

HJR

44

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 5/6/98

FURTHER: 5/08/98

DATE TURNED IN TO OFFICE: 5/08/98

Finance Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 44(RLS) am

Proposing amendments to the Constitution of the State of Alaska relating to redistricting and reapportionment of the legislature; repealing obsolete language setting out the apportionment schedule used to elect members of the first state legislature.

and recommends:

- be replaced with ___ CS _____ (____)
- adopt previous 5 CS CS HB 44 (JUD)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	→	<i>[Signature]</i>		X	
<i>[Signature]</i>					
<i>[Signature]</i>					
<i>[Signature]</i>	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
Law/Gov Aff.	5/7/98		637

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
Gov/Elections	5/6/98		30

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

REPORTED OUT OF
5/08/98

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

BILL NO. SCSCS HJR 44 (JUD)

Revision Date (Note if correction) _____	Dept. Affected _____	Law _____
Title <u>Proposing amendments to the Constitution of the</u>	BRU _____	Civil Division _____
<u>State of Alaska relating to redistricting and reapportionment ...</u>	Component _____	Governmental Affairs _____
Sponsor <u>Representative Porter</u>	Component Serial No. <u>2207</u>	
Requester <u>Senate Finance Committee</u>		

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	20.1	9.4				
Travel	0.1	0.0				
Contractual	43.2	1.5				
Supplies	0.3	0.2				
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	63.7	11.1	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF	63.7	11.1				
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	63.7	11.1	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SCSCS HJR 44 (JUD), would amend the Alaska Constitution to change the method of redistricting legislative election districts, and create a Reapportionment Board appointed by the governor, the legislature, and the chief justice of the Alaska Supreme Court to do the redistricting.

Passage of the resolution itself would have no cost to the Department of Law. However, if the constitutional amendment were adopted by the people of the State of Alaska, the new law would require preclearance by the United States Department of Justice (DOJ) before implementation because it changes a voting law. The preclearance process would require the Department of Law to document and present the state's position to the DOJ. We anticipate that 3 months of in-house attorney time would be required for preclearance, 20 hours of paraprofessional time, and \$40,000 for expert opinions, assuming that the process remains an administrative one. Should the new law be challenged, and referred to a

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Division <u>Attorney General's Office</u>	Date <u>5/7/98</u>
Approved by Commissioner <u>Bruce M. Botelho, Attorney General</u>	Date <u>5/7/98</u>
Agency <u>Department of Law</u>	

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FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. SCSCS HJR 44 (JUD)

ANALYSIS CONTINUATION

three-judge panel in the District of Columbia Circuit, costs would increase dramatically. The department has not included those speculative costs in this fiscal note, and would request a supplemental appropriation should that eventuality occur.

In addition, Section 7 of the resolution requires the new Redistricting Board to employ or contract for the services of independent legal counsel. It is anticipated that contractual legal services, which vary in cost from \$175 to \$200 an hour, would be approximately \$150,000 in FY00 to assist the board in plan development, and \$250,000 in FY01 to defend against the inevitable litigation arising over the board's plan. Since it is unclear in which branch of government the funding for this purpose would be budgeted, the Department of Law has not added these costs to its fiscal note.

In-house costs for preclearance are based on the department's FY98/99 standard attorney cost schedule (\$92.72/hour per for attorney time and \$71.94/hour for paraprofessionals). The schedule includes clerical support, lease costs, communications, and other standard overhead costs. Expert fees and costs are added separately. If the resolution passes this session, preclearance would begin 30 days after certification of the 1998 election, the next general election. The department is assuming that most of the work can be completed in FY99, and has included two months of in-house costs, and all expert costs, during that year, with the remaining one month of in-house costs to be incurred in FY00.

COST SUMMARY

Attorney				
	FY99	\$92.72	240 hrs	\$22,253
	FY00	\$92.72	120 hrs	\$11,126
Paraprofessional				
	FY99	\$71.94	20 hrs	\$1,439
Expert Costs				
FY99				\$40,000
Total				
	FY99			\$63,692
	FY00			\$11,126

FISCAL NOTE

No. 23 REPORTED OUT OF
5/08/98
 Bill Version: SCS CSR 44(200)
 (S) Publish Date: 5/16/98

STATE OF ALASKA
 1998 LEGISLATIVE SESSION

Revision Date (4/24/98) _____ Dept. Affected _____ Office of the Governor
 Title Const. Amend: Relating to redistricting BRU Elective Operations
 of the legislature _____ Component General and Primary
 Sponsor Representatives Porter and Mulder
 Requester Senate Judiciary Committee Component Serial No #22

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual	3.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	3.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	3.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	3.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58, and the programming costs for counting votes cast on the measure. However, only four measures can be printed on a single ballot card. If this measure requires printing an additional ballot card, the costs will increase by \$56.0.

Prepared by Gail Fenuniar *Gail Fenuniar* Phone 465-3935
 Division Division of Elections Date 4/24/98
 Approved by Lt. Governor Fran Ulmer *Fran Ulmer* Date 4/24/98
 Agency Office of the Lieutenant Governor

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