

HB

87

HOUSE COMMITTEE ON STATE AFFAIRS

RECAP OF
HB 87

Long-Term Financial Planning

Received January 17, 1989
by the Rules Committee by
Request of the Governor

Heard February 9, 1989
Heard February 22, 1989

Committee Substitute adopted February 22, 1989

Passed Out of Committee February 22, 1989
4 Do Pass
1 No Recommendation

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Request of the Governor

CSHB 87 (SA)
- Item 2: Governor's Transmittal Letter
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Affairs Committee Members, February 15, 1989
- Item 5: Memorandum re: Long-term Financial Plan for
the State (CSHB 87 (SA)), February 23, 1989

HOUSE COMMITTEE REPORT

(5)

Date Referred: 1/17/89

FURTHER REFERRALS: FINANCE

Date of Committee Action: _____

The STATE AFFAIRS Committee recommends that:

HOUSE BILL NO. 87

[LONG-TERM FINANCIAL PLANNING]

"An Act requiring the governor to formulate and submit a long-term financial plan for the state; and providing for an effective date."

be replaced with CS #B87(SA) the same title
 a new title

have attached amendment(s)

do pass
 do not pass
 no recommendation
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

fiscal impact
 zero fiscal note
 zero with analysis

APPROVES PREVIOUS:

fiscal note(s) published:

 zero fiscal notes(s) published:
1/17/89 Budget Review

SIGNING DO PASS:

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

David Donley (as amended)
Carl Young (as amended)
Jim Swadlow (AS AMENDED)
Gileen P. MacLean (as amended)

Allyce Donley (No Rec)

Gileen P. MacLean
Vice-Chairman's signature



Alaska State Legislature

House of Representatives
COMMITTEE ON STATE AFFAIRS

TO: Representative Lyman Hoffman
Representative Ron Larson
House Finance Committee

FROM: Representative H.A. "Red" Boucher, Chair
House State Affairs Committee

DATE: February 23, 1989

RE: CSHB 87(SA): Long-Term Financial Planning

I would like to refer your attention to the memorandum dated 2/23/89 from Tamara Cook regarding suggested changes to CSHB 87(SA). I support these changes and request that you give them favorable consideration.

Ex Budget Act
ADP 2-7-89
(10)

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 87

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

NOT GOOD
file 5 - HAK 109
6/25/89

6 For an Act entitled: "An Act requiring the governor to formulate and
7 submit a long-term financial plan for the state; and
8 providing for an effective date." (6)

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 37.07.020(b) is amended to read:

11 (b) In addition to the budget and general appropriation bill,
12 the governor shall submit a long-term [CAPITAL IMPROVEMENTS PROGRAM
13 AND] financial plan [COVERING THE SUCCEEDING SIX FISCAL YEARS]. The
14 long-term financial plan shall include estimates of expenditures,
15 estimates of annual revenue from all sources, and recommendations for
16 additional sources of revenue. The long-term financial plan shall
17 include projections of estimated expenditures covering the five suc-
18 ceeding fiscal years and projections of revenue for the 20 succeeding
19 fiscal years. (10)

20 * Sec. 2. AS 37.07.030 is amended to read:

21 Sec. 37.07.030. RESPONSIBILITIES OF THE LEGISLATURE. The legis-
22 lature shall

- 23 (1) provide for a budget review function;
- 24 (2) analyze the comprehensive operating and capital im-
25 provements programs and long-term financial plan [PLANS] recommended
26 by the governor;
- 27 (3) adopt legislation to authorize implementation of the
28 governor's comprehensive operating and capital improvements budget
29 [PROGRAMS AND FINANCIAL PLANS OR APPROPRIATE ALTERNATIVES TO THOSE

1 PLANS];

2 (4) provide for a post-audit function to cover financial
3 transactions, program accomplishment, and compliance with legislative
4 intent;

5 (5) adopt or revise the estimate or receipts required to
6 balance the succeeding fiscal year's budget in order that proposed
7 expenditures do not exceed estimated receipts for that fiscal year;

8 (6) adopt, revise, or initiate revenue measures in order to
9 balance the succeeding fiscal year's budget and the capital improve-
10 ments section of the budget for the succeeding six years;

11 (7) adopt a concurrent resolution approving or recommending
12 revisions to the long-term financial plan annually submitted by the
13 governor.

14 * Sec. 3. AS 37.07.060 is amended to read:

15 Sec. 37.07.060. GOVERNOR'S RECOMMENDATION. (a) The governor
16 shall formulate the long-term [OPERATING AND CAPITAL IMPROVEMENTS
17 PROGRAMS AND] financial plan [PLANS] required to be recommended to the
18 legislature by AS 37.07.020 after considering the state agency
19 proposed program and financial plan [PLANS], and other programs and
20 alternatives that the governor considers appropriate. The plan
21 [PLANS] must include the governor's recommended goals and policies,
22 recommended plans to implement the goals and policies, recommended
23 operating and capital improvement program for the succeeding five
24 fiscal years [YEAR, RECOMMENDED CAPITAL IMPROVEMENTS PROGRAM FOR THE
25 SUCCEEDING SIX FISCAL YEARS], recommended programs for the upgrading
26 of public buildings and facilities prepared in accordance with AS
27 35.10.015, and recommended revenue measures to support the programs.

28 (b) The governor shall present the proposed budget [COMPRE-
29 HENSIVE OPERATING AND CAPITAL IMPROVEMENTS PROGRAMS] and long-term

1 financial plan [PLANS] in a message to a joint session of the legisla-
2 ture before the fourth legislative day following the convening of the
3 legislature in regular session. The message must be accompanied by an
4 explanatory report that summarizes recommended goals, plans, and
5 appropriations. The report must contain

6 (1) the coordinated program goals and objectives that the
7 governor recommends to guide the decisions on the proposed program
8 plans and budget appropriations;

9 (2) the governor's operating program and budget recommenda-
10 tions for the succeeding fiscal year organized by agency as required
11 by AS 37.07.020(a);

12 (3) the governor's capital improvements program and budget
13 recommendations for the five succeeding fiscal [YEAR AND CAPITAL
14 IMPROVEMENTS PROGRAM FOR THE SUCCEEDING SIX FISCAL] years, which must
15 include

16 (A) a description of each project, its estimated cost
17 for the year construction is to start and the estimated cost of
18 the project adjusted for inflation over the estimated period of
19 construction, and the source of financing for the project; the
20 project description for a new building or a new facility or for a
21 major addition to a building or facility should include a site
22 plan, preliminary drawings, and architect's or engineer's total
23 cost estimate for the project;

24 (B) a summary of projects previously authorized and
25 not yet completed;

26 (C) a summary, listed by agency, of all previously
27 proposed projects that have been deferred beyond the period [SIX
28 YEARS] covered by the plan and the year in which construction has
29 been rescheduled to begin;

1 (D) a forecast of the debt structure of the state and
2 the various debt ratios over the life of the state's bonds out-
3 standing, bonds authorized and to be issued, and bond authoriza-
4 tions recommended in the plan;

5 (E) a description of additional revenue measures
6 needed to finance the plan in lieu of debt;

7 (F) bond election bills to authorize the bonds
8 required to fund the projects scheduled for the first three years
9 of the plan;

10 (G) projections of population of the state and its
11 regions and communities;

12 (H) economic data and projections necessary for the
13 evaluation of the plan;

14 (4) a summary of state receipts in the last fiscal year, a
15 revised estimate for the current fiscal year, and an estimate for the
16 succeeding fiscal year;

17 (5) a summary of expenditures during the last fiscal year,
18 those authorized for the current fiscal year, and an estimate for the
19 succeeding fiscal year;

20 (6) any additional information that will facilitate under-
21 standing of the governor's proposed programs and long-term financial
22 plan [PLANS] by the legislature and the public.

23 * Sec. 4. AS 37.07.070 is amended to read:

24 Sec. 37.07.070. LEGISLATIVE REVIEW. The legislature shall
25 consider the governor's proposed long-term [COMPREHENSIVE OPERATING
26 AND CAPITAL IMPROVEMENTS PROGRAMS AND] financial plan [PLANS], evalu-
27 ate alternatives to the plan [PLANS], make program selections among
28 the various alternatives and determine, subject to available revenues
29 the level of funding required to support authorized state services.

1 The operating and capital budgets of each agency shall be separately
2 reviewed. During each regular session of the legislature, legislative
3 review of the governor's supplemental appropriation bills and the
4 governor's budget amendments shall be governed by the following time
5 limits:

6 (1) Requests by the governor for supplemental appro-
7 priations for state agency operating and capital budgets for the
8 current fiscal year may be introduced by the rules committee only
9 through the 30th legislative day.

10 (2) Requests by the governor for budget amendments to state
11 agency budgets for the budget fiscal year may be received and reviewed
12 by the finance committees only through the 60th legislative day.

13 * Sec. 5. This Act takes effect July 1, 1989.

→ letter of content ←
→ NOTE OF CONCERNS ←
→ HISTORY

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 87

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring the governor to formulate and
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8 providing for an effective date."

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15 estimates of annual revenue from all sources, and recommendations for
16 additional sources of revenue. The long-term financial plan shall
17 include projections of estimated expenditures covering the ~~five suc-~~
18 ~~ceeding fiscal years and projections of revenue for the~~ 20 ~~succeeding~~
19 ~~fiscal years.~~] 10

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28 governor's comprehensive operating and capital improvements budget
29 [PROGRAMS AND FINANCIAL PLANS OR APPROPRIATE ALTERNATIVES TO THOSE

1 PLANS];

2 (4) provide for a post-audit function to cover financial
3 transactions, program accomplishment, and compliance with legislative
4 intent;

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6 balance the succeeding fiscal year's budget in order that proposed
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9 balance the succeeding fiscal year's budget and the capital improve-
10 ments section of the budget for the succeeding six years;

11 → ~~(7) adopt a concurrent resolution approving or recommending~~
12 ~~revisions to the long-term financial plan annually submitted by the~~
13 ~~governor.~~

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15 Sec. 37.07.060. GOVERNOR'S RECOMMENDATION. (a) *Only objects (allison*
submitted suggested amendments) The governor
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17 PROGRAMS AND] financial plan [PLANS] required to be recommended to the
18 legislature by AS 37.07.020 after considering the state agency
19 proposed program and financial plan [PLANS], and other programs and
20 alternatives that the governor considers appropriate. The plan
21 [PLANS] must include the governor's recommended goals and policies,
22 recommended plans to implement the goals and policies, recommended
23 operating and capital improvement program for the succeeding five
24 fiscal years [YEAR, RECOMMENDED CAPITAL IMPROVEMENTS PROGRAM FOR THE
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2 ture before the fourth legislative day following the convening of the
3 legislature in regular session. The message must be accompanied by an
4 explanatory report that summarizes recommended goals, plans, and
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7 governor recommends to guide the decisions on the proposed program
8 plans and budget appropriations;

9 (2) the governor's operating program and budget recommenda-
10 tions for the succeeding fiscal year organized by agency as required
11 by AS 37.07.020(a);

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19 construction. and the source of financing for the project; the
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21 major addition to a building or facility should include a site
22 plan, preliminary drawings, and architect's or engineer's total
23 cost estimate for the project;

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16 succeeding fiscal year;

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27 ate alternatives to the plan [PLANS], make program selections among
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9 through the 30th legislative day.

10 (2) Requests by the governor for budget amendments to state
11 agency budgets for the budget fiscal year may be received and reviewed
12 by the finance committees only through the 60th legislative day.

13 * Sec. 5. This Act takes effect July 1, 1989.

Item 2

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 13, 1989

The Honorable Sam Cotten
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Cotten:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that makes changes in existing law to clarify the status of and accounting for money received for goods and services provided by state agencies.

The purpose of the bill is the same as that of ch. 138, SLA 1986: namely, to expressly authorize setting and receiving fees and other charges by state agencies for the performance of functions prescribed by law. As with ch. 138, SLA 1986, this bill includes provisions requiring separate accounting for these program receipts and provisions suggesting legislative appropriation to the respective programs that produced the receipts. This bill attempts to include the amendments that ch. 138, SLA 1986 missed, and it removes an ambiguity in that Act's amendment of AS 37.10.050(a), making certain that fee regulations meet the same standards as those prescribed by the Alaska Administrative Procedure Act for other regulations.

Perhaps the most significant provisions of this bill are in secs. 1 and 132. Section 1 defines "program receipts" as "fees, charges, income earned on assets, and other state money received by a state agency in connection with the performance of its functions" and identifies those receipts that are not general fund program receipts.

Section 132 is a "grandfather clause" that protects from any unintentional invalidation fees charged by agencies under regulations that were adopted before July 1, 1987, notwithstanding the 1986 amendments of AS 37.10.050(a) which took effect July 1, 1987.

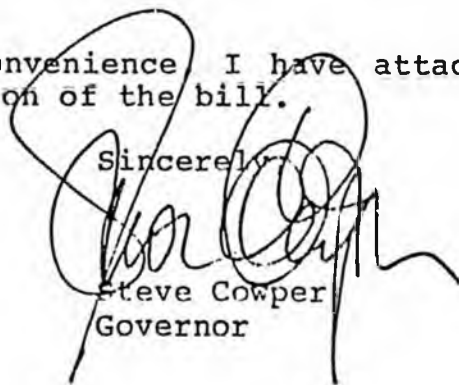
The remaining sections of the bill either (1) expressly authorize the assessment of fees or the provision of services already impliedly authorized by existing law; or (2) prescribe a method of accounting for and using money generated by state programs.

This bill has an immediate effective date, to achieve consistency with ch. 138, SLA 1986's amendments as soon as possible.

The amendments set out in this bill will make clear the permissible handling of program receipts. Although my Administration believes that the most appropriate use of program receipts is for the expenses of the activities that earned them, it is within the legislature's discretion to determine the purpose for which those program receipts may be spent. The power of the legislature to appropriate program receipts is no different from its power to appropriate other money in the general fund.

For the legislature's convenience I have attached a section-by-section description of the bill.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Steve Cowper". The signature is written over the typed name and title.

Steve Cowper
Governor

47

Item 3
No. 1

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: HB 87
PUBLISH DATE: HOUSE 1/17/89

FISCAL NOTE

REQUEST: _____
Revision Date: _____ Agency Affected: Office of Governor
Title: Gov. formulate/submit long-term
financial plan for state BRU: _____
Sponsor: Rules Components: _____
Requestor: Governor

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Alison M. Edger, Director Phone: 465-3568
 Division: Budget Review Date: 1/13/89
 Approved by Commissioner: Tommy Fiske Date: 1/14/89
 Agency: _____

- Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)



Representative H.A. "Red" Boucher

Chairman House Committee on State Affairs • Special Committee on Telecommunications

TO: House State Affairs Committee Members

FROM: Representative H.A. "Red" Boucher, Chair
House State Affairs Committee

DATE: February 15, 1989

RE: HB 87 Long-Term Financial Planning
HB 85 Charging, Accounting for Program Receipts

Attached you will find three versions of HB 85 and copies of HB 87. I would like you to review this material and advise me of your views/concerns/recommendations regarding these bills by early next week.

Comments:

House Bill 87

I would like to recommend that the long-term financial plan called for in HB 87 be amended as follows:

- projections of estimated expenditures should cover four fiscal years rather than five; and
- revenue projections cover ten fiscal years rather than twenty.

I also agree with Representative Donley that Section 2 (7) is unrealistic and should be deleted from the bill. You may wish to note that Alison Elgee has offered the attached "Proposed Amendment" to replace the language in (7). I believe, however, that language already in statute (AS 37.07.030) already accomplishes this, consequently the proposed amendment may not be necessary.

HB 85 Charging, Accounting For Program Receipts

I have attached three different versions of HB 85 for your consideration. The memorandum dated February 10th and 11th discuss a "centralized" approach to program receipts (Versions E and H). The February 14th memorandum (Version D) retains the "decentralized" approach to program receipts (Governor version). Please also note that the sections which add new fee authority or increase existing authority and those which add a new activity where a fee could be charged are listed on page 2 of the February 14th memorandum.

The committee may wish to consider hearing testimony from the agencies impacted by these proposed changes (versions) so that we may better understand their significance.

Proposed Amendment - HB 87

pg. 2, line 11 -13

(7) adopt or revise the long-term financial plan annually submitted by the governor.

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM February 23, 1989

SUBJECT: Long-term financial plan for the state
(CSHB 87(SA))

TO: Representative H. A. "Red" Boucher, Chair
House State Affairs Committee

FROM: Tamara Brandt Cook *TBC*
Director
Division of Legal Services

Here is the committee substitute you requested for HB 87, originally introduced by the Governor. Since the bill has been passed from committee, Dennis Burns requested no changes other than those acted upon by the committee and identified to me. We did make form and style changes in accordance with the drafting manual.

It seems to me, however, that the provision contained in existing law (AS 37.07.030(6)) appearing in section 2 of the bill may need to be changed from six to four years to conform to the change made in section 1 of the bill. The changes made in sec. 1 need to be reflected in AS 37.07.-020(c) and 37.07.040(2), which are not now dealt with in the bill.

In addition, I am concerned that the title may not adequately reflect the contents of the bill. The title is very narrow and addresses only the Governor's responsibilities with respect to the long-term financial plan. Sections 2 and 4 of the bill, though, deal with the legislature's responsibilities. To the extent that those sections are determined not to contain substantive changes, the existing title may be sufficient. But I fear that the changes to those sections may be substantive. If the additional change is made to section 2, altering the six to four years, and to the other nonconforming sections a title change will clearly be required.

Representative H.A. "Red" Boucher
Page 2
February 23, 1989

I suggest that you make this memorandum available to the next committee of reference, so they can look into these matters.

TBC:kb:gc
wkk2/042

Enclosure

existence between
l be appraised at
nent date for tax
, upon which
dential purposes
ppraised at its
date for tax
led after 1978 but
, full and true
adjusted.



LAWS OF ALASKA

1977

Source

Chapter No.

CSHB 117

66

AN ACT

Relating to the legislative appropriation process; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 37.07.070 is amended to read:

Sec. 37.07.070. LEGISLATIVE REVIEW. The legislature shall consider the governor's proposed comprehensive program and financial plan, evaluate alternatives to the plan, make program selections among the various alternatives and determine, subject to available revenues, the level of funding required to support authorized state services. During each regular session of the legislature, legislative review of the plan shall be accomplished according to the following schedule:

(1) By the 45th legislative day, the legislature shall have established by concurrent resolution the total amount of state general funds that shall be available for appropriation for the budget year and the tentative allocation of the funds among program categories in both the operating and capital budgets. The resolution shall be introduced by the finance committee of the house in which the general appropriations bill was introduced.

(2) By the 90th legislative day, the house in which the general appropriations bill was introduced by the governor shall have calendared for second reading a version of the general appropriations bill. The bill shall be supported with documentation to explain the proposed appropriations and related statements of intent. In addition, a list of other appropriations or measures with fiscal implications pending before the legislature shall be included with the documentation for the calendared bill.

STATE OF ALASKA

THE LEGISLATURE

1978

Source

Legislative
Resolve No.

SCSHCR 97 am S

6

ate Legislature that it
1979 and urges the United
the earliest possible time.

be sent to the Honorable
f Health, Education, and
evens and the Honorable Mike
rabie Don Young, U. S.
a delegation in Congress.



Establishing general funds available for appropriation for fiscal year 1979 and making tentative allocations to program categories.

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

WHEREAS Chapter 66 of the 1977 Session Laws of Alaska requires that by the 45th legislative day, the legislature shall have established by concurrent resolution the total amount of state general funds that shall be available for appropriation for the budget year and the tentative allocation of the funds among program categories in both the operating and capital budgets; and

WHEREAS the legislature finds that best available estimate of unrestricted revenue for fiscal year 1979 is \$946,600,000 which is inclusive of the estimated \$18,100,000 to be deposited in the renewable resources development fund; and

WHEREAS these estimates are predicated on no legislative action on new revenue measures except for passage of either House Bill No. 662 or Senate Bill No. 427 providing for refunding unanticipated Alaska personal income tax increases resulting from changes in the Federal tax code; and

WHEREAS the legislature finds that the best available estimate of the liquid surplus general fund balance for June 30, 1979 is \$273,600,000;

BE IT RESOLVED by the Alaska State Legislature that the total amount of state general funds including renewable resources development funds that shall be available for appropriation for the 1979 budget year operating and capital expenditures is \$946,600,000; and be it

FURTHER RESOLVED that a tentative allocation of the \$946,600,000 available for appropriation shall be made to the various program categories in terms of the following percentages:

	Operating	Capital	Total
Education	44%	0%	44%
Social Services	7	0	7
Health	5	0	5
Natural Resources	7	1	8
Public Protection	2	0	2
Administration of Justice	9	0	9
Development	5	1	6
Transportation	13	0	13
General Government	6	0	6

and be it

FURTHER RESOLVED that these percentages are rounded to the nearest whole, and that 0 per cent is anything less than .5 per cent; and be it

FURTHER RESOLVED that if the legislature changes its policy regarding capital projects and makes a shift to fund a portion of total capital projects by direct appropriation from the general fund in order to supplant in part general obligation bonds, an additional amount may be directly appropriated for capital projects; provided that such appropriation shall not reduce the liquid general fund balances below \$250,000,000; and be it

FURTHER RESOLVED that this resolution may be amended.

Source

SCR 77

Relating to reap

BE IT RESOLVED

WHEREAS the
sec. 3 of art.
tatives immedia
decennial censu

WHEREAS, s:
reapportionment
as reapportionm
reasonable cour

WHEREAS th
legislative sta
fixed, is at fr
tionment, and a
reliable techni

WHEREAS th
evasion of the

WHEREAS a
filed in the Un
Civil Action A-
reapportionment
until reapporti

WHEREAS th
1980; and

WHEREAS rc

WHEREAS pi