

Berrier

Original sponsors: Beirne, Freeman,
Malone, et al

Offered: 3/24/82
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 41 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the Consti-
6 tution of the State of Alaska defin-
7 ing the term "appropriation."

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

9 * Section 1. Article XII, Constitution of the State of Alaska, is amended
10 by adding a new section to read:

11 SECTION 14. APPROPRIATION DEFINED. As used in this constitution
12 the term "appropriation" or variations of the term does not include
13 disposition of the surface estate, or an interest in the surface estate,
14 of state lands.

15 * Sec. 2. The amendment proposed by this resolution shall be placed
16 before the voters of the state at the next general election in conformity
17 with art. XIII, sec. 1, Constitution of the State of Alaska, and the election
18 laws of the state.
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COMMITTEE COPY

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CSHJR 41(Jud) engrossed

Jvd F. notes

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

HJR 41

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HJR 41 (3/26/81) No 1
 Title Relating To The Term "Appropriation"
 Requested by House Judiciary Committee Date 3/22/82

II. FISCAL DETAIL

Agency Affected General Fund Unrestricted Revenue
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected _____
 (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) SEE ANALYSIS SECTION

	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						

FUNDING (Thousands of Dollars) SEE ANALYSIS SECTION

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND						
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)

This Constitutional amendment would remove the disposition of land or tangible property of the state from being subject to legislative appropriation.

All state land and tangible property has some asset value and income producing value. Therefore, the monetary equivalent of the land, in effect, would be allowed to be distributed without legislative appropriation; including future potential income. Significant fiscal impact to potential state revenues exist but are indeterminate (unquantifiable at this time) due to the nature, type, extent and potential uses to which the land or property could be put.

A. Staack

IV. DATE March 22, 1982 PREPARED BY Anselm C. Staack, Treasury Comptroller
 AGENCY Dept. of Revenue, Treasury Division
 Original: Legislative Finance PHONE 465-2350
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

FISCAL NOTE

I.. REQUEST

Bill/Resolution No. HJR 41 *no 2*
 Title Proposing an amendment to the Constitution of the State of Alaska
 Requested by Repr. Barnes, House Judiciary Date March 22, 1982
 defining the term "appropriation."

II. FISCAL DETAIL

Agency Affected Department of Law
 Program Category Affected General Government
 BRU, Program, Or Subprogram(s) Affected 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)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

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

No fiscal impact.

IV. DATE March 22, 1982 PREPARED BY Richard I. Peques Director, Admin. Service
 AGENCY Department of Law
 Original: Legislative Finance PHONE 465-3672
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HJR 41 *no 3*
 Title Proposing a constitutional Amendment defining the term "appropriation"
 Requested by House Judiciary Date 3-22-82

II. FISCAL DETAIL

Agency Affected Department of Natural Resources
 Program Category Affected NRMEC
 BRU, Program, Or Subprogram(s) Affected _____
 (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-				

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		-0-				
PART TIME						
TEMPORARY						

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

This amendment does not mandate any programs.

IV. DATE 3-22-82 PREPARED BY Mark Wittow
 AGENCY Dept of Natural Resources
 Original: Legislative Finance PHONE 465-2400
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

ALASKA STATE LEGISLATURE.

TWELFTH Legislature FIRST... Session

HOUSE JOINT RES. NO. 41

By BEIRNE; FREEMAN; MALONE; ...
HAYES, CATO, RANDOLPH, MOSS,
BARNES, HALFORD, FANNING,
MONTGOMERY, O'CONNELL AND
BETTISWORTH

Proposing an amendment to the
Constitution of the State of
Alaska defining the term
"appropriation."

Amend. Ak Const./define
"appropriation"

Introduced in the House 3/26, 19... 81

HISTORY IN THE HOUSE

19 81	Read first time and referred to Committee on Judiciary and Finance										
Mar 26											
Mar 24	Reported back with recommendation that <i>judiciary - CS (Jud) 4 do pass to Finance</i>										
Apr 5	<i>Finance - CS (Fin) 9 do pass do not - to Rules</i>										
Apr 19	Read second time and <i>CS (Jud) adopted 10 do</i>										
Apr 19	Read third time and										
Apr 20	Reconsideration taken up										
Apr 19	<i>Final</i> <table border="1"> <tr> <td>PASS ed</td> <td>Effective Date</td> </tr> <tr> <td>Yeas 25</td> <td>Yeas</td> </tr> <tr> <td>Nays 10</td> <td>Nays</td> </tr> <tr> <td>Absent 5</td> <td>Absent</td> </tr> <tr> <td>Excused 0</td> <td>Excused</td> </tr> </table>	PASS ed	Effective Date	Yeas 25	Yeas	Nays 10	Nays	Absent 5	Absent	Excused 0	Excused
PASS ed	Effective Date										
Yeas 25	Yeas										
Nays 10	Nays										
Absent 5	Absent										
Excused 0	Excused										
Apr 19	Reconsideration										
Apr 20	<i>Beirne</i> <table border="1"> <tr> <td>PASS ed</td> <td>Effective Date</td> </tr> <tr> <td>Yeas 29</td> <td>Yeas</td> </tr> <tr> <td>Nays 11</td> <td>Nays</td> </tr> <tr> <td>Absent 0</td> <td>Absent</td> </tr> <tr> <td>Excused 0</td> <td>Excused</td> </tr> </table>	PASS ed	Effective Date	Yeas 29	Yeas	Nays 11	Nays	Absent 0	Absent	Excused 0	Excused
PASS ed	Effective Date										
Yeas 29	Yeas										
Nays 11	Nays										
Absent 0	Absent										
Excused 0	Excused										
Apr 20	Reported correctly engrossed										
Apr 20	Signed by Speaker										
Apr 20	Sent to Senate										
	<i>Emmanuel Lloyd</i> CHIEF CLERK OF THE HOUSE										

HISTORY IN THE SENATE

19 82	Read first time and referred to Committee on										
4 22	<i>jud - Fin</i>										
5 17	Reported back with recommendation that <i>jud</i> <i>do pass</i>										
5 19	<i>Finance - Fin</i>										
5 29	<i>do not - to Rules</i>										
5 29	<i>Rules - Referred</i>										
5 29	Read second time and										
June 1	<i>adv</i> <i>amnt 1 adv 15-3-1-1</i> <i>tell change</i> <i>adv</i>										
5 29	Read third time and										
5 31	<i>Reconsideration taken up & held</i>										
June 1	<i>Ret to 2nd for am</i> <i>Read 3rd time</i>										
5 29	<i>Final</i> <table border="1"> <tr> <td>PASS ed</td> <td>Effective Date</td> </tr> <tr> <td>Yeas - 8</td> <td>Yeas</td> </tr> <tr> <td>Nays - 2</td> <td>Nays</td> </tr> <tr> <td>Absent - 1</td> <td>Absent</td> </tr> <tr> <td>Excused - 3</td> <td>Excused</td> </tr> </table>	PASS ed	Effective Date	Yeas - 8	Yeas	Nays - 2	Nays	Absent - 1	Absent	Excused - 3	Excused
PASS ed	Effective Date										
Yeas - 8	Yeas										
Nays - 2	Nays										
Absent - 1	Absent										
Excused - 3	Excused										
June 1	<i>Reconsideration taken up</i> <table border="1"> <tr> <td>PASS ed</td> <td>Effective Date</td> </tr> <tr> <td>Yeas - 15</td> <td>Yeas</td> </tr> <tr> <td>Nays - 3</td> <td>Nays</td> </tr> <tr> <td>Absent - 1</td> <td>Absent</td> </tr> <tr> <td>Excused - 1</td> <td>Excused</td> </tr> </table>	PASS ed	Effective Date	Yeas - 15	Yeas	Nays - 3	Nays	Absent - 1	Absent	Excused - 1	Excused
PASS ed	Effective Date										
Yeas - 15	Yeas										
Nays - 3	Nays										
Absent - 1	Absent										
Excused - 1	Excused										
6 1	Reported correctly engrossed										
6 1	Signed by President										
6 1	Returned to House										
	SECRETARY OF THE SENATE										

HISTORY IN THE HOUSE

19 82	Received from Senate
June 1	<i>CS HR 41 (Jud) am S</i> Concurred in Senate amendment thus adopting: VOTE
June 1	Failed to concur in Senate amendment; asked Senate to recede VOTE 16-23-1-0
CS HR 41 (Jud)	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
	<i>House adjourned 4/2</i> <i>Senate</i> CC adopted by Senate VOTE
June 2	<i>Recede from am 5?</i>
6 3	<i>Returned to Finance</i>
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.