

SCR

35

SENATE STATE AFFAIRS COMMITTEE

Date received _____

Bill Number _____ Title _____

Fiscal Note	Position Paper	Date requested	From	Amount	Date Note	Rec'd Paper

CONTACTS

Backup list

HEARING INFORMATION

NOTES:

FINAL ACTION _____ DATE _____

Alaska State Legislature

SENATOR
FRITZ PETTYJOHN
SRA BOX 2385 M
ANCHORAGE, ALASKA 99510
907/345-5174



Senate

LEGISLATIVE ADDRESS

POUCH V - STATE CAPITOL
JUNEAU, ALASKA 99811
907/463-3473

February 15, 1984

Governor William J. Sheffield
Office of the Governor
Juneau, Alaska 99811

Dear Governor Sheffield:

On Thursday, February 9, I introduced SCR 35, copy enclosed. Immediately prior to the convening of the session that day, Senate President Kerttula telephoned you from the floor of the Senate and discussed the subject of that resolution with you. He reported the substance of that conversation to the body.

He stated, "I've had a detailed conversation with the Governor as late as this morning on this subject, and it is my belief that he is going to come up with a ... vehicle and give that vehicle to the legislature for a decision." Senator Kerttula stated that the vehicle to be provided would cover all substantial state leases, not just the lease of a legislative hall.

I was greatly pleased by Senator Kerttula's statement of your intentions in this regard. But I have now been informed that you have decided not to introduce any legislation which would authorize or approve your course of action with regard to a new legislative hall in Juneau.

I understand the position of your administration on your legal rights in this regard, and I respectfully disagree with it. But irrespective of the legal question, I consider it absolutely outrageous that the executive branch of this state is planning with and encouraging the City Borough of Juneau to build a hall to house the legislature without having received the prior approval of the legislature.

If my information is incorrect, please advise me of your true intentions. If it is correct, I hereby register my strong objection to this entire procedure. I, for one, will refuse to vote for any appropriation which contains funds

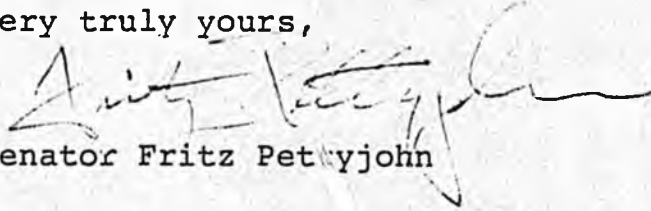
Governor Sheffield

February 15, 1984

• Page 2

for a lease payment on a legislative hall which was constructed without the prior approval of the legislature.

Very truly yours,



Senator Fritz Petryjohn

/rv

enclosure

cc: Ms. Fran Ulmer Mayor of Juneau
Juneau Assemblymen
All legislators

House panel OKs move plans

By KIRK McALLISTER
The Juneau Empire

A bill that would move legislative sessions to the new state office complex in Anchorage was passed by the State Affairs Committee Wednesday on a 4-1 vote.

The bill, HB 448, originally submitted by Rep. Mike Szymanski, D-Anchorage, directs the Department of Administration to "lease or allocate" space in the new state office complex for the Legislature to meet and house its support staff.

The committee cut the space allocated

to the legislature from 175,000 square feet to 90,000 square feet, about the size of the current Capitol in Juneau.

When built, the state office complex in Anchorage will have about 350,000 square feet of office space and could include two or three buildings depending on the design, said Anselm Staack, deputy commissioner of Administrative Management.

The Anchorage state office complex is now in the bidding process and is due to be completed in 1986, according to Bob Link, director of general services and supply for DOA.

The state plans to lease the complex from a private designer-builder after completion on the two blocks of state-owned property in downtown Anchorage. Cost of construction is estimated at \$100 million.

If the bill moving the legislature to Anchorage passes, the project will be delayed a minimum of six months, so the extra space needed to house the legislature can be added to the plan, Link said.

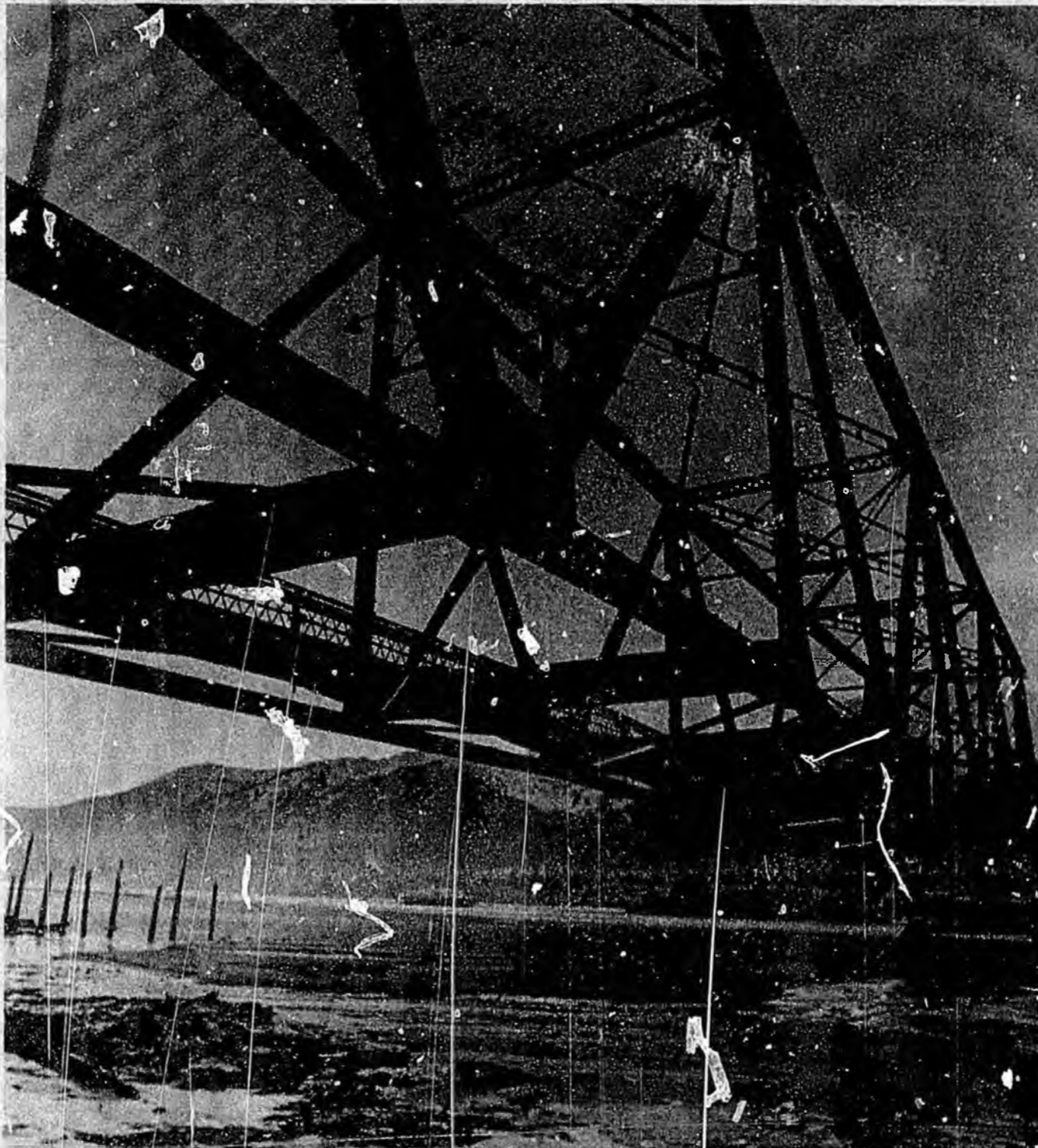
There is no way to estimate the cost of the delay, according to Link.

The Department of Administration wants to consolidate state offices in Anchorage, said Link. Currently, the state has about 70 leases in 50 locations in the area. About half of those leases would be consolidated in the new complex.

Rep. Mike Miller, D-Juneau, vehemently opposed the bill, calling it a "back-door capital move." Moving the legislative branch to Anchorage would mean the rest of state government would also eventually have to relocate in Alaska's largest city, he said.

"In the past, capital move efforts have been citizen-initiated proposals that were voted down, but this time around the people are not initiating this bill — it's an end-run approach by some legislators to do what the people of Alaska themselves have

Continued on Page 10



Under the bridge: The state ferry Taku passes near the old Douglas Bridge near Thane.

Photo by Brian Wallace

New hall resolution proposed

By DEBBIE REINWAND ROSE
The Juneau Empire

A resolution requesting the Juneau City-Borough and Gov. Bill Sheffield to "cease and desist" planning a new legislative hall on Telephone Hill was introduced today by Sen. Fritz Pettyjohn, R-Anchorage.

"If the executive branch plans to construct a hall for this body, then they should consult this body," said Pettyjohn. The Anchorage lawmaker also challenged the administration's intent to sign a lease with the city, which plans to sell bonds to finance construction of the hall.

"This is a breach of the separation of powers," he said. "I do not want the executive branch to control our office space ... without our consent, our direction."

During the last legislative session, lawmakers passed a \$4.5 million appropriation which is currently being used by the state to purchase the land on the hill. The city-borough assembly plans to finance, construct and lease the hall to the state.

Pettyjohn quoted Sen. Bill Ray, D-Juneau, as saying he was "not aware" at the time the Senate considered the appropriation that it would be used for constructing a capital.

"It's true. I didn't know at the time," Ray responded during floor debate. "If I'd known they were going to use it for a capital building, I'd have put that in ... most likely. If I'm a dupe as the senator from Anchorage is claiming, I'm a willing dupe."

In turn, Ray challenged several of Pettyjohn's assertions, saying "some of the statements being made on this issue are blatantly inaccurate. ... If they can sell that at home, good."

Pettyjohn said he was not aware until recently of any legislative involvement in planning the hall and "if they're going to build a hall for the Legislature, let them come to us."

Continued on Page 10

Ward can't get lawyer in town

The Associate Press
and The Juneau Empire

Lawyers in Juneau won't handle a legislator's lawsuit to block construction of a legislative hall in the Capital City because of the issue's capital move implications, claims Rep. Jerry Ward.

Ward instead will file the suit in Anchorage, he said.

"There's not a lawyer in Juneau I can find" who will take the case, he said. Ward, R-Anchorage, said he had hired attorney Robert Shelley, but Shelley decided against taking the case.

"The constitutional question has merit and interest, but when you throw in the political realities ... he's gotta live here," Ward said of Shelley.

"I haven't taken the case, and I've never taken the case," Shelley said today. "I told him there wasn't much merit to the case."

Ward's suit would name Gov. Bill Sheffield.

Continued on Page 10

Beirut quiet after a week of big fights

By G.G. LABELLE
The Associated Press

BEIRUT, Lebanon — U.S. military helicopters flew civilians from Beirut to warships off the coast today, and Moslem militiamen skirmished with Lebanese army soldiers across the "green line" dividing east and west Beirut.

But except for scattered shooting, Beirut was relatively quiet after a week of heavy fighting that saw Moslem militias take over west Beirut and defeat the Lebanese army. And on Wednesday, shells from the huge guns of the battleship New Jersey thundered over the city as the American ships pounded rebel-held hills beyond the capital.

With the government of President Amin Gemayel weakened by the fighting, efforts were underway to evacuate British civilians and South Korea ordered the immediate evacuation of its embassy.

Syrian-supported opposition leaders consulted in Damascus with Syrian President Hafez Assad as continued to maintain public silence.

The 1,400 U.S. Marines at Beirut airport, buoyed by President Reagan's announcement Tuesday that they will gradually be redeployed to American ships offshore, remained at their posts.

"We're hanging in here, awaiting orders," said Marine spokesman Maj. Dennis Brooks.

The U.S. Navy sent reconnaissance flights over the capital and one of the fire was in support of and at the request of the Lebanese army.

American officials did not comment on the effects of the shelling but a Lebanese government official said about 30 military positions were hit in the mountains, including a Syrian army headquarters 15 miles east of Beirut. Police said 30 people were killed and 135 wounded in the shelling and the fighting in Beirut and its suburbs.

The 115-man British contingent was transferred Wednesday from its suburban Beirut base to a Royal Navy ship off the coast. It ordered a gradual withdrawal of its 1,400 troops assigned to the multinational force, while the 1,240 French soldiers in Lebanon dug in at their positions and halted patrols of their area. Although order appeared to be returning to west Beirut, four helicopters were seen soaring off from the barricaded front boulevard in front of U.S. and British embassy offices with groups of civilians, including some children. The number of the evacuees could not be determined, and U.S.



AP Laserphoto

Leaving town

John Watkinson of the Royal Corps of Signals from Blandford in Dorset, England, foreground, one of three British soldiers stationed at the British Embassy in West

Beirut waits to leave the city along with about 50 Americans. The group left the war-torn city aboard a U.S. helicopter Wednesday.

Embassy press secretary John Stewart refused to talk to reporters. About 90 American civilians were evacuated to U.S. warships off Beirut during the two previous days and then flown to Cyprus.

Assad, the Soviet Union's closest Middle East ally, today met in Damascus with former Lebanese President Suleiman Franjleh, a leader of the Syrian-backed Lebanese National Salvation Front that opposes the Gemayel administration.

Syria wins in Lebanon, say analysts

By EARLEEN F. TATRO
The Associated Press

TEL AVIV, Israel — The defeat of Lebanese President Amin Gemayel's army by Syrian-backed militiamen has enhanced Syria's standing as a leader in the Arab world and could torpedo future peace efforts in the Middle East, Israeli analysts say.

"The Arabs are bound to be much more influenced by Syria. It's not a good omen for the peace process," said Yossi Olmert, one of Israel's most respected analysts of Mideast affairs.

"There's no doubt that the Syrians are winning the battle for Lebanon. It's just a question of time before the Syrians again become the dominant force in Lebanon," Olmert, head of the Syria-Lebanon desk at Tel Aviv University's Shiloah Center, said in an interview.

News Analysis

Olmert and other Israeli analysts say that President Gemayel, a Maronite Catholic, wants to finish his six-year term of office, he is under pressure to abrogate the 1983 troop withdrawal agreement for a phased withdrawal.

This would be a major step toward ending the 1983 troop withdrawal negotiations with Egypt.

The

Rebels execute 29 in El Salvador

By ANNIE CABRERA
The Associated Press

SAN SALVADOR, El Salvador — Leftist rebels executed 29 soldiers who surrendered after heavy fighting in northeastern El Salvador, a Salvadoran army spokesman said.

There was no immediate reaction to the report Wednesday from guerrilla forces fighting the U.S.-backed Salvadoran government.

Army spokesman Col. Richard Cienfuegos said leftist rebels shot 23 soldiers and six civil defense patrolmen in the head Wednesday after they had given themselves up to guerrillas at a military post, 35 miles northeast of San Salvador.

Reporters who traveled to the area said six were shot in the head and the others were shot in the torso. The reporters

fighting, the sources said.

In Nicaragua, the state radio quoted a captured Honduran army sergeant as saying the Honduran armed forces chief and other high-ranking officers have participated in rebel attacks on Nicaraguans.

The Voice of Nicaragua also quoted Sgt. Donald Carcamo Ramos as saying the anti-Nicaraguan attacks are "coordinated by high level Honduran, American and Argentine officials."

The sergeant said Gen. Gustavo Alvarez Martinez, chief of the Honduran armed forces, "has participated personally" in attacks against Nicaragua, according to the radio.

Carcamo Ramos, 22, was captured in northern Matagalpa province during a rebel attack last month.



Around Town



NOTICE
 Around Town is a public service column The Juneau Empire offers for use by non-profit organizations to announce specific events. Deadline for Around Town is 2 p.m. the day before publication. Items can be dropped off at the Empire, 235 Second St. Only one time per week, please.

NEIGHBORHOOD MEETING
 The Lakewood-Riverwood Homeowners Association Appeals Meeting originally set for 7 tonight in the assembly chambers has been postponed until March 14, same time, same place.

GLACIER ROTARY

The Glacier Valley Rotary meeting at noon Friday in the Black Angus Restaurant will feature Karen Boorman, city planner, talking about the city's comprehensive plan.

WORLD PEACE
 Alaskans for World Peace have rescheduled the showing of the film "The Dark Circle" for 3 and 4:30 p.m. Sunday in the Orpheum Theatre. Cost will be \$4. Childcare will be provided at 212 W. Ninth St. For details call 586-1303.

VFW MEETING
 Taku Post No. 5559, VFW and its Ladies Auxillary, will have a regional meeting at 7:30 p.m. Friday in the Post Home. All members are urged to attend.

COMMUNICATIONS GUILD
 The Graphic Communications Guild will meet at noon Friday in the Cape Fox Restaurant to discuss

an April workshop. For more information call 586-4745 or 789-3473.

CHESS CLUB
 The Juneau Chess Club will meet at 7 p.m. Friday in Room HB 205 on the UAJ Auke Bay Campus. Call Michael at 789-9292 for more information.

MADRIGALS
 An organizational meeting to start a madrigal singing group will be at 7:30 p.m. Feb. 10 and 24 in Room 141 of the Glacier Valley Elementary School. Call 586-1044 or 465-3200 for more information.

RUMMAGE SALE
 The Alaska Custom Gutters Women's Basketball Team will hold a rummage sale from noon to 4 p.m. Saturday in the National Guard Armory and a dance in the armory from 8 p.m. to midnight. Tickets are \$5 and \$7 at the door.

PEO
 PEO Chapters D, G and N will have brunch with the BILS at 12:30 p.m. Sunday in the Prospector. For details call 586-2547.

COMMUNITY SCHOOLS
 If you are looking for a junior high school student to do chores around your home, please call the Floyd Dryden Job Board at 789-9171.

WOMEN'S GYM
 Community Schools is sponsoring a women's open gym from 8:30 to 10 p.m. Thursdays at Floyd Dryden Junior High School. For more information call 789-9191.

FUNDRAISING WORKSHOP
 Community School's workshop at 7 tonight in the Floyd Dryden Library will feature several fundraisers from around the community. Call 788-9171 for more information.

Sitka...

Continued from Page 1

air pollution created. It's a trade-off, but a trade-off that if enforced must either pollute the air or cost the financially ailing mill many millions of dollars.

A further irony is that the EPA originally granted the Sitka mill's request, then did an about-face, deciding ALP must comply with the agency's new, higher standards.

The mill has estimated compliance would cost \$45 million, and in what ALP describes as a very depressed market, that seemed more than the mill could bear.

Hence the long battle to have the water quality waivers granted, a battle that's involved the EPA, the state's congressional delegation, the mill's management and many of the citizens of Sitka.

Both local groups, the mill's management and Sitkans for ALP began by asking help for the mill from everyone they knew, senators, congressmen, federal officials and the citizens of their own city — because the town's life was so closely tied to the mill's.

But that was before the EPA said it would make its decision in the spring. Now the groups can only wait.

But none of them are too optimistic about what that decision will be.

"If they decide to deny us, we'll go to our congressman again and appeal the decision," said Roberlee Potter, a member of the Sitkans for ALP. "If that isn't successful we'll ask the state not to sign the federal agency's denial. We're going to keep trying."

One member of the group, Ed Oetken, said even if the mill is denied its request — that won't be the end of the Sitka mill.

"We've been battling this thing since 1980, and what we've seen isn't encouraging," said Oetken. "But the EPA will have to come in and put a padlock on us before we'll close down. It'll be up to them to make that decision."

Jail...

Continued from Page 1

get assistance. When Coyle and other guard entered the dorm, "they were encircled by a group of angry, shouting inmates," and it was then that guard Burdette Emel "realized it was a dangerous situation and they left."

It appeared, O'Connell said that inmates wanted to tear Coyle "limb from limb."

She said the evidence will show that the four were active participants in the fracas.

O'Connell said one inmate, who will stand trial on the same charge later, stood atop a table in the dorm directing the disturbance as a "concert master."

Deal's attorney, Tom Findley, said the

disturbance was caused by long-standing tensions within the prison. He said that while a great deal of testimony about what happened will be presented, "nobody will tell you who did it."

"You are going to learn, ladies and gentlemen, there were problems at the institution," Findley said.

Because the lights in the dorm were out, Findley said, it will be proven that it was difficult to see inside the dorm to determine which inmates were on a rampage.

In addition, Findley said, "you are going to hear about an incredible mistake made by the officers in this case."

While the disturbance was underway, Findley said, inmates were heard to use the rallying cry "Barbarosa." Guards mis-

takenly thought was the nickname of his client, Jerry Deal.

"Barbarosa," a 1981 film starring Willie Nelson, cast Nelson as an outlaw who was "a Robin Hood sort of figure."

Findley said his client had been transferred into the dorm just hours before because he told guards another inmate had pulled a home-made knife on him. "He didn't do \$500 damage to that dorm, he didn't do \$5."

Defense attorney Paul Dillon also made an opening statement on behalf of his client, John Finley. Other defense attorneys declined to make opening statements this morning.

Juneau Superior Court Judge Walter Carpenetti is presiding over the trial.

More RR study needed — Fritz

TAN FOSDICK
 Associated Press

...the inside track ... transfer the ... to state con- ... the \$22 ... law-

"Buying and building a railroad is an expensive thing," Fritz said in an interview. "You've got to make agreements with labor before you take it over."

"And it's priced too high. After buying it, you'll have to spend \$60 million just to comply with OSHA (federal safety) requirements."

"Spending \$2,000 or \$3,000 for legal advice on something that is highly inflated will be rubber-band money if it all goes over under what would be poor," Fritz said.

...en, a special assistant who ... with the House

Transportation Committee, said today he thinks the state and federal governments are close to solving those concerns.

"If we waited until the contracts were signed, we'd probably miss the July 14 deadline," Soemksen said. "The other problem is that the employees are still with the federal government and won't have any incentive to negotiate until the deal goes through."

Gov. Bill Sheffield is backing the proposal, calling the \$22.3 million price tag for the railroad, its rolling stock and facilities "reasonable."

Commends race

...s to cross ... will ... d he

miles from Anchorage to Nome, calling their event "The Last Great Race on Earth." They have objected bitterly to the snowmachine race, claiming that the mechanized sleds could damage the trail and pose a safety hazard for mushers, wildlife and others using the trail.

If Conquergood agrees, snowmachine races would start March 25. The BLM's "preferred alternative" would require the machine promoters to post a cash cleanup.

...egree theft: A pickup ... parked at a valley ... broken into early ... troopers. The car ... its right rear ... out. Three ... the

Hall...

Continued from Page 1

However, Sen. Jan Falks, R-Anchorage, said she was asked last winter to serve on a city-state panel which is overseeing development of the hall, but declined "for political reasons."

Sen. Joe Josephson, D-Anchorage, is the Senate's member on the committee and conversely, he said he accepted the post "for political reasons."

"Many of the advocates of the capital move said the Juneau facilities were inadequate ... and many advocates said there ought to be a planning committee involved in any development ... and it's in

that spirit that I accepted the offer to serve on the committee," said Josephson.

To date, Josephson has pushed a reduction by nearly \$40 million during discussion on the planned \$100 million project. "Already, it has been important for the Senate to be represented in this matter."

The resolution was referred to the State Affairs and Finance Committees.

Teachers...

Continued from Page 1

over \$59,000, plus benefits with only a 180-day work year."

The teachers union refused to say what increases it is asking, but JEA is not asking for the salary increase described in the note, Herold said.

Teachers are now being paid from over

\$25,000 to over \$47,000 and work months a year, according to a district spokeswoman.

The union is finishing a two-year contract.

House panel

Continued from Page 1

specifically said they don't want," Miller said.

Miller said the effort by the Juneau City-Borough to finance a legislative hall in Juneau is a response to the need for more office space for state government — something pro-movers pointed to in the last capital move campaign, which was defeated in November 1982.

But committee member Rep. Jerry Ward, R-Anchorage, disagreed with Miller.

"There's nothing back-door about this at

all — I never got to vote on a \$100-million project in the middle of nowhere on the side of a rock," said Ward, referring to plans underway by the Department of Transportation to locate a legislative hall on Telephone Hill in Juneau.

Committee Chairman Mitch Abood, R-Anchorage, agreed with Ward.

"This is an end-run for a good purpose — we must take our work to the majority of the people," Abood said. "I don't see any reason to move the capital, but I do see reason to move the legislature."

Abood, noting Miller was outnumbered by Anchorage area committee members, said: "This just proves that the lions can

lay down with the lambs." "However, the lambs probably won't sleep too well," Miller replied.

Ward...

Continued from Page 1

field as defendant and seek an injunction against construction of a legislative hall in Juneau. When the suit is filed, Ward will allege the governor and the Juneau City-Borough intend to build the hall without the legislative or citizen involvement guaranteed by state law.

Officials vow to work with trailer owners

ALASKA STATE LEGISLATURE

ANCHORAGE CAUCUS

VF
JH
ST -

MEMBERS

Senators

Faiks, J.
Fischer, P.
/Fischer, V.
Gilman, D.
Halford, R.
Josephson, J.
Kelly, T.
Pettyjohn, F.
Rodey, P.
Sturgulewski, A.

TO: Members of the Anchorage Caucus

FROM: Representative Charlie Bussell

RE: Form 35a

Representatives

Abood, M.
Barnes, R.
Bussell, C.
Clocksin, D.
Cowdery, J.
Flood, J.
Furnace, W.
Hayes, J.
Lindauer, J.
Liska, J.
Martin, T.
Pestinger, S.
Phillips, R.
Szymanski, M.
Tischer, M.
Uehling, R.
Ward, J.

DATE: March 15, 1984

Here is copy of Form 35a given to Representative Szymanski along with the Attorney General's answers to his letter, which is in my packet, showing illegal appropriation that is being used for the Legislative Hall.

AGENCY REQUEST		Operational Cost & No. Personnel Increase - (Decrease)		First Operating Year	Ultimate Annual Year	GOVERNOR'S REQUEST		
						Approved	Deferred	Disapprove
Federal Receipts		Funding	Federal Receipts			1002	Federal Receipts	
G/F Match		Source	General Fund			1003	G/F Match	
General Fund	4,500.0					1004	General Fund	
I/A Receipts						1005	I/A Receipts	
G.O. Bonds							G.O. Bonds	
Total		Total Annual Operational Cost						
		Position (FTE)		N/A	N/A			
		Previous Year Priority	Agency Priority		Governor's Priority			
Total		4,500.0						Total

OBJECT DESCRIPTION (8)

This 4,500.0 request is to provide for the land acquisition and facilities planning for a new Legislative Hall at Juneau. The site for construction is to be determined by a committee consisting of representatives of the Dept. of Transportation and the City and Borough of Juneau.

LEGISLATIVE MEMBER'S SIGNATURE: [Signature]

CATEGORY (9)
 AGENCY DOT

Page 1 of 1
 Revised Date

FY 8

LEGISLATIVE REQUEST