

HB

83

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER **HB 83**

SPONSOR **Governor**

BILL TITLE **Martin Luther King Day**

DATE REFERRED **5-1-89**

HEARING SCHEDULED **5-3-89**

FISCAL NOTE PREPARED

SPONSOR CONTACTED

INTERESTED PARTIES CONTACTED

Michael McKennet 3570

ASEA, Buddy Michelle EEO 463-4949

N/A Blanche McSmith, supporter
Jnu 789-9245

Rep Ulmer, Furnace

Rozalee Walker, jnu 586-2873

Remond Anderson, Blacks in Government

OTHER

SENATE COMMITTEE REPORT

FURTHER

FIN

5/1/89

DATE TURNED INTO OFFICE 5-3-89

Mr. President:

STATE AFFAIRS

Committee considered CSHB 83 (FIN)

legal holidays; and establishing Martin Luther King, Jr., Day as a legal holiday

and recommended

- replace with _____ CS _____) same title
- or adopt _____ CS _____) new title
- attached amendment(s) and _____) technical title change (HB only)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) zero fiscal impact appropriation no FN
 new updated previous
 same as previous fiscal note(s) published _____

MEMBERS SIGNING DO PASS

Twin Kelly

OTHER RECOMMENDATIONS

Jan Fick do not pass

[Signature]

Chair: signature and recommendation

Committee Backup attached

HB 83 MARTIN LUTHER KING, JR., DAY

TO TESTIFY

MICHAEL MCKENNET, OFFICE OF E.E.O. (GOVERNOR'S OFFICE)

SEVERAL OTHERS HAVE BEEN CONTACTED:

REP. ULMER (WHO CARRIED THE BILL IN THE HOUSE)

REP. FURNACE

ROSALEE WALKER

BLANCHE MCSMITH

F.Y.I.

MARTIN LUTHER KING DAY NOW EXISTS AS DAY OF COMMEMORATION. HB 83 WOULD MAKE IT A LEGAL HOLIDAY.

AS ORIGINALLY INTRODUCED, KING'S BIRTHDAY WOULD HAVE BEEN AN ADDITIONAL DAY OFF FOR STATE EMPLOYEES. HOUSE FINANCE AMENDED TO COMBINE WASHINGTON'S AND LINCOLN'S BIRTHDAYS INTO PRESIDENT'S DAY, SO THERE IS NO INCREASE IN THE ACTUAL NUMBER OF HOLIDAYS. (NOTE THAT THIS CHANGE APPLIES ONLY IF ITS REFLECTED IN THE COLLECTIVE BARGAINING AGREEMENTS.)

HOUSE-PASSED VERSION HAS A ZERO FISCAL NOTE.



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W. 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435

March 3, 1989

To: Reps. Hoffman and Larson, Co-Chairs
Members; House Finance Committee

Re: CS for House Bill No. 83 (HESS); "An Act relating
to legal holidays; and establishing Martin
Luther King, Jr., Day as a legal Holiday."

NEA-Alaska strongly supports and encourages your favorable
consideration of HB 83.

It is most appropriate that we acknowledge the birthday of
this truly outstanding Black American who was the leader of
the American civil rights movement.

Through his efforts, Dr. King not only exposed racial
injustice but raised our collective conscience to all
injustice and inequity in our social and economic programs.
His activities represent the highest degree of patriotism
and the very spirit of our democracy.

Dr. King's commitment to non-violent methods will continue
to serve as a model for all interests which find the need to
speak out on matters of concern.

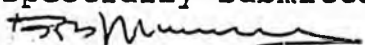
His efforts have opened the doors of hope, aspiration, and
belief in self-worth for all groups which have been
disadvantaged by our social and economic systems.

It is time for the State of Alaska to acknowledge Dr. King's
effort by making his birthday a legal state holiday.

We recommend also that this particular holiday be designated
as a legal holiday in all of the public schools in the
State.

Thank you for your consideration of our position.

Respectfully submitted,


Bob Manners
Executive Secretary

Alaska State Legislature



Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling

P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee

FROM: Senator Pat Pourchot, Chairman

RE: May 3 Committee Hearing

DATE: May 2, 1989

On Wednesday, May 3 at 1:30 p.m. in the Beltz Room the following bills will be back before the Senate State Affairs Committee:

SB 154, An Act relating to equipment lease-financing and authorizing a master equipment lease-financing project

SB 154 would authorize the Alaska State Building Authority to finance and acquire equipment for lease to the state. Individual lease-purchases from all state agencies would be consolidated into one or more "master leases". The advantage would be a reduction in interest cost.

At our earlier hearing on SB 154, there was concern that savings realized by state agencies through a master lease not be spent on other agency budget items, but used to reduce agency budgets. Attached is an amendment that would require the Department of Administration to annually report lease savings to the legislature on an agency-by-agency basis, thus allowing the legislature the opportunity to reduce agency budgets accordingly.

SB 157, An Act relating to imposition of a civil fine for violation of a statute, regulation, or ordinance related to alcoholic beverages

SB 157 would authorize the Alcohol Beverage Control Board to assess civil fines against liquor licensees who violate liquor laws. As introduced, the bill did not specify the amount of the fines, leaving fine setting to the sole discretion of the board.

Attached is an amendment which would require the ABC Board to establish a schedule of fines in regulation, and would limit any fine to the greater of \$100,000 or an amount which is three times the pecuniary gain realized by the licensee as a result of the violation. This is patterned after the existing provision in Alaska's criminal code regarding fines.

In addition, the following bills will be heard:

HJR 19am, Ratifying an amendment to the Constitution of the United States concerning the compensation of members of the United States Congress

HJR 19 would ratify an amendment to the U.S. Constitution that would disallow any increases in pay for members of Congress from going into effect until after an intervening election had taken place. The amendment was proposed in 1789 and to date has been ratified by 26 states. To become effective, it must be approved by 38 states.

CSHB 83(Fin), An Act relating to legal holidays; and establishing Martin Luther King, Jr., Day as a legal holiday

HB 83 would establish the third Monday of January, known as Martin Luther King, Jr.'s Birthday, as a legal holiday. Lincoln's and Washington's birthdays would be combined on the third Monday in February as President's Day. This would result in an observance for Dr. King without the addition of another paid day of leave.

The bill also provides that King's birthday would be a legal holiday for state employees only if provided for in their collective bargaining agreements.

Martin Luther King Day was statutorially established as a day of commemoration in 1982. Governor Cowper issued a proclamation in January 1989 designating it a legal holiday for this year.

CSHB 87(Fin)am, An Act relating to the state budget and to long-term financial plans for the state

HB 87 would require that the Governor annually submit to the legislature a long-term financial plan. The plan must include projections of expenditures for the next six fiscal years and projections of revenues for the next ten fiscal years. The legislature would be required to adopt or revise the plan.

In addition, HB 87 would require that the Governor's annual capital improvements proposal include the estimated annual maintenance and operation costs for the useful life of each project.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

100

4635

January 12, 1989

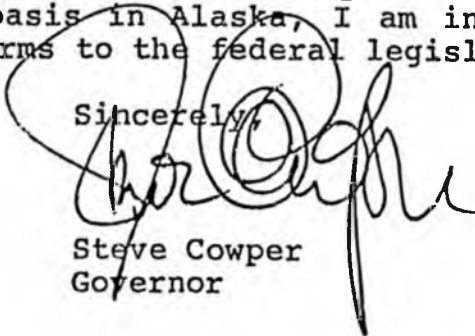
The Honorable Sam Cotten
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Cotten:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to establish Martin Luther King, Jr., Day as a legal holiday. Although, in 1982, AS 44.12.045 was enacted to establish Martin Luther King Day as a day of commemoration, I firmly believe that the immeasurable contributions of Dr. King to our society merit this additional recognition.

Acting on that conviction, I recently issued a proclamation under AS 44.12.010(13) designating January 16, 1989 a legal holiday. Selecting that day, the third Monday in January, conforms to federal legislation (5 U.S.C. 6103) that designates that day a national holiday each year. To honor Dr. King on a permanent basis in Alaska, I am introducing this bill which also conforms to the federal legislation.

Sincerely,


Steve Cowper
Governor

Cross reference. — For Arbor Day, see AS 41.15.900.

NOTES TO DECISIONS

Applied in *In re Dalton*, 8 Alaska 338 (1932).

Cited in *Jefferson v. Moore*, Sup. Ct. Op. No. 9 (File No. 44), 354 P.2d 373 (1960).

Collateral references. — 73 Am. Jur. 2d, *Sundays and Holidays*, § 1 et seq. 40 C.J.S., *Holidays*, § 1 et seq.

Sec. 44.12.020. **Holiday falling on Sunday.** If a holiday listed in AS 44.12.010, except AS 44.12.010(12), falls on a Sunday, Sunday and the following Monday are both legal holidays. (§ 1-1-6 ACLA 1949; am § 1 ch 183 SLA 1959; am § 2 ch 37 SLA 1969)

Sec. 44.12.025. **Holiday falling on Saturday.** If a holiday listed in AS 44.12.010 falls on a Saturday, the Saturday and the preceding Friday are both legal holidays for officers and employees of the state. (§ 1 ch 40 SLA 1966)

Sec. 44.12.030. **Wickersham Day.** August 24 is designated Wickersham Day in honor of James Wickersham, and is the occasion for school assemblies with appropriate programs, and other suitable observances and exercises by civic groups and the public in general. (§ 2 ch 63 SLA 1949)

Sec. 44.12.040. **Anthony J. Dimond Day.** November 30 is designated Anthony J. Dimond Day in honor of "Tony" Dimond, and shall be observed by appropriate school assemblies and programs, and other suitable observances and exercises by civic groups and the public at large. (§ 2 ch 133 SLA 1955)

Sec. 44.12.045. **Martin Luther King Day.** January 15 is designated Martin Luther King Day to honor Dr. Martin Luther King, Jr., for tireless efforts and devotion in the advancement of justice, equality and human dignity of all people. Martin Luther King Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 5 SLA 1982)

Sec. 44.12.050. **Ernest Gruening Day.** Ernest Gruening Day is established on February 6 of each year to honor Ernest Gruening, doctor, editor, and statesman, for a lifetime of service to the territory and state of Alaska and the nation. Ernest Gruening Day may be observed by suitable observances and exercises by civic groups and the public. (§ 1 ch 13 SLA 1984)

Alaska State Legislature

Representative Fran Ulmer



P.O. Box V
Juneau, Alaska 99811
(907) 465-4947

HOUSE OF REPRESENTATIVES

MEMORANDUM

TO: Representative Ron Larson
Chair of the House Finance Subcommittee on HB 83

FROM: Representative Fran Ulmer

SUBJ: HB 83 - A Bill Relating to Martin Luther King Holiday

DATE: March 15, 1989

You asked me to review the alternatives available to the committee on creating a Martin Luther King holiday in Alaska and make a recommendation to the committee.

After reviewing the discussion in other committees, testimony before the Finance Committee and conversations with interested individuals, I would like to recommend the attached draft committee substitute. It combines the Lincoln and Washington holidays into one President's Day, and shifts the other paid day of leave to Martin Luther King's birthday. This results in an observance for Dr. King without the addition of another paid day of leave. It is also consistent with the practice of the federal government and many school districts and city governments which recognize President's Day and Martin Luther King Day with paid holidays. Families would be better able to coordinate schedules.

I have spoken with Dave Williams, at the Alaska State Employees Association, and asked him to ask his steering committee for comments on this approach. Unfortunately, this bill and this issue may be tied up with the collective bargaining process. If this is correct, we'll need to get all parties to agree that this is an acceptable compromise and that a legislative solution is appropriate.

FU/bvh
cc: Governor Cowper



STATE OF ALASKA - OFFICE OF THE GOVERNOR

OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

P.O. Box AE (MS 0117), Juneau, Alaska 99811, (907) 465-3570

May 4, 1989

STEVE COWPER
GOVERNOR

Honorable Pat Pourchot
Chairman
Senate State Affairs Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Subject: House Bill 83 - Martin Luther King, Jr. Holiday; and the word "Unific".

Dear Senator Pourchot:

Thank you for your support of the HB 83. It was a pleasure to testify before you on this matter.

There are several hurdles in the way to getting the bill to the Senate floor before this half of the session closes. It is my understanding that HB 83 now goes to Senate Finance. Supporters of the bill think it is unlikely to emerge from that committee in time to get to the floor.

My question to you is can the referral to Finance be changed at this date and, if so, could you intervene in the process with Senator Kelly to do this?

In regard to the word "unific" that I used in my testimony on Tuesday afternoon, I did some quick research after getting back to the office and could not find the word in the Webster's Ninth New College Dictionary. This had me worried so I checked out my Webster's Third New International Dictionary (Unabridged) at home. The word exists.

"Unific / adj.: tending to produce unity."

It is a terrific adjective and certainly describes the highest quality of Martin Luther King, Jr.'s ministry to this nation.

Thank you again for your assistance and for your consideration of my request. If I can answer any questions, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. McKennett".

Michael G. McKennett
Director

THE STATE OF ALASKA IS AN EQUAL OPPORTUNITY EMPLOYER

TOLL FREE HOT-LINE: (800) 478-OEEO

PUBLIC OPINION MESSAGE

DEAR: SENATOR POURCHOT

NAME: DR. PATTERSON
TITLE: AK BLACK LEADERSHIP CONFERENCE
ADDRESS: 3727 WILLIAMS
CITY: ANCHORAGE ZIP: 99508
PHONE: 561-0134
BILL NO: HB 83
SUBJECT: MARTIN LUTHER KING, JR., HOLIDAY
MESSAGE: THANK YOU FOR YOUR SUPPORT OF THE MARTIN LUTHER KING HOLIDAY BILL,
HB 83.

RECEIVED MAY 10 1989

*respond
SA*

POMID: 03115337
DATE: 05/08/89
TIME: 11:53:37
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES
BOYER
COLLINS
DAVIDSON
DAVIS, C.
ELLIS
FURNACE
GRUENBERG
HUDSON
KOPONEN
MACLEAN
MENARD
NAVARRE
PHILLIPS
SHARP
SHACKHAMMER
WALLIS
GRUSSENDORF

BOUCHER
BROWN
COTTEN
DAVIS, M.
DONLEY
FOSTER
GOLL
HOFFMAN
JACKO
LARSON
MARTIN
MILLER
PETTYJOHN
RIEGER
SHULTZ
ULMER
ZAWACKI
FINDELSTEIN

BINKLEY
COGHILL
DUNCAN
ELIASON
FISCHER
FRANK
HALFORD
JONES
KELLY
KERTTULA
RODEY
STURGULEWSKI
UEHLING
ZHAROFF

ALASKA STATE LEGISLATURE

King.txt

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V
Juneau, AK 99811

907-465-3712

Senate State Affairs Committee

May 11, 1989

Robert Boyd
Dennis Weaver
601 North Flower
Anchorage, Alaska 99508

Dear Robert and Dennis:

Thank you for contacting me to express your support for HB 83, which would establish Martin Luther King, Jr.'s birthday as a legal holiday. I am happy to report that HB 83 received the full approval of both the House and the Senate, and is now awaiting the Governor's signature into law.

I supported the bill when it was heard by the Senate State Affairs Committee and voted for its passage on the Senate floor. Dr. King's efforts have opened the doors of hope, aspiration, and belief in self-worth for all groups which have been disadvantaged by our social and economic systems. It is appropriate that we acknowledge the birthday of this outstanding American.

Again, I appreciate you sharing your views.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat", written over a large, faint circular stamp or watermark.

Senator Pat Pourchot
Chairman

PP/ss