefer the time sequencing established by the proposed House Judiciary committee substitute. Using the experienced drafting attorneys of the division of legal services to do this work will be more efficient and will result in a more acceptable work product than will contracting with an outside consultant on a rushed basis.

DTW:ljb

Enclosure

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCS CSSB 266 (Judiciary)  
 Title Establishing official policy of using neutral pronouns...Alaska Statutes  
 Requested by House Judiciary Committee Date March 24, 1982

II. FISCAL DETAIL

Agency Affected Legislative Affairs Agency  
 Program Category Affected General Government  
 BRJ, Program, Or Subprogram(s) Affected Division of Legal Services  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Mr. Berrier, director of the division of legal services, has advised that if this bill passes he will require the drafting attorneys of the division of legal services to draft these changes during the interim for review and submission to the publisher. Based upon that premise no additional funding would be required to accomplish the responsibility assigned by this bill.

IV. DATE March 25, 1982 PREPARED BY David T. Walker  
 AGENCY Legislative Affairs Agency  
 Original: Legislative Finance PHONE 465-2450  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 26, 1982

SUBJECT: Fiscal note for CSSB 266 (Judiciary).  
TO: Representative Ramona L. Barnes  
Chairman, House Judiciary Committee  
FROM: David T. Walker *DTW*  
Co-Revisor of Statutes

Publishers deadlines for receipt of changes to titles reprinted this year span the time period of March 10, 1982 - June 30, 1982. Mr. Berrier advises that drafting staff cannot be spared to perform this task during the legislative session, but could be used during the interims to draft the changes for the 1983 and succeeding reprints. Without assistance, the revisor's will not be able to accomplish this effort on the 1982 reprints within the required time frame.

I have attached a fiscal note that is based upon one-half the amount of the base salary (no benefits included) which would be paid to legislative administrative assistant between now and June 30, 1982. It assumes we would find a contractor to start work immediately. I do not know whether my assumptions are correct -- my experience in contracting for outside services and preparing fiscal notes has been nil.

Since the money would be expended this fiscal year it cannot be reached by the fiscal note process but will need to be attached to the Legislative Affairs Agency budget by the Free Conference Committee as a supplemental.

If the legislature wants to eliminate personal pronouns from the statutes then we (the revisors and the director of the division of legal services) strongly recommend and prefer the time sequencing established by the proposed House Judiciary committee substitute over the timing of the work established by this bill.

DTW:ljb

Enclosure

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. CSSB 266 (Judiciary)  
 Title Establishing official policy of using neutral pronouns...Alaska Statutes  
 Requested by House Judiciary Committee Date March 24, 1982

II. FISCAL DETAIL  
 Agency Affected Legislative Affairs Agency  
 Program Category Affected General Government  
 BRU, Program, Or Subprogram(s) Affected Division of Legal Services  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	4.25					
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	4.25	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	4.25					
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The fiscal note is based upon one-half the amount of the base salary (no benefits included) which would be paid to a legislative administrative assistant between now and June 30, 1982. It assumes we would find a contractor to start work immediately.

IV. DATE March 25, 1982 PREPARED BY David T. Walker  
 AGENCY Legislative Affairs Agency  
 Original: Legislative Finance PHONE 465-2450  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)



Official Business

# Alaska State Legislature

## Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

### MEMORANDUM

TO: Rep. Ramona Barnes, Chair  
House Judiciary Committee

FROM: Sen. Vic Fischer *Vic*

DATE: March 24, 1982

RE: SB 266, the use of language in the law

Language is the most powerful weapon that we work with daily as legislators. How we write our bills, how we communicate with each other and how others perceive what we say; these are the tools with which we shape the future of Alaska. That is why I believe that as Alaskans, as the state that really believes in the freedom of each individual, we must use the language as accurately as possible so that future generations of Alaskans also respect individual freedoms and are willing to protect them.

Because existing law requires the use of male pronouns, this bill reflects my concern that the laws that we write represent both male and female equality. We must start now to see that drafting language is clear and succinct with regard to the use of pronouns in all the work that we do. We must start now, so that future Alaska law reflects our feeling. Here, I will quote from one of my constituents because it is the essence of some of my feeling: "Language that speaks clearly and fairly of both sexes helps promote equality on every other level."

AMERICAN ASSOCIATION  
ALASKA



OF UNIVERSITY WOMEN

DIVISION

Susan R. Clark  
Legislative Chair  
1109 C Street  
Juneau, Ak. 99801

9 June 1981

Dear Members of House Judiciary,

CS SB 266 concerning neutral pronouns, can be an important step toward eliminating sexism from the language of the Alaska statutes. Currently, drafters of legislation are directed to use exclusively the pronoun "he" whenever a third person singular pronoun is necessary. Under the original bill SB 266 and under this amended version this exclusive use of the masculine pronoun would not change, if a pronoun is unavoidable.

Therefore A.A.U.W. would ask that either one or two amendments be added to this bill.

1) Some policy statement should be reinserted into the bill to make clear the intent of this legislation:

"The constitution and laws of Alaska prohibit discrimination because of sex. In keeping with the spirit of those laws, the legislature establishes in this Act the official policy of eliminating, whenever possible, the use of gender-specific pronouns; and of avoiding the use of masculine gender words [or pronouns] to include the feminine gender."

We feel that a statement to this effect is important, because by commonly using exclusively masculine pronouns to include the feminine, we have developed a system of language that effectively has made women invisible in our language, an invisibility that spills over into our thoughts of what women should be or do. Currently the Alaska statutes contain 3,374 masculine pronouns and 14 female pronouns.

2) We would support the language in the original bill that deleted the words "third person, and singular number" in Sec. 2. By omitting those two specifications, the drafters are then freer to use language that would eliminate the required "he" and use an alternate substitute. We would prefer to see the language of the original bill reinstated in Sec. 2.

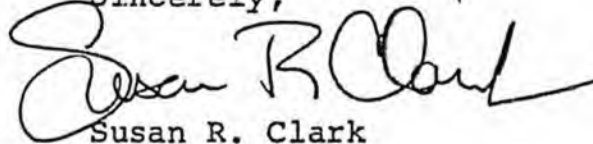
3) If Sec. 2 is to retain Sen. Parr's language concerning situations where "the use of personal pronouns cannot be avoided" we would ask that language be inserted that would permit the drafters the use of both masculine and feminine pronouns:

"and if the use of personal pronouns cannot be avoided in a section, language may contain both masculine and feminine third person singular references, or any other...."

The use of "he or she", "his or her", etc... is becoming an important part of our language, beginning in school where teachers almost never send home notes about "Your child, he...", any more. Precedents can be found in the new Uniform rules (Rule 34, Voting Procedure: "...shall state a desire to change his or her vote;") and even in "Federal Veterans' Preference Act of 1944: "...time spent in the military...shall be credited in a veteran's rating where his or her actual employment...was interrupted." According to that bible of English grammar, Harbrace College Handbook, permission is given to use both masculine and feminine when clarity is required, although the Harbrace authors would prefer to have the sentence recast when possible to eliminate the pronouns or to use plural pronouns.

Thank you for your consideration of these changes.

Sincerely,

A handwritten signature in cursive script that reads "Susan R. Clark". The signature is written in dark ink and is positioned above the printed name.

Susan R. Clark



# Alaska State Legislature

## Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

### M E M O R A N D U M

TO: Sen. Pat Rodey

FROM: Sen. Vic Fischer *Vic*

DATE: May 4, 1981

RE: SB 266 entitled "An Act establishing an official policy of using neutral pronouns in Alaska Statutes; and providing for an effective date."

Language is the most powerful weapon that we work with daily as legislators. How we write our bills, how we communicate with each other and how others perceive what we say; these are the tools with which we shape the future of Alaska. That is why I believe that as Alaskans, as the state that really believes in the freedom of each individual, we must use the language as accurately as possible so that the future generations of Alaskans also respect individual freedoms and are willing to protect them.

Because existing law requires the use of male pronouns, this bill reflects my concern that the laws that we write represent both male and female equality. We must start now to see that drafting language is clear and succinct in regard to the use of pronouns in all the work that we do. We must start now, so that future Alaska law reflects our feeling. Here, I will quote from one of my constituents because it is the essence of some of my feeling: "Language that speaks clearly and fairly of both sexes helps promote equality on every other level."

I hope that you will give SB 266 favorable consideration.

STATE OF ALASKA  
THE LEGISLATURE

ANCHORAGE - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 5, 1981

SUBJECT: SB 266

TO: Senator Patrick M. Rodey  
Chairman, Senate Judiciary Committee

FROM: David T. Walker *DTW*  
Co-Revisor of Statutes

I believe the language of this bill can be improved upon. When I drafted this bill "sexually explicit pronouns" seemed okay -- now I believe it a little lurid. If you agree, I believe the phrase "pronouns denoting masculine or feminine gender" should be substituted for "sexually explicit pronouns" in the bill. The substitutions should be made at page 1, line 18; page 1, line 27; and page 2, line 5.

In case the committee wishes to report the bill with amendments rather than a committee substitute, I have attached amendments to effect the change.

DTW:ljb

Enclosure

A M E N D M E N T

Offered in the SENATE

By the Judiciary Committee

TO: SB 266

Page 1, line 18:

Delete "sexually explicit pronouns" and insert the following in its place: "pronouns denoting masculine or feminine gender"

Page 1, line 27:

Delete "sexually explicit pronouns" and insert the following in its place: "pronouns denoting masculine or feminine gender"

Page 2, line 5:

Delete "sexually explicit pronouns" and insert the following in its place: "pronouns denoting masculine or feminine gender"



# Alaska State Legislature

Official Business

Senate

Judiciary Committee

Pouch V  
State Capitol  
Juneau, Alaska 99811

April 21, 1981

Ms. Barbara Schuhmann  
Chairperson  
Alaska Commission on the  
Status of Women  
338 Denali Street, Suite 850  
Anchorage, Alaska 99501

Dear Ms. Schuhmann:

Thank you for your letter of support for SB 266.

Although the committee is extremely backlogged with legislation to hear before adjournment, I will make every effort to schedule SB 266 this year.

I appreciate your concerns in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Pat".

Senator Patrick M. Rodey  
Chairman

PMR/ods



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

ALASKA COMMISSION ON THE STATUS OF WOMEN  
338 DENALI STREET, SUITE 850  
ANCHORAGE, ALASKA 99501

RECEIVED

APR 20 1981

April 15, 1981

Senator Pat Rodey, Chair  
Senate Judiciary Committee  
Pouch V  
Juneau, Alaska 99811

Dear Sen. Rodey:

On March 21, 1981 the Alaska Commission on the Status of Women voted to support SB 266, an act which would establish an official policy of using neutral pronouns in all statutory language. While the Commission fully supports this bill and concept, it also voted to urge the legislature to eliminate the use of all sexist terminology in statutory language.

We believe that our language not only embodies our values, but also communicates and fosters certain attitudes. Eliminating sexist language from state law which sets the norm for acceptable behavior, is a major step in changing those attitudes which would discourage women and men from achieving their fullest potential.

Sincerely yours,

A handwritten signature in cursive script that reads "Barbara Schuhmann".

Barbara Schuhmann  
Chairperson