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set of future economic conditions which in general have neither been predicted nor in any sense are knowable at present. Some truly Herculean assumptions would be necessary to even begin to estimate either the magnitude or the timing of the net income stream that the State is either giving up or obtaining in the trade.

A further problem exists in the case of public resources in attempting to estimate net income. It is one of attempting to assign dollar values to nonmonetary flows of services such as those derived from recreational use of the lands. For example, the Campbell tract if restricted to park and recreation uses might be expected, at the outside, to yield an annual income of perhaps \$100,000 net. If we capitalize this income stream, in perpetuity, at 5 percent then the tract is theoretically worth 2 million dollars, or about \$500 per acre. I suspect that many people would place a substantially higher valuation on the tract precisely because the land is restricted to park and recreation purposes. Or, for example, how does one place a dollar value on the preservation of fisheries habitat? In other words, there are real problems with setting dollar values on many of the benefits associated with public lands.

The problems that Cook Inlet Region, Inc. and the Federal government face are similar, although in the case of Cook Inlet, the subjective valuations (aside from uncertainty due to imperfect knowledge) are of a different nature given the private identity of the corporation.

To compare net income streams they must somehow be capitalized or discounted to obtain comparable present values. Thus, a second major consideration in this approach to valuation is the choice of discount or capitalization rates.

The present value of income received far in the future is highly sensitive to the particular discount rate selected. For example, \$100 received 50 years in the future has a present value of \$8.72 if the discount rate is 5 percent, while the value of \$100, 50 years in the future, is only \$2.13 if the discount rate is 8 percent. Alternatively, the capitalized value of a perpetual income stream of \$100 is \$2,000 at a 5 percent capitalization rate, but only \$1,250 at an 8 percent rate. The point is simple; the value of future income or the capitalized value of a future stream of income, is highly sensitive to the discount or capitalization rate used. When this is combined with the highly speculative nature of future net income streams, either public or private, any attempt to estimate value is subject to extreme error.

The discussion of the issue of "equal value" can be summarized as follows. A serious problem arises as soon as we attempt to determine value on the land and resources involved in the trade. The

magnitude of the tracts involved, and the uncertainties as to the kinds and qualities of the lands and resources involved, as well as the uncertainties related to future income anticipated, make standard valuation techniques inappropriate. In short, if the concept of equal value is to have real meaning in the analysis of the present trade it must be based on broader economic concepts than those set out above.

IV. What is the Economic "Loss" to the State?

There currently are many numbers being mentioned purporting to show various values that the State is losing in the trade. In a suit filed by Galliett and Lewis, asking for a permanent injunction against the trade, the net loss to Alaskan citizens is estimated to exceed 5 billion dollars in present value. Figures prepared by the Bureau of Mines, which you have, indicate that about 2.0 billion dollars of potential royalty income to the State will be foregone. Another figure points to roughly 90 million dollars of potential agriculture and forest land values that will be lost by the State. A detailed critique of these and other numbers goes beyond the scope of this memorandum, but certain points should be made.

The most important point is that generally the losses are grossly exaggerated. What the State stands to lose (and the same standard applies to what it might gain) is the present value of revenues that it would derive from the disposition of the lands and resources that it would not otherwise derive, minus the associated costs of managing and disposing of the lands and resources.

In each of the above cases, it is implicitly assumed that every acre and every resource, be it known, inferred, or hypothesized, is going to be sold, leased, extracted, or in some other way converted into revenue going to the State. Such an assumption is simply in error. Clearly only a small fraction of land that the State is giving up in the trade would have gone into private ownership or in some other way generated revenue for the State. Even with substantial population growth in the State, market demand will not exist in sufficient magnitude to absorb the vast quantities of acreages being discussed.

In a period of rising land prices past history must be interpreted with caution, but it is instructive to take note of the history of land disposition in the State. It is generally recognized that revenue was only one of several forces influencing land disposal. Much of the pressure was, in fact, counter to the revenue objective, inspired as it was by the desire to obtain "cheap" land. Presently proposed legislation to create "homestead" land is indicative of a continuing sentiment that revenue is not the only concern in the disposal of land.

A second consideration is that, for example, during the years 1972-74, land disposal revenues to the State ranged between 1.5 and 3.0 million dollars per year. This is hardly a significant source of revenue. Furthermore, disposal of lands, particularly when random settlement and development is the result, probably generates costs to the State far in excess of the revenues received.

For similar reasons, it is highly unlikely that the State would or could market every last acre of timber resource that has been identified in the trade, nor is it probable that the State could convert all of the lands with agricultural potential that have been identified into some form of revenue. In other words, the gross value of the surface estate is a far cry from future income streams that the State might derive from these lands.

It was pointed out earlier that the relevant economic value to the State is the present value of the revenues, not their nominal value some generations in the future. This clearly further reduces any hypothetical loss to the State.

Similar remarks apply to the subsurface resources. The assumption that all of the known, inferred, and hypothesized deposits or resources will be developed, even with the time frame suggested, is at best rank speculation. There is, firstly, a real question as to whether some (or perhaps any) of these resources will ever have commercial value. Secondly, it is entirely possible that, as a matter of State choice, the resources would not have been developed in any event.

It is meaningless to compare future gross royalties when no adjustment is made either for timing or for the uncertainty of the future revenues. It is a problem of adding apples and oranges. A common denominator is necessary and present value is the most frequently accepted means of making the comparison. For example, if the numbers prepared by the U.S. Bureau of Mines are discounted for both time and risk, the present value (1976) of all royalties estimated amounts to about 24 million dollars. This is a far cry from the several billion dollars that might be inferred from the tables. While the choice of risk factors and timing are arbitrary, a wide range of factors will result in present value amounting to millions, not billions of dollars.

A more concrete example of what present coal prospects look like is available. According to the Alaska Scouting Service, a huge coal complex is planned for the Beluga area. Informed sources place annual production at an average of 5 million tons per year, at a royalty of \$0.30 per ton. Thus the revenue amounts to 1.5 million dollars per year. Assuming that production begins four

years from now, and lasts for thirty years, the present value of the royalty (discounted at 8 percent) is about 12 million dollars. It might also be pointed out that the project is still in the planning stage and there is no guarantee that production will ever take place.

There is another point that needs to be made with respect to State "losses." This relates to the issue of income foregone by the State on resources traded off. Since economic rents are closely tied to this discussion, we should briefly define the concept. We can define economic rent as the revenue received from the sale of a resource minus the real economic cost of producing the resource (including a competitive rate of return on investment).

The importance of this concept is that economic rent is a "surplus" above and beyond that necessary to bring a resource into production, and that the economic rent is the only source of revenue from the resource that the State may acquire. In other words, only if economic rent is present will the State be able to impose any kind of royalty or tax on the resource. If the rent is not there, and the State attempts to impose a royalty, production will not take place.

Hence, the question of what the State gives up in the transfer of the resource is really a question of how much economic rent the State stands to lose. The answer varies according to the assumption one makes.

If we assume that the State uses its full power of taxation, then 100 percent of the economic rent can be returned to the State, and the State has given up nothing in the transfer of the resource to the private sector.

While the State is unlikely to do this, it is reasonable to expect that the State will be as successful at "capturing" rents from the private sector as it is in capturing them in its own negotiations. Under these assumptions, the State again has lost little or nothing.

In other words, while the State may give up ownership of the resource, it in no way gives up the ability to derive roughly the same revenue that it would have derived otherwise. Whether it chooses to do so or not is another matter.

V. The Issue of the State's Fiscal Viability

The second major economic question that should be addressed is "does the trade impair the future fiscal viability of the State?" The answer is almost certainly no.

Considerable insight into the question can be obtained in work done by ISEGR in the Man in the Arctic Program. In particular, they have developed an economic growth model for the State and have applied the model to an analysis of future economic conditions in the State. Various combinations of petroleum development rates and petroleum prices have been used, in conjunction with assumptions about State saving out of petroleum revenues, to estimate future economic and fiscal conditions.

For example, in 1990, under assumptions of limited petroleum development, with crude oil at \$5 per barrel, the State is projected to have a general fund balance of 5.7 billion dollars, and petroleum sector revenues of 1.7 billion dollars. Under assumptions of maximum petroleum development, with oil at \$7 per barrel, the general fund balance would be 9.6 billion dollars, and petroleum sector revenues for the year would be 4.0 billion dollars.

It is clear that over the near-term future of 20 to 30 years petroleum and petroleum related revenues are going to dominate State government revenues. Furthermore, barring total fiscal irresponsibility, the State should amass a general fund surplus running in the billions of dollars.

In short, revenues that the State might derive from the disposal of resources and lands given up in the trade would, at most, be inconsequential in the State's overall fiscal position.

Does the conclusion hold over the longer run? For a variety of reasons, the answer is probably yes. First, there are strong grounds for believing that significant additional amounts of oil and gas remain in Alaska to be discovered. Second, the growth of the economy over the next 20 to 30 years will result in substantial diversification of economic activity, with at least some decrease in the dependence of the economy on oil, per se. Finally, it should be pointed out that if the State applies its powers of taxation to the economic rents associated with resource development, it can, for all intents and purposes, recoup any revenues otherwise foregone in the trade.

To gain some perspective on the fiscal consequences of the trade, it is helpful to consider the following. Suppose that the total "loss" to the State is 6 billion dollars. This would amount to only about 48 million dollars per year over the roughly 125-year period during which the foregone revenues might have occurred. Forty-eight million dollars represents about 1.1 percent of a State budget that we can anticipate roughly 15 years from now. Alternatively, an investment of about 800 million dollars, yielding 6 percent, would provide 48 million dollars of income per year, in perpetuity. While the numbers may seem large in absolute terms, they are not particularly

significant in the context of the numbers with which the State will be dealing in the near future. In any event, the assumed foregone income is substantially overstated.

In short, relatively small investments by the State over the next 20 to 30 years could easily endow an income stream in perpetuity that would exceed anything that would likely be derived from the lands and resources being given in the trade.

For these, and other reasons stated above, the future fiscal impact of the trade is negligible.

VI. Economic Consequences of the Trade

The final question of significance is the impact of the trade on the general level of economic well-being in the State. In all probability, total economic activity will be largely unaffected by the trade. If we assume that Cook Inlet Region, Inc., is as development oriented as the State, then the net effect is negligible.

There are some factors that suggest that the trade will actually lead to an increase in activity. For example, the State's requirement of primary processing on timber sold from State land means that privately owned timber of comparable quality is more readily marketable. The fact that CIRI is a "for profit" corporation may also promote development that might not have occurred if the State had retained possession of the resources.

In any event, it is unlikely that the net difference will be of any significance in the overall situation. The ISEGR projections indicate that total personal income in the State in 1990 will be in excess of 10 billion dollars, even under the limited growth assumptions. It is hard to envision the net consequences of the trade having much effect on such a total.

TESTIMONY OF ROY HUHNDORF, PRESIDENT
COOK INLET REGION, INC.
BEFORE JOINT HOUSE-SENATE RESOURCES COMMITTEES

Chairman Poland, Chairman Anderson, and Members of the Committees:

I am the President of the Cook Inlet Region, Inc., a Corporation that consists of more than 6,000 Native Shareholders, most of whom are residents of the State of Alaska. I welcome the opportunity to appear before you to discuss the "Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area."

I come here as part of a long journey, a journey to secure for the people of Cook Inlet Region their land entitlement under the Alaska Native Claims Settlement Act.

The land that Cook Inlet obtains under the Alaska Native Claims Settlement Act is its birthright. We must protect that Birthright. If we failed to protect that birthright, through ^{unwise} selection of lands, the historical claims of our people might be forever lost or slowly reduced to nothing. The Region would be taxed out of existence shortly after 1991. There would not be a viable Corporation.

In 1972, after the Act was passed, the Secretary withdrew mountaintops and glaciers for the Region. The State had already patented most of the low-lying land in the Region. Virtually all of the remaining low-lying land was committed to the State by the Secretary in September, 1972, when Alaska vs. Morton was settled. This was without consultation with the Region even though our interests were substantially affected.

The State had taken the land that the Federal government should have withdrawn for Cook Inlet under the Act.

This was the situation faced by our Shareholders for over two years. In 1974, Senator Jackson and Congressman Meeds promised legislative relief for Cook Inlet Region. It appeared that a just solution could be worked out. On the eve of such a solution, as it became clear that there was Federal support for our cause, Cook Inlet Region was urged by the State to change its legislative strategy so that the interests of the State's citizens would be better harmonized with the interests of Cook Inlet's shareholders. The Borough urged the Region to change its legislative goals and remove the Campbell Airstrip, Point Woronzoff and other lands from consideration in the draft legislation then before Congress. In effect, the Region was urged by all sides not to look selfishly at its claims for a just settlement of its entitlement under the Alaska Native Claims Settlement Act. The Region was urged to work out with all the competing interests what would be a rational and thoughtful approach in which public needs could be melded with private needs.

This was one of the most difficult periods in the Corporation's history. We were being asked to abandon our past course of action and set out on an entirely new approach, one where we would be asked to put the claims of the Region in the context of the general public interest.

Let me recount some of the hurdles that this new approach placed in our way:

1. We were being asked to abandon claims to Point Campbell, Campbell Airstrip and Point Woronzoff in light of the Boroughs interests.

2. We were asked to abandon claims to the Swanson oil

fields so that the present income of the State of Alaska could be maintained.

3. We were asked by environmental groups to abandon claims that would affect the recreational interests, not only of Alaskans, but of the American public.

4. We were asked to abandon claims that would adversely affect wildlife habitats or that would impair the quality of water.

5. We were asked to abandon claims to lands, even though they were withdrawn for the Region, because they were located near potential capital sites.

The Region agreed to work for a thoughtful general approach that would demonstrate that the interests of the Native Corporations would be consistent with the interests of the State as a whole. It was critical to show that the Native Corporations were concerned with orderly growth.

This approach meant more than eight months of constant negotiations. Working out a thoughtful settlement has had its physical and mental toll on the volunteer members of our Board of Directors who gave unselfishly of their time.

We bargained in good faith. We followed the rules imposed by the State. I do not think we should be penalized for that. We thought we had reached a settlement last December. Now, Madam Chairman, we fear that the bargaining rules may be changing after a settlement has been reached.

To be sure, we are not altogether pleased with the outcome of the settlement. We have had to shift more than half our land outside the boundaries of our Region against our will, and only with the deepest tolerance and concern by our sister Regions. The total surface land to which the Region is entitled has been reduced. We have agreed to a greater state and federal role on some of our lands than would be the case under the Act.

Our Village corporations were required to abandon selections in Lake Clark. We surrendered claims to other very valuable and important lands withdrawn for our selection. These are points that are overlooked. It is also overlooked that the Native people lived on and occupied all the low-lying land in this area. The Act provides that the land for the Native Corporations should be similar to Village land. Our Region is the one Region where the State had patented almost all such land for itself.

Also overlooked are some of the benefits to the State in the agreement. In the absence of the agreement there are certain hazards for the State. Some of the problems faced by the State in the absence of a negotiated settlement are as follows:

- a) elimination of a steady stream of income to the State from producing federal fields.
- b) elimination of the chance to receive immediately the Campbell Air Strip for the Anchorage Borough.
- c) The possibility that the Ninth Circuit or the Congress will set aside the 1972 Agreement between the State and the Federal government on the ground that the agreement breached the federal trust responsibility to Cook Inlet Region.
- d) Long and painful litigation for every piece of land to which Cook Inlet is entitled.

In addition and conversely, the State adds substantially to its Statehood entitlement. It improves its bargaining position in the upcoming Section 17(d)(2) negotiations. The Agreement also provides the State with its only coastline on the west coast of Cook Inlet, South of Tuxedni Bay.

More generally, the agreement seeks to improve land holding patterns from the Talkeetna's to the mouth of the Kvichak.

Madam Chairman, I want to, at this time, also touch on a few issues that have become of particular concern.

The first is the relationship between this agreement and the Statehood Act. I have made it clear to the Chairman that we did not seek an amendment to the Statehood Act nor did we consider such an amendment necessary to carry out the terms of our Agreement. The House Judiciary Committee in the House Journal for April 21, 1972 explaining A.S. 38.95.060(b), suggested that subsurface transfers could be accomplished by three way transfers with the Secretary of the Interior. We relied on that suggestion and on our interpretation of Section 6(i) of the Statehood Act. We maintain that there was no need for an Amendment to the Statehood Act for our transfer. We fought to have the amendment removed from the Cook Inlet provision of the statute. Second, there is the question whether this transfer is a bad precedent. No Region in Alaska had the concentration of State patented lands that faced Cook Inlet Region. In the first ten years after statehood when these lands were selected by Alaska, the State was already on notice that the Natives had claims to such land. It is only because more than five million acres of low lying

land had been patented to the State in Cook Inlet Region that the federal government and the Congress looked to the State for participation in the solution. It is doubtful that this legislature will find another instance where this is the case.

Third, there is the question of procedures for such land trades. I assure you that we support legislative efforts to make clearer the procedures to be followed by a Native Corporation seeking to work with the State. We have suffered because of the lack of such procedures. I think Cook Inlet did the best that could be done under the circumstances. We think such procedures should provide guidance on the following issues:

- a) what steps should be taken to consult with local governments where land to be traded is in their vicinity.
- b) at what point should the intention of the State to engage in exchange negotiations be made public and what steps should be taken to notify the public.
- c) what role should the public play, if any, in exchange negotiations.
- d) at what point should tentative agreements be made public.
- e) what size transfer agreement should be referred to the Legislature.
- f) under what circumstances, if any, should there be subsurface transfers. And if there can be such transfers, what special procedures should be developed.
- g) how should value determinations be made, particularly for large tracts where there are no present obvious ways of calculating value.

Fourth, there is the question of the Beluga coal lands. These lands were a critical part of the bargain. The State precluded all known producing oil fields. The Cook Inlet Region concurred if the Beluga lands were included. We then agreed, after very hard bargaining, to the exclusion of over 75% of the coal-bearing lands because they had mental health status.

I believe that this was a fair bargain. I also believe that erroneous figures have been employed to inflate the loss to the State and the gain to the Cook Inlet Region. The coal in the Capps Glacier lease is not clearly economic in the short run. It is uncertain that it will be developed before the coal in the Chuitna lease (coal that remains in State ownership). If that is so, the modest figures in the State geology report may, themselves, be too high.

It should also be made clear that the State has already transferred to private parties the right to extract the coal. If the State lost its coal future, it is not because of this transaction, but because of the leases it entered into some years ago.

Finally, it has already been made clear from preliminary talks with some of the lessees that Cook Inlet will not be able to profit from the coal unless it contributes, through capital, to the acceleration of development. Our feeling is that we will be a good and helpful partner as lessor; better we think, for the economy than the State as a partner.

And finally, Madam Chairman, I wish to summarize by saying that This agreement is a difficult and complex one. It represents months of negotiations, of consultations with the Anchorage Borough, with the various interests that are involved in the future of Alaska. It has been praised by Congressman Don Young. The Alaska delegation unanimously supported it.

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It passed the Senate and House of Representatives unanimously.

I am glad that the Agreement is the subject of these discussions under your careful guidance. I am glad that questions as to the Governor's authority will be clarified by the Legislature's action. Many technical questions will arise as you go through your process of deliberation. We are ready to answer these questions.

Our very future is at stake. We have done everything that we think could reasonably be expected of us. We are now asking for your support and approval.

Special To The Times - By Harold H. Galliett, Jr.
First of a Series

THE GREAT COAL FRAUD

Of what are we defrauded?

A clique of top state officials conspires to give the Cook Inlet Native Corporation the following immensely-valuable state lands:

1. 13.5 townships (311,000 acres) of patented state coal land in the Beluga coalfield, including the critical deep-water port and industrial area essential to Alaska coal processing and shipment. I have estimated the recoverable coal in these townships from work by Barnes, McGee, Hackett and Grantz and from private data. Using a 50 percent recovery factor applied to coal in seams over 2 feet thick and less than 2,000 feet deep, I estimate that there are at least 5 billion tons - and possibly as much as 14 billion tons - of recoverable coal in these townships.
2. 5 townships (115,000 acres) of patented or tentatively-approved state coal land in the Homer coalfield. I have estimated the recoverable coal in these townships from work by Barnes and McGee and from private data. Using a 50 percent recovery factor applied to coal in seams over 2 feet thick and less than 2,000 feet deep, I estimate that there are at least 7 billion tons - and possibly as much as 12 billion tons - of recoverable coal in these townships.
3. 1.2 townships (28,000 acres) of the most valuable tracts of patented or tentatively-approved state land in various areas of the Matanuska-Susitna Borough. The specific tracts to be given away have not been made public, but, if the profligacy of the rest of this deal holds, we can expect these tracts to include Point Mackenzie port lands and proven coal lands of great value. I have estimated the recoverable coal in these most valuable tracts from work by McGee and from private data. Using a 50 percent recovery factor applied to coal in seams over 2 feet thick and

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less than 2,000 feet deep. I estimate that there are at least 1.5 billion tons - and possibly as much as 3 billion tons - of recoverable coal in these tracts.

4. Other, smaller tracts are also involved.

At a coal royalty of only 20 cents per ton, we will be losing 2.7 to 5.8 billion dollars in future coal royalties. At a price of only \$10,000 per acre for critical deep-water port and industrial land, we will be losing 100 to 150 million dollars in future state land income. At a price of only \$2,000 per acre for Matanuska-Susitna land, we will be losing over 50 million dollars in future state land income. In adding it all up, we stand to lose the appalling sum of 2.8 to 6.0 billion dollars in future state income because of this deal!

We are being gulled into giving away an enormous resource of readily-accessible, easily-mined coal of phenominally-low sulfur content. This coal is on the threshold of development to replace declining US production of oil and gas and to reduce our national dependence on foreign oil.

We are asked to hand over the critical deep-water port and industrial area essential to the future processing and shipment of not only Beluga coal, but also Susitna coal, Matanuska coal, Nenana coal and other resources from the Interior and North Slope! We are importuned to dispose of routes to Mental Health coal lands and rights-of-way for road and railway extensions, pipelines and water supply works.

Are we expected to hold still for this outrageous defalcation without a map, without a legal description, without a development plan, without a geological report, without a drilling program, without a valuation? Are we to be kept in the dark to the eleventh hour, so that this robbery can be railroaded through Congress?

Under the circumstances, we ordinary citizens may be forgiven for demanding a searching, unhurried, no-nonsense investigation by our legislature.

Next: What kind of "Gold Brick" do we get?

THE GREAT COAL FRAUD

What kind of "Gold Brick" do we get?

In return for immensely-valuable state coal lands, which were described in the first article of this series, the Cook Inlet Native Corporation proposes to give the state 31 townships (714,000 acres) of almost-inaccessible back country in the following areas:

1. Mountains and hills near the canyon of the Susitna River. This land surrounds a federal power site withdrawal for the Susitna power project, and is almost worthless except as a state-financed hunting preserve. Most of the poor-best of this area has been selected by Native Village Corporations.
2. Hills and mountains northwest of Lake Clark and Lake Iliamna and the rocky coastline, hills and mountains fronting on Kamishak Bay. This land is almost worthless, except as a state-financed hunting preserve.

The Department of Interior "magnanimously" proposes to allow the state to use part of our statehood acreage entitlement to select 30 townships (691,000 acres) of hard-to-reach hinterlands in the following areas:

1. Lake Clark - Lake Iliamna watershed. Local Native Village Corporations have selected almost all of the waterfront land on Lake Iliamna and about one-quarter of the waterfront land on Lake Clark. The Department of Interior proposes to retain about one-quarter of the waterfront land on Lake Clark in a new national park. Native allotment claims and private hunting lodges occupy another significant fraction of the waterfront land on Lake Clark.

The state owns the beds of all navigable lakes, rivers and streams in the Lake Clark - Lake Iliamna watershed. The famous red salmon from this area spawn in the lakes, rivers and larger streams. The state has jurisdiction over fish and game, and has adequate authority to protect fish and game on both public and private lands. The state will continue

to govern, tax and serve citizens in the area. The area and its citizens cannot be somehow severed from the state by proposed improvements in federal management of the hinterlands.

Therefore, "control", as touted by top state officials, of the Lake Clark - Lake Iliamna watershed, even by state acquisition of all 30 townships in this one area, is impractical. Ownership of the entire watershed would require a far greater commitment of statehood selection entitlement than the proposed 30 townships. Clearly, this schemer's dream of somehow wresting "control" of the entire watershed is impractical and unnecessary: Impractical because of federal, Native and other ownership of nearly all waterfront land; unnecessary because of existing state ownership, jurisdiction and authority.

This land is almost worthless except as a state-financed hunting preserve.

2. High mountains and glaciers around Chakachamna Lake. This land surrounds a federal power site withdrawal, and is so rugged as to be almost worthless, even for hunting.

Other, smaller tracts are also involved.

Thus, for 19.7 townships (454,000 acres) of state coal lands worth 2.8 to 6.0 billion dollars in future state income we are to receive 31 townships of almost-inaccessible back-country and hard-to-reach hinterlands which are nearly worthless except as a state-financed hunting preserve!

Next: Who gains? Who loses?

Special To The Times - By Harold H. Galliett, Jr.

Third of a Series

THE GREAT COAL GIVEAWAY

Who gains? Who loses? And how much?

In return for immensely-valuable state coal lands, the Cook Inlet Native Corporation proposes to give the state almost-inaccessible backcountry and hard-to-reach hinterlands. The state coal lands to be given away are estimated to be worth \$2.7 to \$5.8 billion in future coal royalties, based on present royalty rates. The surface estate to be given away is estimated to be worth \$200 to \$400 million in future state income, based on present land prices.

The estimates given above look far to the future. To determine the present value of future receipts, we need first to increase present royalty rates and present land prices by an escalation factor representing inflation plus real increase in the price of energy resources and land. We also need to decrease future receipts at a discount rate representing inflation plus the real cost of hiring money.

Foreseeable improvements in coal extraction, conversion and transportation; increase of world population and industrialization; inexorable depletion of US and world oil and gas - all these factors foretell a rapid increase in coal royalties. For example, from 1967 to 1973 state coal royalties in the Beluga coalfield increased from 5 cents to 30 cents per ton.

Future state coal royalty rates will probably be based on a percentage of pit-head price backed in from the market. And, world oil, which paces the price of coal, is on an escalator from which there is no exit. Price of surface estate at state land auctions has also increased rapidly.

Consequently, I estimate that the escalation factor will offset the discount factor, and that present value of future income may be calculated with sufficient accuracy using present royalty rates and present land prices.

There are about 75,000 Natives enrolled in the 12 Native regional corporations located in Alaska. About 6,500 of these Natives are enrolled in the Cook Inlet Native Corporation. The population of Alaska today is

about 385,000 persons. Under the Alaska Native Claims Settlement Act, 70 percent of all revenues received by each regional corporation from subsurface estate patented to it under the Act shall be divided among all 12 regional corporations according to the number of Natives enrolled in each region. Native corporation profit, after effective taxes and administrative costs, is estimated at 50 percent of coal royalties and 40 percent of income from surface estate. The present value of future coal royalties and the present value of future income from surface estate to be lost by the state to the Cook Inlet Native Corporation is estimated at \$2.7 to \$5.8 billion and \$200 to \$400 million, respectively.

Who gains?

From the premises above, I calculate as follows:

1. Each enrolled Native in the 11 Native corporations in Alaska other than the Cook Inlet Native Corporation, will receive an increase in the present value of his or her stock of from \$12,600 to \$27,100. Thus, for a family with only three enrolled Native members, this generous gift will total \$37,800 to \$81,300!

2. Each enrolled Native in the Cook Inlet Native Corporation will receive an increase in the present value of his or her stock of from \$87,200 to \$185,500. Thus, for a family with only three enrolled Native members, this munificent endowment will total \$261,600 to \$556,500!

Who loses?

Each citizen loses in increased state taxes or in benefits which must be denied by our state government.

I estimate coal extraction will require 100 years, and the state will lose an average of \$29 to \$62 million in 1975 dollars during each year of that century.

And who will pay for the impact of coal development?

Next: Conflict of interest?

Special To The Times - By Harold H. Galliett, Jr.

Fourth of a Series

THE GREAT COAL GIVEAWAY

Recent Events

On January 2, 1976, President Ford signed into law - over objections by the Treasury, the Office of Management and Budget and the Department of Agriculture - an Omnibus Bill amending the Alaska Native Claims Settlement Act. This Omnibus Bill also amends our Statehood Act by removing the basic protection that the state retain mineral rights in land exchanges. To cap this piece of politically-expedient, election-year legislation, the Secretary of Interior is given authority to waive the "equal value" provision in future exchanges of state land.

Earlier proposals by the Hammond administration have been changed, voted by Congress and signed into law with neither adequate notice nor opportunity for response by Alaskans. Nevertheless, the Omnibus Bill, as sent to the conference committee, does give the State of Alaska a chance to accept or reject the controversial Cook Inlet land swap.

Most of the Omnibus Bill amending the Alaska Native Claims Settlement Act helps our Native people without hurting the other 80 percent of Alaskans. However, the controversial land swap destroys the compact integrity of patented state lands in the heartland of our state, creates conflict in land management where none existed, discourages settlement except by leasehold tenants on terms dictated by Native corporations, and denies 80 percent of Alaskans the income and responsible state control of an empire of coal on the threshold of development.

The consent of the State of Alaska to the controversial Cook Inlet land swap must be given, if at all, within 60 days of the commencement of the 1976 session of the Alaska legislature. Surely, it is arrogant that so short a time is allowed our legislature to evaluate a giveaway of energy resources at least equal to Prudhoe. However, the strategy of the proponents of this dissipation of the common property is to keep us in the dark, and to ram this infamous giveaway through before common sense can prevail. For example,

it took two weeks to get a copy of the bill as voted by the House, and that copy was incomplete. It is unlikely that Alaskans will have the printed Omnibus Bill to study until well after our legislature convenes.

One or more bills will soon be filed with our legislature to give the consent of the State of Alaska to the controversial Cook Inlet land swap. Our legislature may then (1) consent to the vague and indefinite terms of the Omnibus Bill, (2) consent to a hard and specific bargain within the outlines of the Omnibus Bill, (3) refuse to consent or (4) do nothing. If the legislature does nothing, I expect Governor Hammond will proceed without legislative approval, unless restrained by the courts.

Next: How will the coal be mined?

Fifth of a Series

THE GREAT COAL GIVEAWAY

How will the coal be mined?

Recoverable coal which may be given away by the Hammond administration in the infamous Cook Inlet land swap, is estimated at 13 to 29 billion tons. At a royalty of only 20 cents per ton, this coal is estimated to be worth \$2.7 to \$5.8 billion in future state income, or about \$7,000 to \$15,000 for each man, woman and child in Alaska today!

In the deeper parts of the Cook Inlet basin, the coal-containing Kenai formation, which contains numerous thick and thin coal beds, is more than 20,000 feet thick. Oil well logs, coal drilling, outcrop measurements and geophysical surveys are available today for useful estimates of coal resources. Contour maps of coal thickness have been plotted. The estimated coal resources in the entire Cook Inlet Basin exceed 1.3 trillion tons, but most of this coal is either beneath Cook Inlet, covered by thick glacial deposits, below a depth of 2,000 feet, or distant from deep tidewater.

In the Beluga area, near deep tidewater, enough coal has been found in the shallow Capps and Chuitna beds alone, to keep two, 6 million ton-per-year surface mines going for over 50 years. Stanford Research Institute estimates that the Capps beds will be 30 percent cheaper to mine than the Chuitna beds. Unfortunately, the Hammond administration proposes to give the Capps beds to the Cook Inlet Native Corporation.

No matter how large our coal resources may be, these resources have little value until we can foresee a regular progression of future technologies by which the coal can be mined at a net benefit.

Today, our coal must be mined by surface methods. Colossal bucket-wheel excavators will remove soft overburden. Huge power shovels and draglines will excavate hard materials and coal. Conveyor belts will move the excavated materials. Belt stackers will spread the overburden on mined-out areas. Under our climatic conditions, it will be relatively-easy to establish forest or grassland on recontoured areas.

The quality of surface restoration and the effectiveness of coal conservation will depend on land ownership and future laws. If the state owns the land, we may expect mining to be controlled in the long-term public interest.

Coal recovery by surface mining methods may be as high as 90 percent. Each 6 million ton-per-year surface mine will create about 200 mining jobs with top pay and benefits.

In favorable locations, underground mining will begin soon after surface mining. Sophisticated continuous mining machines and longwall methods will be used. Coal recovery will range from 50 to 90 percent.

Underground gasification of coal will begin soon after conventional mining. Steam and oxygen will be used to drive the reaction. The raw product will be synthesis or fuel gas consisting of hydrogen and carbon monoxide with impurities.

In one method of underground coal gasification, high-speed tunnel boring machines will open the coal beds by boring a grid of tunnels in the coal. Some solid coal will be produced by tunnel boring, and this will pay most or all of the cost of opening the coal beds. Shafts, pipes, stoppings and controls will be installed to direct gas flow and to guide the firefront. The burn will be lit, steam and oxygen supplied, and coal gas recovered. Roof let-down will follow the firefront.

Coaly-shale and coal in thin beds - values usually lost in conventional mining - may be recovered by underground gasification. Coal recovery should range from 50 to 90 percent. Safe mining depths will be moderately greater than for conventional coal mining.

In another method of underground coal gasification, wells will be drilled into the coal. Adjacent wells will be linked by hydraulic fracturing. The burn will be lit, steam and oxygen injected and coal gas withdrawn from adjacent wells. Coal recovery may be less than 50 percent, but this and similar underground gasification methods are expected to recover coal from deep coal beds which can be mined in no other way.

Next: Oil from coal! Who needs OPEC?

Monroe Price

10,000
100

4,000
3,000

12,000,000

1. Historical Opportunity - wait be available again
2. Full Public Process

3. Alternatives

- Amendments from Admin
- Barrier Testimony

Cook Inlet gives up rights in legal standing by further delay - hence the March 12 deadline

Legis may not amend land trade

① Coal - in Beluga land
 25% / 75% Rental Health hand
 2,000 / 500 ft Measurements

② Oil in Beluga hands

③ Mechanism of selecting out of Region lands

90 select 30
 strike 10% select 10%
 81 strike 5% select 5%

HB

785

Crooks take to new weapon designed for self-defense



Jack Cover displays his controversial Taser electric dart gun which, he told a government panel, is a safe, effective alternative to firearms.

WASHINGTON (AP) — The inventor of an electric dart gun designed as an alternative to firearms and sold for self defense says the weapon has been used as much by criminals as by persons protecting themselves from attack.

John H. Cover, president of Taser Systems Inc., says he has received reports that his controversial "Taser Public Defender" has been used at least 20 times, "one-half in self defense and one-half by crooks."

The Taser, a hand-held device resembling a flashlight, fires two, inch-long barbs connected to a battery by a 15-foot copper and stainless steel wire. The electric charge that pulses through the wires is sufficient to immobilize a person, but not cause permanent damage, Cover says.

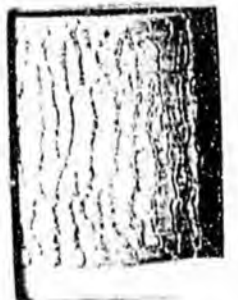
COVER MET recently for 75 minutes with staff members of the U.S. Consumer Product Safety Commission to review the medical and engineering tests performed on the device since he began developing it eight years ago.

The device has law enforcement and other government officials puzzled. The Bureau of Alcohol, Tobacco and Firearms has decided that it is not covered by the federal Gun Control Act of 1968.

In California, where it was developed, it is termed a gun and must be registered and bear a serial number. New York City has ruled that carrying a Taser is a crime, as has Canada.

"THE RISK of this potentially lethal weapon falling into the hands of criminals is too great to allow it to be sold, manufactured or imported into Canada," said Canadian Justice Minister Ron Basford, in announcing the decision to ban the Taser.

THE SHOCK FROM the weapons causes muscles to contract, incapacitating the victim for up to a minute





WILLIAM LAWSON, LEFT, WEARS PATCH OVER ELECTRIC GUN INJURY

On right, a dummy holds the gun, which has shot a dart into its left side

Zap! 50,000-volt Blonde Stages Shocking Robbery

MIAMI — (AP) — The young blonde in a pink sweater walked into the gas station and zapped the attendant, William Lawson, with 50,000 volts. Then she and a mate accomplice robbed the station and fled.

Police said Lawson was the first known victim of an electronic-age dart gun, which immobilizes its victims.

Lawson told police the young woman entered the station and asked to use the phone. As he showed her where it was, she turned toward him and, "calm and smiling," shot him.

"It was like sticking your finger in a wall socket," he said. "I fell on the floor and couldn't move. It was the worst pain I ever felt. My whole right side was jumping. I couldn't control my muscles."

Lawson said the woman was joined

by a man who leaned over and pulled the wires from the darts in his belly, then helped the woman clean out the cash register of an undetermined amount. One of the darts was left in his flesh.

The Taser, which Lawson said reminded him of a gray flashlight, launches two small darts attached to batteries by 18-foot wires. The darts can penetrate 1½ inches of clothing and the 50,000-volt charge is described as incapacitating and very painful.

The weapon's makers, Taser System Inc. of Los Angeles, describe it as a nonlethal crime prevention device for stopping attackers in their tracks. Literature that comes with it says that, in early testing, a blast from the gun using only 30,000 volts flattened a 250-pound bull.

The New York Times

WASHINGTON — The Justice Department has begun a criminal investigation of the circumstances surrounding the destruction of a threatening letter delivery by Lee Harvey Oswald to the Dallas office of the Federal Bureau of Investigation shortly before the assassination of president John F. Kennedy.

The investigation, which is being conducted by lawyers in the department's criminal division, is said by authoritative sources to be focusing on "conflicting statements" given by present and former FBI agents and officials about their roles in — or knowledge of — the decision to destroy the letter following Kennedy's murder on Nov. 22, 1963.

The letter in question reportedly contained a threat by Oswald, the accused assassin of the late president, to "blow up" a Dallas police station unless the FBI ceased its efforts to locate and interview him in Dallas and what he described as its harassment of his Russian-born wife, Marina.

According to several sources familiar with the results of a recently ordered administrative inquiry by the FBI into the incident, the Oswald letter made no mention of any intention on his part to commit a murder, or of any animosity toward Kennedy.

The FBI's efforts to seek Oswald in the days before the assassination

P-1

Stun Gun on the Market

Criminals Buying It, Police Fear

LOS ANGELES — (AP) — Promoted as a humane defensive weapon that will immobilize but normally not kill, the electric stun gun may be winning unwanted acceptance in the underworld as a sort of jailhouse insurance.

More than 1,000 Taser Public Defenders, which pack a 50,000-volt wallop, have been sold since the weapon was first marketed in March, and a company spokesman said new orders are straining production lines. Only 10 guns have been sold to police, the intended buyer.

Just who is buying the stun guns, the manufacturer, Advanced Chemical Technology of Los Angeles, can't say. It is a question some police worry over.



—A. Photo
THE TASER—PROMOTED AS A HUMANE DEFENSIVE WEAPON

It shoots tiny darts with a 50,000-volt wallop

Recently a holdup woman in Miami and a burglar in Redondo Beach fired Tasers at their victims. Miami police also reported nine Tasers stolen from a distributor.

Some Los Angeles police theorize that criminals may like the weapon because if they are forced to shoot and are caught later, the potential prison sentence will be far lighter than if they had used conventional firearms.

The laws of many states carry much different penalties for robbery and armed robbery, or simple assault and assault with a deadly weapon. Criminals who shoot their victims are commonly charged

with attempted murder or murder if the victim dies.

The Taser is a flashlight with two mechanisms for firing tiny darts which are attached to the light's nickel cadmium batteries by 18-foot-long wires. When the darts strike a person and the low current, high voltage charge hits, the victim's nervous system is effectively short-circuited and they normally drop, temporarily stunned. The flashlight is not integral to the weapon other than helping the user to aim at night. The darts and wires are enclosed in cassettes which cannot be re-used.

The gun's name is a loose acronym taken by inventor Jack Cover from the book title, "Tom Swift and His Electric Rifle."

Some authorities have questioned just how effective and safe the weapon really is.

In the Redondo Beach burglary, Michael Mattingly was hit by both darts from one Taser. He was knocked to his knees and stunned. But he was able to pluck out the darts and tackle the burglar, who after a scuffle escaped emptyhanded.

Dr. Peter Rocovich, a Los Angeles neurosurgeon, said the gun potentially is lethal. He said such a heavy shock could result in cardiac arrest for a victim with heart trouble.

"Electricity is very unpredictable and hard to control. What would be a strong shock to one person

could be fatal in someone else," Dr. Rocovich said.

Cover said: "There is no medical evidence that a heart patient would necessarily be killed. The shock does not affect heart pacemakers. We have never said this is a nonlethal weapon."

Only one sale has been made to a law enforcement agency — 10 stun guns have been delivered to the Lauderdale Lakes, Fla., police force.

Los Angeles police chief Ed Davis, dismissing all "gun substitutes" now on the market, said: "None of these devices can ever replace a police firearm . . . If the bad guy knows that his worst fate is tranquilization and the policeman knows his worst fate is being killed by the bad guy, the bad guys would become roaring lions."

"Is the Taser a good idea? Well, we already have had two felonies committed with them," says Lt. Dan Cooke, spokesman for the Los Angeles Police Department. "It is potentially a thoroughly deadly weapon in heart cases."

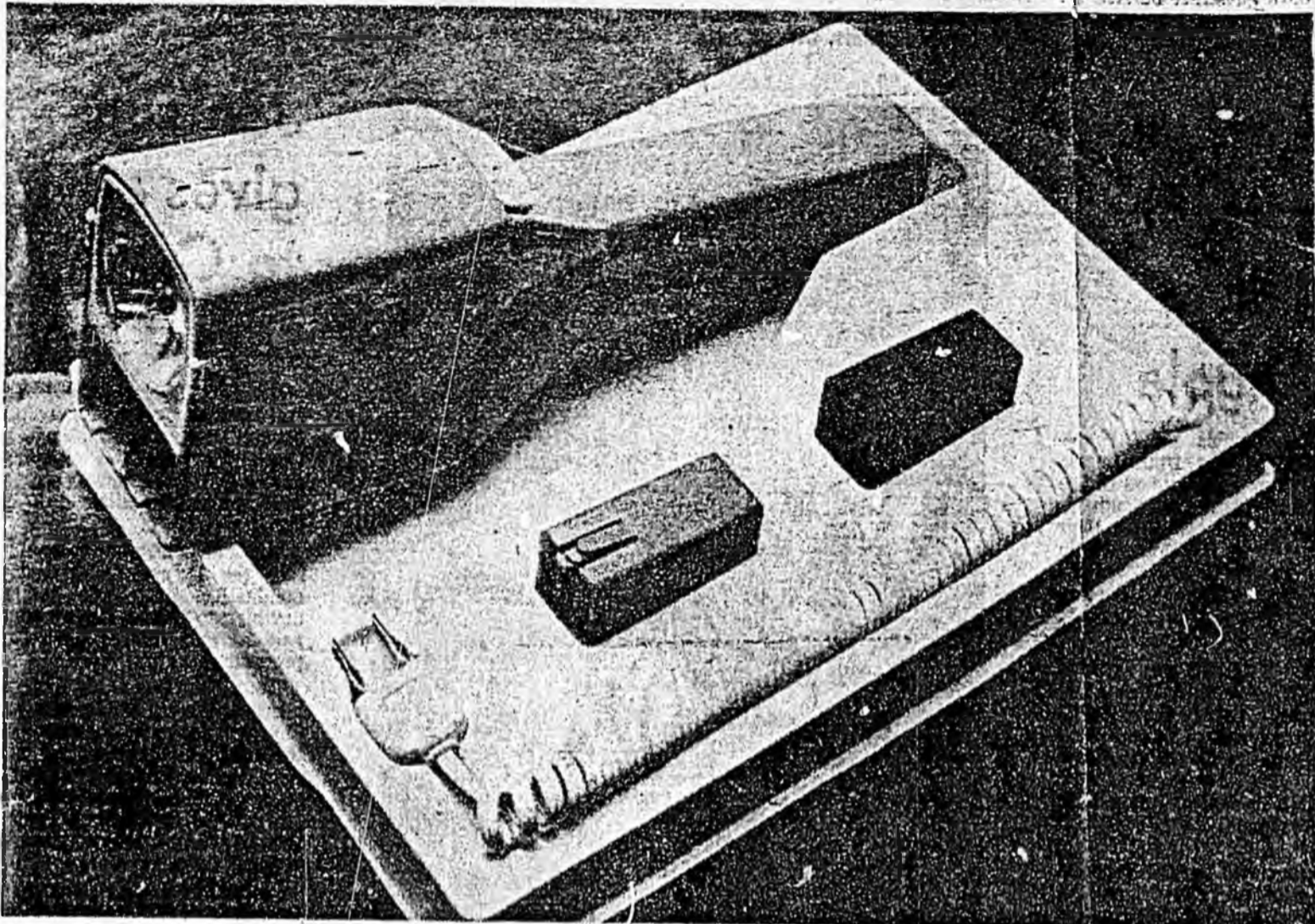
He said it would be up to the courts or lawmakers to decide if the Taser is a controllable deadly weapon or if it is something anyone could own and carry with him.

A sampling of some major Los Angeles gun dealers showed public interest in the Taser, but few distributors are stocking them.

One gun dealer who asked that he not be identified said: "I guess it is supposed to appeal to the antigun people who think they can get something that's not going to kill people. But we aren't all that sure."



Gun triggers 50,000-volt debar



A Taser, its two dart cartridges and the cord for recharging the battery.

By CHARLES AWEKA

Times Suburban Writer

AUBURN — The Taser Public Defender is for real.

Promoters bill it as an alternative to the gun, designed to immobilize, not kill. It zaps its victims with a 50,000-volt charge that can be maintained for up to five minutes.

But already some grave questions have been raised about the electric-dart gun.

Larry (Dusty) Johnston, an independent distributor for the Taser, says it'll knock down an elephant in five seconds.

"If it was going to be the answer to the gun, I wanted to be in on the ground floor," he said. "I'm looking for an honest way to make a living. I don't like violence. I don't even go hunting."

Since last fall, he said, he has peddled about 40 of the \$200 Tasers, which are manufactured by the Advanced Chemical Technology Co. of Los Angeles.

WHO ARE HIS customers?

Mostly housewives and nurses in the University District, "because they are afraid 'Ted' might come back," he said. But also private detectives, police officers, boat owners, campers and drug pushers "to guard against persons ripping them off."

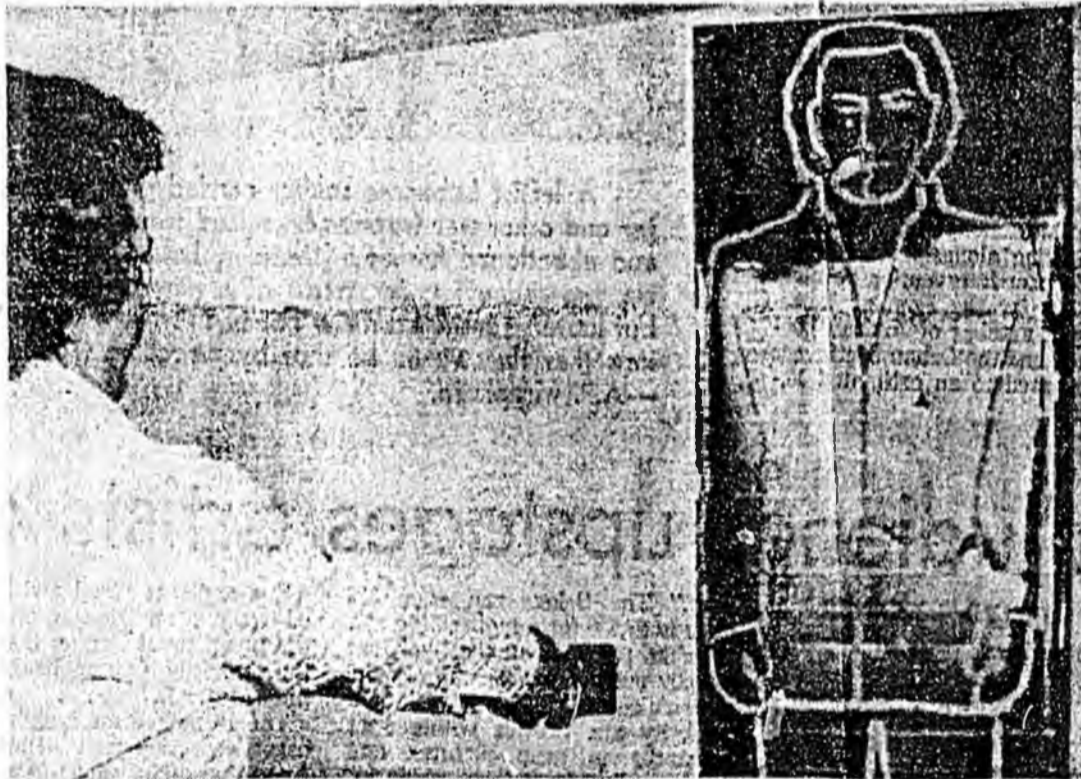
Johnston said he is concerned that the weapon could fall into the wrong hands.

Almost half the Tasers he has sold have been sent via a delivery service to persons he has never seen. Many of them live in Alaska.

He retains the name and address of each purchaser, along with a record of the purchaser's driver's license number, height, weight, color of hair and his guarantee that he is 18 or older.

A Taser has three serial numbers, one of them hidden "for the company's protection."

The first known victim of the electronic-age dart gun was a Miami, Fla., service-station attendant. A young blond woman plugged him



Larry Johnston fired a Taser dart at a target.

with excruciating pain he'd ever had," Johnston said.

Brochures stress that although the Taser is designed to be nonlethal, "there is no guarantee that serious injury will not occur or that harmful after effects will not result" from its use.

Critics warn that victims might suffer a heart attack.

THE TASER HAS two cartridges enclosing tiny darts which are attached to nickel-cadmium batteries by wires. When the darts with their barbed tips strike and the low-current, high-voltage charge hits, the victim's neuromuscular system is short-circuited and he hits the deck, temporarily stunned.

The batteries can be recharged, but once the darts have been fired they cannot be reused. Each cartridge holds two darts, which fire

The range is about 15 feet; the charge is capable of passing through 1½ inches of clothing.

The dart gun poses some prickly problems for police.

The Treasury Department's Bureau of Alcohol, Tobacco and Firearms determined that the Taser isn't covered by the Gun Control Act of 1968.

California, however, classified it as a dangerous weapon after a Redondo Beach man was shot by a burglar. The victim yanked out the darts after he had been knocked to his knees, then tackled his tormentor.

New York also has controls on the Taser. Officials said Johnston had agreed to demonstrate the Taser for them, but never showed up.

The Consumer Product Safety Commission is investigating a request that it ban the gun.

Jerry Olson, chief of the criminal justice section, said it would be up to courts or lawmakers in this state to decide if the Taser is a controlled deadly weapon or if it is something that anyone could own or use with him.

LAST YEAR, Johnston, a professional skin diver, found a use for the Taser when he battled a bluefin shark 40 feet under the water off Catalina Island.

Luckily he had his Taser along with him and used it to ward off the rambunctious shark. Connected to the waterproof Taser was a plastic-coated spear. Protected by a plastic coating, that is, except for the metal end.

"That shark had the biggest shock of his life," he said. "It didn't bother me any more. He took off. I did it on a couple of

HB

795

Terry Gardiner

Box 1092, Ketchikan, Alaska 99901 Pouch V, Juneau, Alaska 99811

March 23, 1976

Hugh Malone, Chairman
House Finance Committee

Re: Fiscal note for HB 795, Status of Women in Alaska

Dear Hugh,

Neil Thomas, the executive director of the Human Rights Commission in drafting the fiscal note for HB 795 has divided the note into two sections. The first section is a request for a budget of \$40,400 for carrying out public information activities and the second part of the fiscal note is a request for \$101,200 for a study of the status of women in Alaska.

It is the feeling of the Judiciary Committee that the study of the status of women in Alaska would be of little input of the Human Rights Commission had no mechanism to distribute the knowledge obtained as a result of the study, to the public. Consequently the \$40,000 appropriation for public information activities is an integral part of this fiscal note.

In the past the Human Rights Commission has been able to engage in a modest amount of public information activities by the utilization of the assistance of VISTA volunteers. The Human Rights Commission has informed the Judiciary Committee that they will no longer be able to use the assistance of a VISTA in this capacity.

In summation, the Judiciary Committee believes that the distribution of information obtained as a result of the study of the status of women in Alaska is a substantial and integral part of HB 795.

Very truly yours,

Terry Gardiner, Chairman
House Judiciary Committee

cc Lisa Rudd

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

REVISED AT
COMMITTEE &
SPONSOR REQUEST

I. REQUEST

Bill No. HB 795
 Title: Status of Women in Alaska
 Requested by: Representative Rudd Date: 03/16/76
 Return Date Requested: 03/16/76
 Agency: Office of the Governor Program: Human Rights Commission

II. FISCAL DETAIL

Budget Request Unit(s) Affected: 01.67.01.01.00

A. EXPENDITURES: (Thousands of dollars)

| OBJECT | FY 76 | FY 77 | FY 78 | FY 79 | FY 80 | FY 81 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | 18.0 | | | | |
| 200 TRAVEL | | 5.0 | | | | |
| 300 CONTRACTUAL | | 74.4 | | | | |
| 400 COMMODITIES | | 3.2 | | | | |
| 500 EQUIPMENT | | 0.7 | | | | |
| 600 LAND & STRUCTURES | | -0- | | | | |
| 700 GRANTS, CLAIMS, ETC. | | -0- | | | | |
| TOTAL | | 101.3 | | | | |

B. FUNDING: (Thousands of dollars)

| | | | | | | |
|---------------|--|--|--|--|--|--|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |

C. POSITIONS:

| | | | | | | |
|---------------------|-------|---|---|---|---|---|
| PERMANENT/TEMPORARY | /1.0 | / | / | / | / | / |
| MAN MONTHS (P./T.) | /12.0 | / | / | / | / | / |

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

The revised note changes prior assumption that a full-time person would be required to manage the studies. Assumption that most work of the studies would be done by contract with HRC remains unchanged.

The sponsor and the Judiciary Committee, based upon comments at hearings that HRC lacks resources to effectively carry out public information activities, recommends that the Finance Committee fund the other half of the position in this Fiscal Note in HRC's regular budget to provide a public information function, as follows:

(cont'd. next page)

IV. ATTACHMENTS

V. DATE: 3/16/76 PREPARED BY: [Signature]

EXEC DIR.

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Public Information Budget

| | | | | |
|-----|--|-------|------|------------|
| 100 | Personal Services | | | |
| | 1/2 Information Officer II, Range 17 | | | |
| | 975 hours x \$9.71 | 9,467 | | |
| | + 21% Benefits | 1,988 | | |
| | 1 1/2 merit | 142 | | |
| | | | 11.6 | |
| | 1/2 Clerk-Typist III, Range 8 | | | |
| | 975 Hours x \$5.30 | 5,168 | | |
| | 7.5% Benefits | 388 | | |
| | | | 5.5 | 17.1 |
| 200 | Travel | | | |
| | Instate travel to meet with media representatives; agency staff travel, particularly to rural areas to publicize Commission & receive complaints | | | 5.0 |
| 300 | Contractual | | | |
| | 320 Printing & Advertising - Radio spots & easy to read literature | | 15.0 | |
| | 380 Professional fees - creation of radio spots | | 2.0 | 17.0 |
| 400 | Commodities - Tapes, etc. for information activity | | | 1.0 |
| 500 | Equipment - Portable tape recorder | | | <u>0.3</u> |
| | | | | 40.4 |

Reductions in this fiscal note for the women's studies project to meet realistic cost considerations yield the following budget:

| | | | | |
|-----|--|--------|------|------|
| 100 | Personal Services | | | |
| | 1/2 Hum. Rts. F.R. II Range 18 | | | |
| | 975 Hours x \$10.46 | 10,199 | | |
| | 21% Benefits | 2,142 | | |
| | 1 1/2% Merit | 153 | | |
| | | | 12.5 | |
| | 1/2 Clerk-Typist III, Range 8 | | | |
| | 975 hours x \$5.30 | 5,168 | | |
| | 7.5% Benefits | 388 | | |
| | | | 5.5 | |
| | | | | 18.0 |
| 200 | Travel | | | |
| | Instate travel to meet with media representatives; agency staff travel, particularly to rural areas to publicize Commission & receive complaints | | | 5.0 |
| 300 | Contractual | | | |
| | 310 Communications (Telephone) | | 1.1 | |
| | 320 Printing & Advertising (Reduced in size & quantity) Summary reports + 4 individual reports 25 pages each 500 copies @ \$2./copy | | 2.5 | |
| 330 | Rents & Utilities | | 2.0 | |
| 360 | Equipmental Rental | | | |
| | Typewriter | | 0.3 | |
| | 2 desks with chairs | | 1.0 | 1.3 |

Analysis of Projected Expenditures

March 16, 1976

Page three

| | | | |
|-----|--|------|--------------|
| 380 | Professional Fees & Services | | |
| | <u>Employment study</u> - Contracts on recruitment sources, job benefits, promotion opportunities, "flex-time" & other work systems & child care 5 @ 7500 each | 37.5 | |
| | <u>Education study</u> - Contracts on equal treatment of women in textbooks & equal athletic opportunities 2 @ \$7500 | 15.0 | |
| | <u>Health study</u> - 1 contract on treatment availability of physical and emotional disorders unique to or prevalent in women as compared with treatment available for men 1 @ 7500 | 7.5 | |
| | <u>Minority women</u> - 1 contract on effects of urban impact on you: Native women arriving from villages 1 @ 7500 | 7.5 | 67.5 |
| | | | 74.4 |
| 400 | Commodities | | |
| | 470 Professional & Scientific Supplies | 3.2 | |
| | Books & Subscriptions relevant to areas of study | | |
| 500 | Equipment | | |
| | 530 Calculation for Statistical Studies | 0.7 | |
| | | | <u>101.3</u> |

To reduce total cost of studies; the Committee has;

- a) Reduced staff coordination time by half
- b) Projected shorter reports (25 pages instead of 100 pages) and fewer copies (500 instead of 100) and no special graphics (\$2 per copy instead of \$3)
- c) Reduced cost per study (or sub-study) from approximately \$20,000 to \$7500 each
- d) More narrowly defined the subjects to be studied, e.g. instead of a study on status of all minority women, to focus just on young Native women arriving in cities.

141.7

BY RUDD, H. BEIRNE, BRADNER,
KELLEY, SULLIVAN, BUCHHOLDT,
ITTA AND OSTROSKY

1 IN THE HOUSE

2 HOUSE BILL NO. 795

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the status of women in Alaska; and
7 providing for an effective date."

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

9 * Section 1. The State Commission on Human Rights shall contract for an
10 investigation of the status of women ~~in Alaska~~ in the fields of employment,
11 education, health, and minority women for the purpose of reporting to the
12 legislature and developing educational materials on the status of women in
13 Alaska to be distributed to concerned groups and citizens.

14 * Sec. 2. The State Commission on Human Rights shall contract for this
15 study with persons or groups who have experience and education in the areas
16 to be reported on, and preference shall be given to Alaska residents who are
17 knowledgeable of the status of women in Alaska.

18 * Sec. 3. The report on the status of women in Alaska shall contain
19 recommendations to remedy inequities to women in Alaska in the subjects of
20 the report, and shall be submitted to the legislature no later than July 1,
21 1977. The report shall also contain recommendations for action by the State
22 Commission on Human Rights in the subjects of the report. The educational
23 materials shall be made available to the public by the State Commission on
24 Human Rights no later than July 1, 1977.

25 * Sec. 4. This Act takes effect July 1, 1976.

26
27 *relative to that of men in ~~the~~ Alaskan*
28 *society, specifically with relation to legal*
29 *social, economic and cultural barriers to*
full equality.

We The undersigned urge you
to give full support to Bill #^{HB} 795
which concerns The Status of ♀ WOMEN:

Andie Burnham RR 3, Box 3091 Juneau 99801
Bonnie Harris 544 W. 12th St. Juneau 99801
Pamela Finley P.O. Box 193 Duke Bay 99821
Kerry Boness (Rt 4) P.O. Box 4772 JUNEAU, AK
Karen Manhouse 128 Behrens Juneau 99801
Regina Galleher 433 - 3rd Juneau, A.L.
Shyllis Carlson 419 2nd #2 Juneau
Barbara Bondi General Delivery Juneau
(Valley Court)
Susan Warner PO Box 1241, Juneau
Francis Still Box 188, Douglas. 99824
Susan Koester P. O. Box 232, AKC Bay 99821
Shir Stalk RR 3 box 3746 Juneau, Alaska 99801
Anne H. Box 571 Douglas Alaska 99824
Carol Andersen Box 571 Douglas, AK. 99824
Mary Ellen Frank RR 3 Box 3291 Juneau 99801
Ellen Siegel Same as above ✓
Janice Hollender Box 305, Juneau, AK 99802
Janet Underwood Box 1451, Juneau AK. 99801
Ann H. Box 575 Douglas 99824

We feel it is very important that the status of women in Alaska be studied & recommendations made to rectify our conditions, particularly in the area of women's health care, which is sadly, & often disastrously lacking in this state; There are no gynecologists or obstetricians in our capital city, not to mention the almost total lack of preventative ^{medicine} or any other kinds of health facilities in many of our bush communities. A comprehensive study of this problem is one step in the right direction.

Jane Sheldon
Cheryl Barnes

P.O. Box 368, Juneau
P.O. Box 473, Juneau

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION

WOMEN'S BUREAU
WASHINGTON, D.C. 20210



WOMEN WORKERS IN ALASKA, 1970

Of the 302,173 persons of all ages in Alaska in 1970, 79 percent were white (including those of Spanish origin); 5 percent, American Indian; 3 percent, Negro; 1 percent, Oriental; and 12 percent, all other races.^{1/} Among all women aged 16 and over in the population, 2 percent were black and 2 percent were of Spanish origin.

Labor Force Status

During the sixties, the proportion of women in the labor force of Alaska increased considerably. While the population of women 14 years of age and over rose by 50 percent between 1960 and 1970, the number of women workers increased by 66 percent.

In 1970 there were 38,003 women 16 years of age and over in the civilian labor force, accounting for 39 percent of all workers (table 1). Of these women workers, 1,158 (3 percent) were black and 778 (2 percent) were of Spanish origin (table 2). About 46 percent of all women were workers, as were 57 percent of the black women and 48 percent of Spanish-origin women. In addition, 825 girls 14 and 15 years of age were in the labor force.

Nearly 2,900 women workers were unemployed in 1970, creating a 7.6 percent unemployment rate. The rate for men was 10.2 percent.

Age

Women's participation in the labor force varied by age. Among all women, there was only one-fourth participation of those 16 and 17 years of age, since most of these young women were in school during the census month. But in the age groups between 18 and 64 years there was participation of 45 percent or more, with the highest rate (54 percent) shown by women 20 to 24 years. The rate for those 65 years and over was 19 percent. Among black and Spanish-origin women, the highest labor force participation rates (76 percent and 53 percent, respectively) were shown by women 45 to 64 years.

^{1/} U.S. Department of Commerce, Bureau of the Census: "Census of Population: 1970. General Population Characteristics, PC(1)-B3."

Note.—Unless otherwise indicated, data in this report are for April 1 and apply to persons 16 years of age and over.

Education

Women 25 years old and over had attained a median of 12.4 years of schooling. One-fourth of the women 16 to 64 years of age with less than 15 years of schooling had received some vocational training.

Marital Status

Seven out of 10 women workers in Alaska were married and living with their husbands. Of all married women, almost 27,000, or 44 percent, were in the labor force. Of the single, widowed, divorced, or separated women, more than 12,000, or 52 percent, were workers.

Working Mothers and Family Heads

Two-fifths of all mothers with own children under 18 years of age were in the labor force in 1970, and these mothers represented 46 percent of the female work force. Nearly 10,000 mothers with children 6 to 17 years of age only, or 51 percent of all such mothers in the population, were in the labor force. About 8,000 mothers with children under 6, or 32 percent of those in the population, were workers.

More than 4,000 families, or 6 percent of all families in Alaska, were headed by women. Of the 1,531 women family heads with related children under 6, 56 percent were in the labor force. About 800 women with children under 6 headed families where incomes were below the poverty level;^{2/} 36 percent of these women were workers.

Occupations

More employed women in Alaska (38 percent) were in clerical work than in any other occupation (table 2). The next largest proportion (20 percent) were professional and technical workers, while 18 percent were service workers outside the home. Sales workers (7 percent) and nonfarm managers and administrators (6 percent) made up the fourth and fifth largest groups of employed women.

A slightly different pattern is presented by the proportion women were of all persons working in the various occupation groups. They made up 98 percent of the private household workers, 81 percent of clerical workers, 54 percent of service workers outside the home, 53 percent of sales workers, and 40 percent of professional and technical workers (table 1). They were only 20 percent of all nonfarm managers and administrators, while their proportion was lowest (3 percent) among craft workers and foremen.

^{2/} The poverty level is based on the Social Security Administration's poverty thresholds, adjusted annually in accordance with the Department of Labor's Consumer Price Index. Classified as poor in 1969 were those nonfarm households where total money income was less than \$1,340 for an unrelated individual; \$2,383 for a couple; and \$3,743 for a family of four. (The poverty level for farm families is set at 85 percent of the corresponding level for nonfarm families.)

Black employed women in Alaska were concentrated (32 percent) in service work outside the home (table 2). A slightly smaller proportion (28 percent) were engaged in clerical work. Employed Spanish-origin women were primarily in clerical work (37 percent) and service work outside the home (25 percent).

Of the 2,586 unemployed women of all races who had worked during the last 10 years, 12 percent had worked in professional, technical, or managerial occupations, 28 percent had been employed as service workers outside the home, 26 percent as clerical workers, and 16 percent as operatives (including transport).

Family Income

The mean income for Alaska families headed by women 14 years of age and over was \$6,999 in 1969, as compared with \$13,856 for all families. The 115 black families headed by women had a mean income of \$6,253, as compared with \$9,917 for all black families. The income of the 75 families headed by Spanish-origin women was \$5,617; for all Spanish-origin families it was \$11,421.

About 6,200 families, or 9 percent of all families, had incomes in 1969 below the poverty level. About one-fourth (24 percent) of these poor families were headed by women. Of all families headed by women, 37 percent were poor. Most (93 percent) of the 1,504 women family heads with incomes below the poverty level had related children under 18 years of age; 52 percent had children under 6.

Table 1.--Employment Status and Occupations of Employed Persons
in Alaska, by Sex, 1970

(Persons 16 years of age and over)

| Employment status and occupation | Total | Women | Men | Women as percent of total |
|---|----------------|---------------|---------------|---------------------------------|
| <u>Employment Status</u> | | | | |
| Civilian population | <u>159,702</u> | <u>83,155</u> | <u>76,547</u> | 52.1 |
| In civilian labor force | <u>98,296</u> | <u>38,003</u> | <u>60,293</u> | 38.7 |
| Employed | <u>89,236</u> | <u>35,122</u> | <u>54,114</u> | 39.4 |
| Unemployed | 9,060 | 2,881 | 6,179 | 31.8 |
| Not in labor force | 61,406 | 45,152 | 16,254 | 73.5 |
| <u>Occupation</u> | | | | |
| Total | <u>89,236</u> | <u>35,122</u> | <u>54,114</u> | 39.4 |
| Professional, technical workers | 17,373 | 6,988 | 10,385 | 40.2 |
| Managers, administrators (except farm) | 10,291 | 2,053 | 8,238 | 19.9 |
| Sales workers | 4,926 | 2,595 | 2,331 | 52.7 |
| Clerical workers | 16,717 | 13,478 | 3,239 | 80.6 |
| Craft workers, foremen | 13,437 | 425 | 13,012 | 3.2 |
| Operatives (except transport) | 5,498 | 1,477 | 4,021 | 26.9 |
| Transport equipment operatives | 2,741 | 244 | 2,497 | 8.9 |
| Nonfarm laborers | 5,032 | 382 | 4,650 | 7.6 |
| Farmers, farm managers | 134 | 39 | 95 | 29.1 |
| Farm laborers, foremen | 201 | 57 | 144 | 28.4 |
| Service workers (except private household) | 11,862 | 6,385 | 5,477 | 53.8 |
| Private household workers | 1,024 | 999 | 25 | 97.6 |

Source: U.S. Department of Commerce, Bureau of the Census: "Census of Population: 1970. General Social and Economic Characteristics, PC(1)-C3."

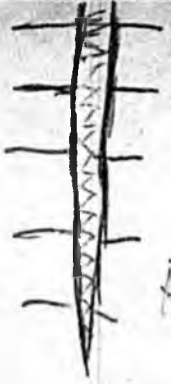
Table 2.--Labor Force and Occupational Status of Women in Alaska,
by Ethnic Group, 1970

(Women 16 years of age and over)

| Labor force status and occupation | All women | Black | Spanish origin |
|--|--------------|----------------|-------------------|
| <u>Civilian Labor Force</u> | | | |
| Number | 38,003 | 1,158 | 778 |
| Participation rate | 45.7 | 56.9 | 48.4 |
| Women as percent of all workers | 38.7 | <u>1/</u> 54.1 | <u>2/</u> 46.5 |
| <u>Occupation of Employed</u> | | | |
| Number | 35,122 | 1,057 | 722 |
| Percent | <u>100.0</u> | <u>100.0</u> | <u>100.0</u> |
| Professional, technical workers | 19.9 | 16.8 | 15.7 |
| Managers, administrators (except farm) | 5.8 | 2.7 | 4.7 |
| Sales workers | 7.4 | 4.8 | 8.2 |
| Clerical workers | 38.4 | 28.3 | 36.8 |
| Craft workers, foremen | 1.2 | -- | -- |
| Operatives (including transport) | 4.9 | 8.5 | 3.7 |
| Nonfarm laborers | 1.1 | (<u>3/</u>) | -- |
| Farm workers | .3 | (<u>3/</u>) | -- |
| Service workers (except private household) | 18.2 | 32.2 | 25.1 |
| Private household workers | 2.8 | 5.8 | 5.8 |
| <u>Last Occupation of Experienced Unemployed</u> | | | |
| Worked during last 10 years | 2,586 | (<u>4/</u>) | (<u>4/</u>) |
| Percent | <u>100.0</u> | | |
| Professional, technical, managerial workers | 12.2 | | |
| Sales workers | 7.2 | | |
| Clerical workers | 25.9 | | |
| Operatives (including transport) | 16.4 | | |
| Other blue-collar workers | 5.2 | | |
| Farm workers | .3 | | |
| Service workers (except private household) | 28.4 | | |
| Private household workers | 4.3 | | |

- 1/ Black women workers as percent of black work force.
2/ Spanish-origin women workers as percent of Spanish-origin work force.
3/ Less than 0.5 percent.
4/ Fewer than 100 persons.

Source: U.S. Department of Commerce, Bureau of the Census: "Census of Population: 1970. General Social and Economic Characteristics, PC(1)-C3."



AB 795 =
Lisa Rudel

1972 - Commission on Women repealed

41 other states have Commission

1. Alt to starting an ongoing Commission

2.

Education

Health

Employment

Minority Women

— Dept. of Labor study on Women employment

— How does Alaska rank

— 1. laws

2. employment

→ Human Rights Comm. Work ?

1. a lot of cases ? how

2. enforcement

20 Women Tory Thomas National Citizens Advisory Council

subtle discrimination // outside

Isabel MacLean

Women's Commission

- No staff

2 Meetings a year

Janet Bradley - Ass Director

40% sex complaints

New statistics ? or completion ?



Patricia Abney -

Kate Brown - Women's Action Alliance

Susan Carter - JUV Women's Health Collective

CATEGORY: ADMINISTRATION OF JUSTICE
PROGRAM: PROTECTION OF INDIVIDUAL RIGHTS

AGENCY: OFFICE OF THE GOVERNOR
BRU: HUMAN RIGHTS COMMISSION

The Human Rights Commission is responsible for receiving, investigating, conciliating, or bringing to public hearings complaints alleging discrimination in employment, housing, or public accommodations, for reason of race, color, national ancestry, physical handicap, age, or sex. In addition, the Commission must "study the problems of discrimination and publish results of investigations and research as in its judgment will tend to eliminate discrimination"

The objectives of this BRU is to:

- Reduce the present rate of growth of non-meritorious cases by 25%.
- Reduce the rate of growth of cases in which discrimination was present by 25%.
- Return on the average 60% of the losses resulting from discrimination in all cases where discrimination was present.

The FY 77 budget includes nine new positions and associated costs for a substantial expansion.

| Service Measures | FY 75 | | FY 76 | FY 77 | |
|------------------------------------|-------|-----------|-----------|-------------|-------------|
| | Plan | Actual | Plan | Maintenance | Total |
| Cases open at beginning of year | N/A | Not | 400 | 500 | 500 |
| New case filings | " | Available | 400 | 750 | 675 |
| Cases closed | " | " | 300 | 450 | 650 |
| Cases open at end of year | " | " | 500 | 600 | 525 |
| Dollar value returned to claimants | " | " | \$600,000 | \$800,000 | \$1,600,000 |

BUDGET OPERATING EXPENDITURE SUMMARY

BUDGET REQUEST UNIT 01 67-1-01-00-00

AGENCY OFFICE OF GOVERNOR

| CATEGORY ADMIN OF JUSTICE | PROGRAM PROY INDIV RIGHTS | SUB-PROGRAM HUMAN RIGHTS COMMS | | | ELEMENT | | SUB-ELEMENT | |
|--------------------------------------|--------------------------------|-----------------------------------|------------------------|-------------------|---------------------------|-----------------|----------------------------|---------------------|
| COMPONENT STRUCTURE | COMPONENT DESCRIPTION | FISCAL LEG. APPROP. | Y F A F FINAL AUTH. | 1 9 7 5 ACTUAL | FISCAL YEAR AUTHORIZED | 1976 REVISED | FISCAL YEAR GOV. BUDGET | 1977 LEG. ALLOW. |
| 67-1-01-00-00 | HUMAN RIGHTS COMMS | 198.5 | 302.4 | 294.2 | 405.3 | 137.1 | 765.8 | |
| TOTAL HUMAN RIGHTS COMMS | | 198.5 | 302.4 | 294.2 | 405.3 | 137.1 | 765.8 | |
| BUDGET PERCENTAGE CHANGE OVER 1976 | | | | | | | 88.9 | |
| OBJECT EXPENDITURE DESCRIPTION | | | | | | | | |
| | PERSONAL SERVICES | 124.8 | 177.9 | 171.5 | 253.1 | 115.3 | 491.3 | |
| | TRAVEL | 20.0 | 38.0 | 37.6 | 44.4 | 7.9 | 83.2 | |
| | CONTRACTUAL SERVICES | 49.4 | 73.6 | 73.1 | 99.8 | 11.5 | 172.1 | |
| | COMMODITIES | 3.2 | 8.5 | 7.8 | 6.0 | 1.4 | 9.1 | |
| | EQUIPMENT | 1.1 | 4.4 | 4.2 | 2.0 | 1.0 | 10.1 | |
| | LANDS, BUILDINGS, IMPROVEMENTS | | | | | | | |
| | GRANTS, CLAIMS, SHARED REVENUE | | | | | | | |
| | MISCELLANEOUS | | | | | | | |
| FUNDING SOURCE | | | | | | | | |
| | FEDERAL RECEIPTS | | | | | 46.2 | | |
| | REQUIRED GEN. FUND MATCHING | | | | | | | |
| | OTHER GENERAL FUND | 198.5 | 302.4 | 294.2 | 405.3 | 90.9 | 765.8 | |
| | INTER-AGENCY RECEIPTS | | | | | | | |
| GEN. FUND PERCENTGE CHANGE OVER 1976 | | | | | | | 88.9 | |
| POSITIONS | | | | | | | | |
| | PERMANENT FULL TIME | 8.0 | 8.0 | 8.0 | 14.0 | | 23.0 | |
| | PERMANENT PART TIME | | | | | | | |
| | TEMPORARY (FULL TIME EQUIV.) | | | | | | | |
| | NUMBER OF MAN MONTHS | 96.0 | 96.0 | 96.0 | 168.0 | | 276.0 | |

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

#

JUNEAU, ALASKA 99801

02 023 POM ANCHORAGE AK 15 03-10 850A AST

PMS REPRESENTATIVE TERRY GARDINER

JUN

2459

STRONGLY SUPPORT HB 795 URGENTLY NEEDED TO OBTAIN
INFORMATION AS BASE FOR REMEDIAL ACTIONS

PATRICIA MAYO 1718 TALKEETNA STREET

ANCHORAGE ALASKA 99504

1976 MAR 10 AM 11 09

Charlotte Fox
P.O. Box 553
Juneau, Alaska 99802

March 9, 1976

Dear members of the committee:

I would like to address this committee today as a concerned citizen, and also as an active member of the Juneau Chapter of the National Organization For Women. I believe that N.O.W.'s interest in the passage of this bill is clear, as it will greatly benefit the status of women in Alaska, but I would like to take just a few minutes to give you some ideas and facts.

There has long been a need for a study as proposed in the provisions of HB 795. This legislation is unique, and I believe, very fitting to be initiated during this year. Alaska, from its earliest days, has been the land of "pioneers". Residents of this state have made great strides towards developing Alaska as a state that looks out for its people.

In discussing the merits of this bill with you, I would like to take the points one by one.

First off, the area of employment. The last in-depth information we have obtained comes from the 1970 census. These figures indicate that women comprised 39% of all workers in Alaska. However, this did not take into account those women employed in jobs which employers did not contribute to social security and other benefits.

According to this census, "More than 4,000 families, or 6% of all families in Alaska, were headed by women. Of the 1,531 women family heads with related children under 6, 56% were in the labor force. About 800 women with children under 6 headed families where incomes were below the poverty level; 36% of these women were workers.

The mean income of families headed by women was \$6,999, compared with \$13,856 for all families. Of all families headed by women, 37% were poor. More (93%) of the 1,504 family heads with incomes below the poverty level had related children under 18 years of age; 52% had children under 6.

This study proposed, besides giving us more recent facts, will hopefully also give us a direction to follow which may eliminate some of the above inequities.

Also, in the area of employment, this study would also involve examining the hiring and promotional practices, training and re-training needs of women in this state. With the state ratification of the ERA, and our own state ERA, hopefully these statistics above have changed in the last 6 years. Since much of the employment opportunities in this state lie within organized labor, I hope that they begin to open their doors more widely to women, so that we may begin to become more self-supporting and helping ourselves to a better lifestyle.

This same census dealt briefly with the area of education. It reported that women had attained a median of 12.4 years of schooling. One fourth of the women 16 to 64 years of age with less than 15 years of schooling had received some vocational training. When you combine that figure with the fact that in 1970 39% of all workers in this state were women, the answer is that most of the jobs held by women were relatively unskilled, and generally low-paying. This situation must be rectified.

Education needs to be closely looked at. Not only the aspect of women receiving adequate education in order to better support themselves, but the whole current system of education as pertains to women. This involves investigating high schools, to see which direction women are counseled to take regarding their future education, and teachers themselves, which are a great influence over the sex-role stereotyping which now exists. In order to change these trends, we must start at the roots, which is as young as possible.

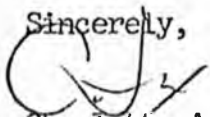
When we gather facts pertaining to health care for women, we should be looking at child care and child abuse, nursing home care, sexual assault, women offenders, ageism, venereal disease, planned parenthood. From looking at these areas, and studying them closely, hopefully facts will emerge that will enable us to raise the level of health care. This also would involve educating women as to how to care for themselves.

Minority women is one area that is really important. For instance, many of the minorities in this state are natives. Yet in the 1970 census, the only women of other ethnic groups included were black or spanish origin. We learned nothing from these figures as to the number of native women involved in the labor force, or their current status. This needs to be changed, but first, as I've said before, we must get facts to back us up.

We cannot make changes without first investigating the source of the problems, and how to make those changes. Hopefully, this study proposed under HB 795 will pass the legislature, and in the end, help improve the quality of life for all Alaskans.

I encourage the support of HB 795 by every member of your committee. The need for a study such as this one is clear. I thank you for your time.

Sincerely,



Charlotte A. Fox

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in Alaska, by Sex, 1970

(Persons 16 years of age and over)

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The New York Times Book Review

OCTOBER 12, 1975 SECTION 7

I found this very interesting - worth the attention of NOW -
See marked text
A back of this page

By MARY ELLEN GALE

Rape is a metaphor of our times. Men rape the land and ravage the oceans. They even penetrate the skies. And, as a sort of environmental afterthought, they rape women.

That is how many of us who lay uncertain claim to the tarnished titles of liberal or intellectual have thought about rape, if we think about it at all. The accomplishment of Susan Brownmiller's chilling and monumental study of rape—the act not the metaphor—is that she proves us wrong.

The rape of women comes first. Rape in its primary meaning permeates our lives. Wars between tribes and nations, clashes of ignorant armies, arise and fall away. But the guerrilla war of men against women, suppressed or transformed though it may be in civilization and polite society, never ends. As Brownmiller sees it, rape is the hidden foundation for too much of our social order, the cardinal act of defilement by which men assert possession and control over the other half of humanity.

Her vision is informed and compelling. "Against Our Will: Men, Women and Rape" is far more than a feminist polemic, despite the passion and power of its language. Carefully researched, written from a perspective broad enough to encompass psychoanalysis, sociology, criminology, law and historical fact, it blends investigative and personal journalism into a demand for justice.

Mary Ellen Gale is staff counsel with the American Civil Liberties Union of Southern California.



my teacher → Photograph by Jerry N. Uelsmann

Against Our Will

Men, Women and Rape.

By Susan Brownmiller.

472 pp. New York: Simon and Schuster. \$10.95.

"Against Our Will" deserves a place on the shelf next to those rare books about social problems which force us to make connections we have too long evaded, and change the way we feel about what we know.

The investigation of rape turned out to be an arduous journey. Brownmiller

discovered that scholars and historians have frequently left the facts to gather dust and accrete misinterpretation. Rape taken seriously, confronted beyond the comfortable confines of symbols and statistics, was unexplored territory.

The title itself is a provocation. "Do

Rape as the ultimate exercise of man's domination of women

women want to be raped? Do we crave humiliation, degradation and violation of our bodily integrity?" Brownmiller asks. "Must a feminist deal with this preposterous question?" The answer is yes, because a pride of experts — psychoanalysts, novelists, jurists, policemen and pornographers — has imbued our culture and our laws with the suspicion that maybe rape is not against women's will after all.

Brownmiller begins at the beginning. She chronicles rape in war, from Troy to Vietnam, where American soldiers combined cultural and sexual imperialism, and Bangladesh, where a quarter of a million women, ravaged by their enemies, were rejected by their husbands as unclean. She records rape by whites and Indians in the battle for America, by white American slaveowners against their human property, by black Congolese in the recapture of their native land. She exposes homosexual rape of the weak by the strong in prisons and child abuse by relatives and strangers.

She finds the origins of rape, marriage and family intertwined. The evidence lies in such fossilized customs as bride capture, by which men in primitive societies, and in England as late as the 15th century, acquired legal title to the woman of their choice by forcible abduction and rape. "Female fear of an open season of rape, and not a natural inclination toward monogamy, motherhood or love, was probably the single causative factor in the original subjugation of woman by man," she speculates, "the most important key to her historic dependence, her domestication by protective mating." But the price of protection was legal death. In most

Continued on next page

societies, including our own, the law long regarded women as property of the male, father or husband. "Man's historic desire to maintain sole, total and complete access to woman's vagina, as codified by his earliest laws of marriage, sprang from his need to be the sole physical instrument governing impregnation, progeny and inheritance rights." Under man's law, rape was theft, a violation of his estate. Ancient rules compensated, if anyone, not the woman but her male protector.

Even now, in the midst of feminist challenge, rape statutes still except a woman's spouse from the prohibition of forcible sexual intercourse. As Brownmiller observes, legal sanction of a husband's right of unconditional access to his wife's body "gives the lie to any concept of equality and human dignity. . . . A sexual assault is an invasion of bodily integrity and a violation of freedom and self-determination wherever it happens to take place, in or out of the marriage bed."

Yet a law that would turn intrasexual rape into a crime could skew the wretched bargaining over the shreds of a marriage. Battles within marriage could become the grounds for a felony accusation. How could the law distinguish the true rape from the false charge?

But Brownmiller demonstrates such concerns are sexist to the core. She traces the male depiction of women as temptresses with fickle tongues from the Biblical story of Potiphar's nameless wife, who calumniated Joseph because he rejected her, to the New York cop's statement to Brownmiller that unsolved rapes represented "prostitutes who didn't get their money."

Against this backdrop of male skepticism Brownmiller sets down the cold facts we know about rape—that reported rapes increased 62 per cent over the five years from 1968 to 1973, that serious students of rape agree that no more than one of every five rapes is ever brought to police attention, that rape is a crime of brutal violence, often committed by men in pairs or gangs, and, most disturbing of all, that sociological studies show the average rapist is more likely the boy next door than the sexually deprived fetishist of psychiatric imagining. Brownmiller reports, "The typical American perpetrator of forcible rape is little more than an aggressive, hostile youth who chooses to do violence to women."

Sometimes he does violence to another race. She reports an odd and anguished conversation with an elderly black male librarian, schooled in the values of the old left. Asked for historical material on the rape of black women, he urged her to "start with the historic injustice to black men." No, said Brownmiller, she was interested in the historic injustice to

women. "To black people, rape has meant the lynching of the black man," he insisted. So imagination supersedes experience. The pens of history, however reluctantly, wielded by the dominant male imaginers, recorded the metaphorical rape of black men. The rape of black women, being mere fact, was lost.

Brownmiller neither shrinks from nor panics over the recent studies that indicate black-on-black and black-on-white rape may be a greater problem today than either rape by white men (though there is still plenty of it) or false accusations of black men by white men and women. But her account of the Emmett Till murder case most clearly illuminates her belief that "the crossroads of racism and sexism had to be a violent meeting place."

Till, a Northern black youth summing in Mississippi 20 years ago, took his friends' dare to ask a young white woman for a date. She chased him with a pistol; he wolf-whistled at her; and that night her husband and another man fatally shot Till and dumped him in the Tallahatchie River. An all-male, all-white jury acquitted the killers.

American liberals were aghast at the jury and the murder. For years, Brownmiller recalls, she smilingly acknowledged sexual invitations and insults from "street-corner cowboys," black and white, in honor of Till's memory. But slowly she came to realize that "Till's action was more than a kid's brash prank," that among the things at stake was the age-old male claim to free access to all women, and that Till's insult, though no justification for murder, formed another link in a long chain of verbal and physical abuse. Yet another link followed. As Eldridge Cleaver has recorded, the Till murder (never mind that men did it) inspired his career as a rapist of white women. As he saw it, they were to blame.

Perhaps it is not surprising that female self-determination means nothing to male aggressors. But what are we to make of the fact that it meant no more to the original explorers of the human mind? Freud and his disciples scarcely bothered with the phenomenon of rape despite their fascination with the male organ that makes it all possible.

Power is partly a matter of definitions. It would be easy but wrong to blame the outrageous cultural distortions of male and female sexuality on an exclusively male band of sexual definers. Brownmiller reminds us that two brilliant women psychoanalysts, Helene Deutsch and Karen Horney, chose to compromise their own sex rather than break altogether with Freudian orthodoxy. "Deutsch's theory that masochism is an essential element of femininity, and a condition of erotic pleasure" is, as Brownmiller uncom-

promisingly declares, "inimical to women." Those too young to remember the days when Deutsch and her theories were household words, may react with incredulous laughter, rather than political rage or private misery, at her insistence on the inadequacy of the female sex organs to achieve sexual joy. Yet Deutsch became "the ultimate authority for sex-crime experts who wished to explain away the victims of rape." A victim herself of male conditioning, Deutsch legitimated the victimization of a generation of women.

Campaigning for vaginal parity, Horney, though she courageously argued that female masochism was a culturally-induced neurosis, similarly betrayed women by accepting the notion that women dream incessantly of (and therefore long for) rape.

Rape feeds on the myth that women should be passive and beautiful—a myth perpetuated by fairy tales like "Snow White" and "Sleeping Beauty," by the confession magazines many women read regularly, by legends of the female star as victim (Marilyn Monroe, Billie Holiday, even Janis Joplin and Sylvia Plath), by novels by such diverse hands as Harold Robbins, Ayn Rand and John Updike. The whole absurd theory of woman as provocative of her own destruction shimmers implicit in a single line Brownmiller gleans from Updike: "He fought against her as a raped woman might struggle, to intensify the deed."

"Against Our Will" proves that raped women struggle not out of sexual perversity but out of a straightforward, commonsense terror for their lives. "This wasn't an act of sex I was going through—I felt I was being murdered," a typical rape victim recalled. And some women do not struggle at all—either because they are paralyzed by fear or by a realistic assessment of their chances of prevailing, or because they believe that in return for submission, the rapist will spare their lives.

The bargain is a hollow one. In Chicago a lone assailant raped and murdered eight student nurses who eschewed resistance in hopes of survival. And a different kind of assault awaits raped women who seek help from the law. They find that their ordeal by terror, in the eyes of police, prosecutor and jury (if they ever get that far) is not enough: the legal system is reluctant to prosecute or convict without objective evidence of struggle. Screams (when overheard), scratches on the rapist, or bruises on the victim may stand in as corroborative witness for the prosecution. But to the law, a victim injured only in her sense of integrity and control, is merely in danger of venereal disease and unwanted pregnancy, a lasting horror of such simple activities as walking in the park or going to bed at night, and has scarcely been dam-

aged at all. The law views her skeptically, as Potiphar's wife.

Consent and resistance are not serious legal issues in any crime of violence but rape. No one expects a victim of aggravated assault to fight back. If a robbery victim tamely hands over her wallet, preferring the certain loss of money to a possible kick in the face or knife in the stomach, the law does not sanction the crime because of her behavior. Brownmiller concedes that proof of rape is often intangible, a contest of oaths. But if the stolen property is never recovered, the law must take the victim's word for the robbery and the manner in which she relinquished her possession. In crimes other than rape, juries for centuries have been allowed to weigh word against word and to believe whom they choose. Yet in cases of rape it was only this year that the California Supreme Court finally struck down the ancient instruction to the jury to "examine the testimony of the female person . . . with caution."

The reverse side of the myth of female passivity is the myth of the heroic rapist. "As man conquers the world," Brownmiller notes, "so too he conquers the female. Down through the ages, imperial conquest, exploits of valor and expressions of love have gone hand in hand with violence to women in thought and deed." Genghis Khan, Jack the Ripper, Pancho Villa, the Hell's Angels—rapists of women but heroes to men. Brownmiller tellingly recalls that the real Bluebeard was a 15th-century sex-murderer whose victims became young and beautiful wives.

"It is almost as if the truth of Bluebeard's atrocities was too frightening to men to survive in the popular imagination," Brownmiller suggests. "Within the heterosexual world that most of us inhabit by choice, sexual violence is exalted by men to the level of ideology only when the victims are female and the victimizers are male." The conquest is theirs; the terror is ours.

In two of its concrete forms, hardcore pornography and prostitution, Brownmiller believes that the myth should be legally suppressed. "Pornography," she argues, "is the undiluted essence of antifemale propaganda." It views women as "anonymous, panting playthings, adult toys, dehumanized objects to be used, abused, broken and discarded." What would civil libertarians do, she wonders, "if, come tomorrow morning, the bookstores and movie theatres lining 42d Street in New York City were devoted not to the humiliation of women by rape and torture, as they currently are, but to a systematized, commercially successful propaganda machine depicting the sadistic pleasures of gassing Jews or lynching blacks?" Few liberals expect blacks to acquiesce in

Some blacks-like y/pmaisa
Little black Sambo -

best explanation

their portrayal as King Kong or Little Black Sambo to prove their devotion to the First Amendment. Why should women submit to similar denigration and ridicule, when their physical and psychological integrity is at stake?

Similarly, Brownmiller argues that rape is culturally encouraged by the business of prostitution. Boys, growing up, learn that "being a male means access to certain mysterious rites and privileges, including the right to buy a woman's body." Implicit in consumer sex is the notion that if the goods are withheld, or priced too high, they may be taken by force. Business, after all, is theft by other means.

"Against Our Will" is in part a moving and persuasive record of Brownmiller's personal odyssey. (Even our mythic referents are male. Where is the appropriate word for a woman's quest for self-knowledge?) She traveled from the land of traditional liberalism, with its general sympathy for the criminally accused and its specific distrust of rare charges as the scourge of black men in a racist society, to a feminist country of understanding that rape and the fear of rape are the terrorist tools of male oppression.

The depth of her research is matched by the complexity of her insight. Despite her vigorous feminist prose and her refusal to engage in either jargon or poetry, she is almost constantly sensitive to the implications of her opinions.

Of course, much of what she thinks and says is highly controversial. Some of it may even be wrong. For instance, she concedes that untrammelled political speech is a democratic necessity, yet fails to make the linguistic connection between politics and sex. Even the Supreme Court of the United States grudgingly conceded that "screw (well, that wasn't the exact word) the draft" was a protected political comment rather than a punishable obscenity. And banning prostitution is an illusory remedy which doubly victimizes the prostitute by marking her as a criminal and an outcast. Prostitution is by and large a crime of the poor. The rich buy stock and the poor play numbers. But only the poor have to pay off the cops as well.

Nor do I share Brownmiller's belief that training women for physical combat is a social good. To me it seems merely a regrettable necessity. The use of one's body as a weapon is in itself a concession to the ideology of rape, an acknowledgement that in most human confrontation there still is a winner and a loser. Not until we go beyond the politics of rape, primal and metaphorical, will men and women meet each other on a common ground, equals at last. ■

LISA RUDD

Lisa

Leahy -
The Great Mts
on HB 795 (Statue
of Woman)



THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 795

Act Relating to: Status of Women in Alaska

Requested by: Representative Rudd Date: 02/20/76

Return Date Requested: 02/27/76

Agency: Office of the Governor Program: Human Rights Commission

II. FISCAL DETAIL

Budget Request Unit(s) Affected: 01.67. 01.01.00

A. EXPENDITURES: (Thousands of dollars)

| OBJECT | FY 76 | FY 77 | FY 78 | FY 79 | FY 80 | FY 81 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | 34.7 | | | | |
| 200 TRAVEL | | 5.0 | | | | |
| 300 CONTRACTUAL | | 156.4 | | | | |
| 400 COMMODITIES | | 3.2 | | | | |
| 500 EQUIPMENT | | 0.7 | | | | |
| 600 LAND & STRUCTURES | | -0- | | | | |
| 700 GRANTS, CLAIMS, ETC. | | -0- | | | | |
| TOTAL | | 200.0 | | | | |

B. FUNDING: (Thousands of dollars)

| | | | | | | |
|---------------|--|-------|--|--|--|--|
| GENERAL FUND | | 200.0 | | | | |
| FEDERAL FUNDS | | -0- | | | | |
| OTHER | | -0- | | | | |

C. POSITIONS:

| | | | | | | |
|----------------------|---|---------|---|---|---|---|
| PERMANENT/TEMPORARY | / | 1 0.5 | / | / | / | / |
| LABOR MONTHS (L./T.) | / | 12.06.0 | / | / | / | / |

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

Assumes major part of the studies will be performed by individuals and organizations under contract with HRC under general coordination of staff person at journey-level investigator rate (HRFR II). Staff coordinator would identify Alaskan resources, negotiate separate contracts to avoid duplication of effort, coordinate development of educational materials and preparation of recommendations, and serve as chief resource person to the Legislature and Commissioners on overall findings of the study. Other "in-house" costs support this staff function, with balance of appropriation (70%) devoted to contracts. (Continued on attached sheet.)

IV. ATTACHMENTS

V. DATE: 02/20/76

PREPARED BY: Niel Thomas

Niel Thomas, Executive Director

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Analysis of Projected Expenditures
 February 20, 1976
 Page Two

| | | | | | |
|-----|--|--------|--|--------------|--------------|
| 100 | Personal Services | | | | |
| | 1 HRFR II, Range 18, 12 mos as staff coordinator | | | | |
| | 1862 X 12 | 22,344 | | | |
| | + 21% Benefits | 4,692 | | | |
| | 4.5% COLA | 1.011 | | | |
| | | | | 28.0 | |
| | 1/2 Clerk-Typist III, Range 8 | | | | |
| | 1040 hrs X 5.77 | 6,001 | | | |
| | + 7.5% benefits | 720 | | | |
| | | | | <u>6.7</u> | 34.7 |
| 200 | Travel | | | | |
| | Instate travel to perform functions listed in Assumptions, above (liaison with contractors & on-site consultation) | | | | |
| | Travel | 2.2 | | | |
| | Per diem | 2.0 | | | |
| | | | | 4.2 | |
| | One outside trip to consult with state officials conducting similar studies | | | | |
| | Travel | 0.5 | | | |
| | Per diem | 0.3 | | | |
| | | | | <u>0.8</u> | 5.0 |
| 300 | Contractual | | | | |
| 310 | Communications (Telephone) | | | 1.1 | |
| 320 | Printing & Advertising | | | | |
| | 4 Reports & Summary Reports | | | | |
| | Approx 100 pp ea, | | | | |
| | 1,000 copies/5 reports | | | | |
| | at \$3/copy | | | 15.0 | |
| 330 | Rents & Utilities | | | 2.0 | |
| 360 | Equipment Rental | | | | |
| | Typewriter | 0.3 | | | |
| | 2 desks with chairs | 1.0 | | | |
| | | | | 1.3 | |
| 380 | Professional Fees & Services | | | | |
| | <u>Employment Study</u> - Contract | | | | |
| | w/as many as 4 individuals or organizations | | | | |
| | each at 20.8 | 83.2 | | | |
| | <u>Education Study</u> - Contract | | | | |
| | with one organization | 18.3 | | | |
| | <u>Health Study</u> - Contract with | | | | |
| | one organization | 14.5 | | | |
| | <u>Minority Women</u> - Contract | | | | |
| | with 3 individuals: | | | | |
| | Native, Black, SSA | | | | |
| | each at 7.0 | 21.0 | | | |
| | | | | <u>137.0</u> | 156.4 |
| 400 | Commodities | | | | |
| 470 | Professional & Scientific Supplies | | | | |
| | Books & Subscriptions | | | | |
| | relevant to areas of study | | | 1.2 | |
| 480 | Stationery & Office Supplies | | | 1.5 | |
| 490 | Other | | | 0.5 | |
| | Graphic design materials | | | <u>0.5</u> | 3.2 |
| 500 | Equipment | | | | |
| 530 | Calculation for Statistical Studies | | | <u>0.7</u> | 0.7 |
| | | | | | <u>200.0</u> |

HB

801

Original sponsors: Smith, Bradley,
Buchholdt, et al

Offered: 3/29/76
Referred: Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 801

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Capital Planning Commission;
7 and providing for an effective date."

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

9 * Section 1. AS 44.06 is amended by adding new sections to read:

10 ARTICLE 3. CAPITAL PLANNING COMMISSION.

11 Sec. 44.06.200. CAPITAL PLANNING COMMISSION. There is created in
12 the Office of the Governor the Capital Planning Commission. The com-
13 mission is responsible to the executive branch of the state government
14 for administrative and fiscal purposes but has an existence independent
15 from the executive branch.

16 Sec. 44.06.210. MEMBERSHIP. (a) Within 15 days following the
17 date of the election in which the site is selected, the governor shall
18 appoint a commission consisting of nine members, subject to confirmation
19 by a majority of the members of the legislature in joint session. Mem-
20 bers shall be appointed with due regard to geographic representation and
21 on a nonpartisan basis, and shall be selected as follows:

22 (1) one member must be a registered architect, who may be
23 selected from a list of names submitted by professional architect
24 societies or associations;

25 (2) one member must be a registered engineer, who may be
26 selected from a list of names submitted by professional engineer socie-
27 ties or associations;

28 (3) one member with a financial or economic background, who
29 may be selected from a list of names submitted by banking and financial

1 ~~associations or societies;~~

2 (4) one member with land use planning background, who may be
3 ~~selected from a list of names submitted by professional planner socie-~~
4 ~~ties or associations;~~ and

5 (5) five members appointed from the general public.

6 (b) The commissioners of natural resources, public works, revenue,
7 community and regional affairs or their designees, and the mayor of the
8 Matanuska-Susitna Borough or his designee, shall serve as nonvoting ex
9 officio members of the commission.

10 (c) The members are entitled to receive \$100 ~~per day~~ ^{per diem} for their
11 service on the commission ~~[and per diem]~~ and travel expenses as authorized
12 by law.

13 Sec. 44.06.220. MEETING OF THE COMMISSION. The members shall
14 elect a chairman and vice-chairman from among their membership. The
15 governor shall call the first meeting of the commission within 30 days
16 after appointment of the members. A majority of the members constitutes
17 a quorum for conducting business and exercising the powers of the com-
18 mission. The commission shall meet at the call of the chairman or at
19 the request of a majority of the members.

20 Sec. 44.06.230. PURPOSE; DETAILED DEVELOPMENT PLAN; DUTIES OF
21 COMMISSION. (a) The purpose of the commission is to prepare a detailed
22 plan for development of the capital site within the guidelines set out
23 by the legislature. This detailed development plan shall be completed
24 no later than January 1, 1979 and shall be made subject to public input
25 during its formulation. Following completion of the plan, the commis-
26 sion shall make public presentations of it throughout the state.

27 (b) The detailed development plan shall include, but need not be
28 limited to, the following elements: community facilities, transporta-
29 tion, public utilities, industrial development, residential development,

1 water resources, environmental aspects. It shall include provisions
2 addressing each element in terms of its social and economic impact. The
3 plan should also address governmental jurisdictions, including state-
4 ments as to the appropriate planning authority and recommendations as to
5 the forms and powers of the local government. The commission shall also
6 develop a planning work program.

7 (c) The commission shall perform physical and geotechnical site-
8 specific analysis and related mapping.

9 (d) The commission shall conduct an analysis of the opportunity
10 for the reorganizing and regionalization of state government, and
11 develop a list of executive agencies which are expected to be located in
12 the capital. This list shall include the offices to be moved, the
13 number of personnel to be employed in those offices, and the anticipated
14 required office space for that number of persons. This list shall be
15 used for capital site planning purposes only, and is not binding as to
16 which executive agencies may be located in the capital. The commission
17 shall then develop a relocation phasing plan.

18 (e) The commission shall develop options for compensatory measures
19 to minimize the impact on both the City and Borough of Juneau and the
20 Matanuska-Susitna Borough.

21 (f) The commission shall recommend to the legislature the type of
22 development entity which would be responsible for capital city develop-
23 ment as well as the powers and authority which should be vested in this
24 development entity.

25 (g) The commission shall conduct a financial cost analysis and
26 develop funding alternatives to present to the legislature by January,
27 1978.

28 Sec. 44.06.240. FUNDING. The commission is subject to the Execu-
29 tive Budget Act (AS 37.07) and funding by the legislature.

1 Sec. 44.06.250. ASSISTANCE TO COMMISSION. (a) The commission
2 shall use all the competent professional and technical services required
3 to assist in the planning. The commission may choose the consultants
4 which in its judgment are necessary to assist in the planning. The com-
5 mission may also request any information which it considers essential
6 from any agency or division of the state.

7 (b) The commission shall develop an appropriate procedure in order
8 to select competent firms to develop the elements involved in the
9 capital site development plan within the time frame called for in sec.
10 230 of this chapter. The commission shall consider the feasibility of
11 conducting an international competition for the design of the capital
12 city.

13 Sec. 44.06.260. REPORTS. The commission shall report on its work
14 every six months. This report shall be distributed to the governor,
15 presiding officers of the legislature, chief justice of the supreme
16 court, and the general public.

17 * Sec. 2. AS 39.50.200(9) is amended by adding a new subparagraph to
18 read:

19 (LL) Capital Planning Commission (AS 44.06.200).

20 * Sec. 3. This Act takes effect July 1, 1976.
21
22
23
24
25
26
27
28
29

*Subject
to bill
we passed
on Dept. Public
Works*

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH S - JUNEAU 99811

February 24, 1976

3000
M
The Honorable Joseph McKinnon
Chairman
House State Affairs Committee
Alaska State Legislature
State Capitol Building
Juneau, Alaska

Re: House Bill No. 801

Dear Mr. McKinnon:

House Bill No. 801, an Act relating to the Capital Site Development Authority was introduced in the House on February 17, 1976 and was referred to the House State Affairs and Judiciary Committees.

Sec. 44.58.230 of the proposed legislation appearing on pages 13 and 14 of the Bill provides as follows:

"QUARTERLY AUDIT. The authority shall provide for a quarterly audit of the accounts and financial transactions of the authority by the audit division of the Department of Revenue. Copies of the audit shall be furnished to the legislature within 10 days of each audit."

For the consideration of the House State Affairs Committee, I am enclosing a Fiscal Note and accompanying memorandum prepared by Gary L. Jenkins, Director, Audit Division, Department of Revenue concerning the Quarterly Audits to be performed by the Audit Division of the Department of Revenue.

If you or any members of the House State Affairs Committee have any questions on the material submitted, please telephone the writer at 465-2397 and I will contact Mr. Jenkins for further information or testimony at a hearing.

Very truly yours,

R. D. Stevenson
Special Assistant

Enclosure

The Honorable Joseph McKinnon

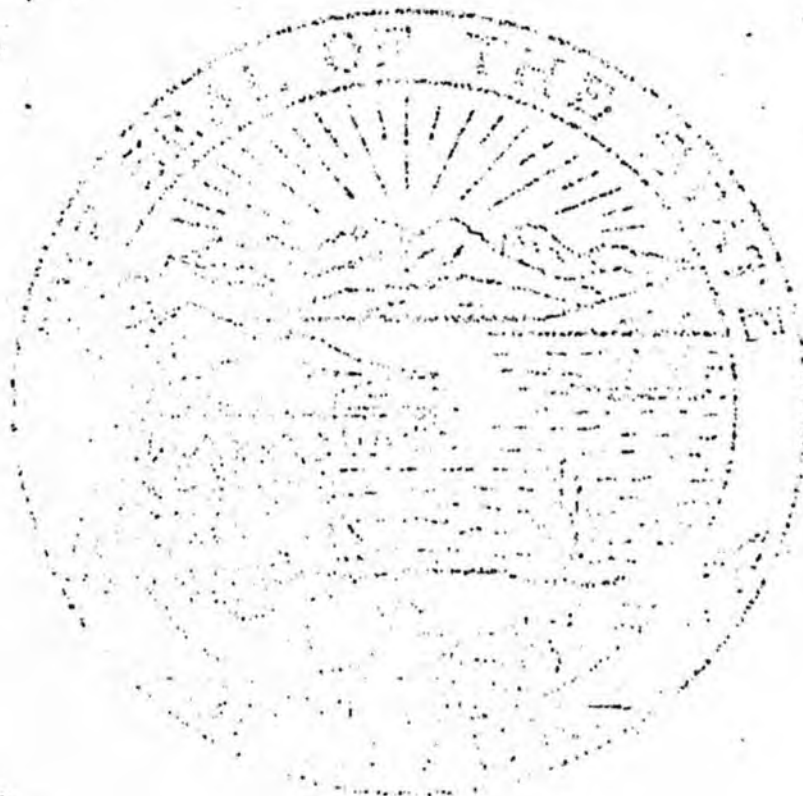
-2-

February 24, 1976

cc: The Honorable Terry Gardiner
Chairman
House Judiciary Committee

The Honorable Theodore Smith
Prime Sponsor
House Bill No. 301

Gary L. Jenkins
Director, Audit Division
Department of Revenue



MEMORANDUM

State of Alaska

TO: R. D. Stevenson
Assistant to the Commissioner
Department of Revenue

DATE: February 23, 1976

FILE NO:

TELEPHONE NO:

SUBJECT: House Bill 801

FROM: Gary L. Jenkins
Director
Audit Division



This bill would establish a capital site development authority whose prime responsibility would be the development of the new proposed capital site. Among the other provisions of this bill, Section 44.58.230 provides for a quarterly audit of the accounts and transactions of the authority which is to be performed by the Audit Division of the Department of Revenue. The language further provides that copies of the audit shall be furnished to the Legislature within ten days of each audit.

There are two major difficulties with this bill in our opinion. First of all, we are assigned the audit responsibilities for an agency which is totally out of the area in which we normally operate. Our audits have always been audits of taxpayer's records to insure that the proper amount of tax has been paid to the State of Alaska. It would seem far more logical to assign this audit function to either the State Internal Auditor, Legislative Audit or to provide for contracting with a professional accounting firm.

Further, the wording of the legislation concerns me for several reasons. First of all, it provides for a quarterly audit which is an inordinately high frequency if a full scale professional audit is to be undertaken. I would recommend instead that the language be modified to provide for a full scale audit on an annual basis with the auditors to perform either a semi-annual or, if deemed necessary, a quarterly review of the accounting records of the authority.

Secondly, the law does not define how extensive of an audit is expected. Perhaps the language could be modified as to specify exactly what is expected of the auditors.

Thirdly, the provision that copies of the audit will be furnished to the Legislature within ten days of each audit, if taken literally, would mean that once the field work was completed, the audit would have to be completed and sent to the Legislature within ten days. It is my experience that on a complete in-depth professional audit, the write-up time could take from six to eight weeks after completion of the field work. Thus, I would suggest that the language in the bill be changed to read "copies of the audit shall be furnished to the Legislature within ten days of the completion of each audit."

GLJ/bjm

Attachment

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 801
 Title: Act relating to Capital Site Development Authority
 Requested by: R. D. Stevenson Date: 2-19-76
 Return Date Requested: 2-23-76
 Agency: Revenue Program: Audit

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Audit Division

A. EXPENDITURES: (Thousands of dollars)

| OBJECT | FY 76 | FY 77 | FY 78 | FY 79 | FY 80 | FY 81 |
|--------------------------|------------|--------------|--------------|--------------|--------------|--------------|
| 100 PERSONAL SERVICES | | 99.3 | 99.3 | 99.3 | 99.3 | 99.3 |
| 200 TRAVEL | | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 |
| 300 CONTRACTUAL | | 11.7 | 11.7 | 11.7 | 11.7 | 11.7 |
| 400 COMMODITIES | | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| 500 EQUIPMENT | | 2.6 | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | 116.6 | 114.0 | 114.0 | 114.0 | 114.0 |

B. FUNDING: (Thousands of dollars)

| | | | | | | |
|---------------|-----|-------|-------|-------|-------|-------|
| GENERAL FUND | -0- | 116.6 | 114.0 | 114.0 | 114.0 | 114.0 |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |

C. POSITIONS:

| | | | | | | |
|---------------------|---|------|------|------|------|------|
| PERMANENT/TEMPORARY | / | 4/0 | 4/0 | 4/0 | | 4/0 |
| MAN MONTHS (P./T.) | / | 48/0 | 48/0 | 48/0 | 48/0 | 48/0 |

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

The above is the cost of the staffing needed to perform the audit as proposed in the legislation.

IV. ATTACHMENTS

See memo attached dated 2-23-76

V...DATE: 2-23-76 PREPARED BY: *Ray Clark*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

HB 801

Terry Gardiner

Box 1092, Ketchikan, Alaska 99901 - Pouch V, Juneau, Alaska 99811

*In your
file only*

April 7, 1976

Ralph C. Gregory
Box 1853
Ketchikan, Alaska 99901

Dear Mr. Gregory,

I received with interest your letter concerning the different proposals for the design of the proposed new state Capitol Complex. This is the first time that I have been aware of the proposal made by the Alaska Chapter of the American Institute of Architects. I have not seen any information other than what you have sent me.

I have enclosed a copy of CS HB 801 sponsored by Rep. Ted Smith of Anchorage. The bill does not necessarily address the question you have raised. I would be interested in receiving any comments you might have about this bill as it is in the House Judiciary Committee at the present time, and of which I am chairman. Possibly some kind of limitation or direction to the proposed Capitol Planning Commission as per your suggestions are in order if this legislation were to fly this year.

Sincerely,

Terry Gardiner

RALPH C. GREGORY ARCHITECT

March 29, 1976

The Honorable Terry L. Gardner
Representative
The House of Representatives
Pouch V, State Capitol Building
Juneau, Alaska

Dear Representative Gardner:

I am enclosing a series of recent correspondence between myself and Mr. Plunkett, Chairman of the State Chapter A.I.A. for your consideration.

In addition, please note the following arguments against formation of an international competition for design of the State Capitol Complex.

1. An international competition would by definition invite the design of an extremely important component of Alaska's future growth and development by firms with only marginal experience and association with the State. The time for the competition, it appears, has been preliminarily established at something in the range of nine months. As you are aware, all three sites represent social, environmental and physical problems which simply cannot be absorbed in so short a period of time.
2. Any monies set aside for payment of prizes for such a competition could be much more efficiently used in the design and/or construction.
3. The selection of a "design" would tie the state to a development plan of unknown merit and potential. The flaws of such a design would only become apparent as the plan was implemented.
4. A study of the history of architectural competitions of this nature reveals that execution of the winning design results in incredible cost overruns, sometimes insurmountable construction problems and in many cases, an incompatibility with their intended uses.

I would respectfully suggest that the Capitol move now projected at Three Billion Dollars (\$3,000,000,000,000.) is in the first instance a waste of the State's resources, but that in any case, if the project does go ahead, it should be designed by architects and planners with long experience and association with the State and the social, economic and physical problems associated with the development of the state and that any effort by outside interests to gain control

BOX 1853 KETCHIKAN, ALASKA 99901

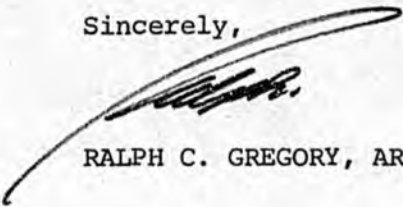
The Honorable Terry L. Gardner

March 29, 1976

Page Two

of this major construction and design project should be resisted by legislators interested in a quality development scaled to the real needs of Alaskans as opposed to the aspirations of designers viewing the proposed Capitol relocation as a means of personal or corporation aggrandizement.

Sincerely,



RALPH C. GREGORY, ARCHITECT

RCG/j

Enclosures



ALASKA CHAPTER THE AMERICAN INSTITUTE OF ARCHITECTS

March 17, 1976

Mr. Ralph C. Gregory
Box 1853
Ketchikan, AK 99901

Subject: Capital Planning Competition

Dear Ralph:

Thank you for your letter of March 11, 1976. I find your comments very interesting and certainly exactly the opposite of my personal feelings and most chapter members on this issue. I am enclosing a copy of the statement mailed to the Capital Site Selection Committee which more completely outlines the AIA's position on this.

For your information, it is the large "monolithic architectural offices" who violently oppose the competition idea. Each of them feel they have the forces necessary to obtain the job for themselves regardless of talent. It is the small Alaska Chapter firms who adamantly supported the resolution of the AIA. Should one of the large firms get the planning study, you can rest assured that most of the work will be done out of the state. If the competition is held there is at least a chance an Alaska resident firm will be the successful entry.

I hope this answers some of your concerns.

Sincerely,



Michael E. Plunkett A.I.A.

MEP/bc

Enc.

PLEASE REPLY TO: 505 W. Northern Lights Blvd.
Anchorage, AK 99503

ALASKA CHAPTER THE AMERICAN INSTITUTE OF ARCHITECTS

December 22, 1975

Capital Site Selection Committee
830 H Street, Suite 209
Anchorage, AK 99501

Ladies and Gentlemen:

In response to our proposal that the comprehensive planning for Alaska's new capital be determined by means of an international design competition, you have asked that we respond to the following points:

1. Reasons for holding a design competition.
2. Content of such a competition.
3. Administration of the competition.
4. Examples of similar projects that have benefited from the competition method of design selection.
5. The time frame required to hold such a competition.

The principal reason for holding a competition is that a wealth of creative thought and design talent will be focused on Alaska's capital planning project—a securing of the best and most advanced thinking at a fraction of the true cost. A selection based on a test of architectural and planning excellence is certainly in the public interest. Perhaps this will be the last new capital city built in the United States. We must look at the brightest and the best before choosing a scheme. Such a competition will attract worldwide attention and publicity.

From the public view an open competition provides the greatest protection against the selection of a planning and design team based on improper influences or favoritism. A public body can free itself of suspicions of political favoritism or conflict of interest through following the

PRESIDENT John Cochrane AIA
329 F Street
Anchorage AK 99501

VICE PRESIDENT Michael L. Prineas AIA
705 W. Fairbanks Loop
Fairbanks AK 99701

SECRETARY-TREASURER
John Cochrane AIA
329 F Street
Anchorage AK 99501

DIRECTOR Edward J. Smith AIA
517A Box 2400
Anchorage AK 99501

DIRECTOR Jim Bruce AIA
P.O. Box 2370
Anchorage AK 99501

DIRECTOR Douglas Akroy AIA
Box 310
Juneau AK 99801

CHAIRMAN ANCHORAGE SECTION Lloyd E. Washburn
3850 Fair Avenue
Anchorage AK 99601

CHAIRMAN FAIRBANKS SECTION
1125 Main Street
Fairbanks AK 99701

CHAIRMAN JUNEAU SECTION
P.O. Box 100
Juneau AK 99801

DIRECTOR NW REGION A. B. Liberman AIA
200 Park Building
Portland Ore 97204

DIRECTOR NW REGION
Vladimir Oshoff AIA
1213 Ward Avenue
Honolulu HI 96814

competition method. From the professional view the outstanding advantage of competitions lies in the encouragement offered to good design, and the possibility for the emergence and development of new creative talent and ideas. A competition provides stimulus and challenges the design and planning professions to an intensified search for quality. Further, the public enthusiasm and support for improvement in our physical environment that may be generated by the publication of fresh and exciting competition designs is to the public benefit.

The scope of a design competition is really dependent upon the sponsor's wishes. Perhaps the State should consider a two-stage competition with the first stage devoted to the overall comprehensive scheme of the capital city with only sketchy attention to the state governments' space requirements. From this first stage, five or six entrants would be selected to compete in a second stage, in which elements of the capital would be more specifically defined. The "ideas" competition described in the enclosed Regulations for International Competitions is probably the best outline of the competition's scope currently available.

The administration of the competition could be by a professional advisor employed for the purpose by the sponsor (see Page 3 of the enclosed AIA Code for Architectural Design Competitions and the enclosed Regulations for International Competitions).

Australia and Brazil held competitions for the designs of their new capitals, Canberra and Brasilia, the former an international competition, the latter a national competition. Many U. S. state capitals have been done by competition, perhaps more than half, most during the 19th century, but two, Nebraska and Oregon, during the 20th century.

From the time a decision is made to hold a competition to the announcement of a winner could be accomplished in nine months for the first stage competition and an additional four to five months if a second stage were included. A suggested timetable is included in the appendices.

Although we are aware of increased administrative problems inherent in an international competition, communications problems, customs problems, etc., we have recommended that the State consider holding an international competition because we feel that in so doing Alaska would be availing herself of the best design thought and talent that the world has to offer. A proposed cost breakdown for a proposed one stage and two stage competition is also included. Prize

Capital Site Selection Committee

January 22, 1975

Page Three

money could be donated by interested parties. Entry fees could be increased to offset costs.

The Alaska Chapter, AIA with full support from the Institute will be happy not only to assist the State in further exploration of the possibilities for holding a capital design competition, but also to assist the State in the development of the competition should that be the course chosen. The chapter has prepared a slide presentation illustrating the many types of planning possibilities afforded by a competition along with implementation data for presentation to interested parties. We would appreciate a few minutes of your time for a formal graphic presentation.

Sincerely,

Michael E. Blunkett

Michael E. Blunkett, President
Alaska Chapter,
The American Institute of Architects

MEP/bc

Encs.

APPENDIX A

Preliminary Timetable Capital City Design Competition Prepared December 1975

- | | |
|-----------------------|--|
| January 1976 | Introduce Design Competition Bill to Alaska State Legislature with budget |
| January-May 1976 | Obtain competition approval from American Institute of Planners, American Institute of Architects, International Union of Architects |
| June 1976 | Legislative and Executive Branch approval, appoint Citizens Advisory Committee, select professional advisor |
| July 1976 | Develop competition guidelines, compile site information for alternative sites, formulate program, select jury |
| August-September 1976 | Preliminary announcement, establish prize money amounts, set detailed dates, obtain final approval from professional societies |
| October 1976 | Complete program, schedule, advertise |
| November 1976 | Receive requests for program, bond issue, print program for specific site, mail program |
| February 1977 | Phase One submittal due, jury convenes, finalists selected and announced, critique made of town plan schemes |
| May 1977 | Final submittal due, jury convenes, winner selected, critique made, design implementation commences, prizes awarded |

APPENDIX B

Preliminary Cost Estimate
 Capital City Design Competition
 Prepared December 1975

Revenues

| | | |
|-----------------------|----------------------|------------------|
| Preliminary Entry Fee | 2,000 @ \$25.00 each | \$ 50,000 |
| Final Entry Fee | 1,000 @ 25.00 each | 25,000 |
| Total Revenues | | <u>\$ 75,000</u> |

Expenses

| | | |
|--------------------------------------|---------------|------------------|
| Professional Advisor and Consultants | | |
| 10 months @ \$4,000/month | | \$ 40,000 |
| Printing, Graphic Design and Postage | | |
| Advertisement | \$3,000 | |
| Program | 5,000 | |
| Addenda | 1,000 | |
| Announcement | 1,000 | |
| Total | <u>10,000</u> | 10,000 |
| Transportation and Per Diem | | 20,000 |
| Jurors Honorarium | | 5,000 |
| Second Stage Compensation | | 50,000 |
| Awards | | 50,000 |
| Total Expenses | | <u>\$175,000</u> |
| Contingency | | \$ 25,000 |
| Total Cost | | \$200,000 |
| Additional Funds Required | | \$125,000 |

RALPH C. GREGORY ARCHITECT

March 11, 1976

Mr. Michael E. Plunkett AIA
President
Alaska Chapter
The American Institute of Architects
505 W. Northern Lights
Anchorage, Alaska 99503

Dear Mike:

I read with interest your letter to the "Daily News" regarding HB 801 relating the the development of the new Capitol site.

Your comments illustrate again and more forcibly how completely the practice of architecture in Alaska has been dominated by the monolithic international architectural offices controlled by forces outside of Alaska and without concern for the people of the State. An international competition as proposed by the Alaska Chapter A.I.A. would take the development of a Capitol site out of the hands of those of us who must continue to live with it and place it into the hands of giant design conglomerates who have very minimal concerns for Alaskan values and even less interest in the cost to Alaskan taxpayers.

Considering that the latest projected construction costs for the new site run in excess of Three Billion Dollars, it would appear at this point a new state capitol site is a luxury that the population of the State (those of us who intend to stay on after the boom has bust) are neither interested in nor can afford. I would respectfully suggest that the Alaska Chapter A.I.A. concern itself with the ethical practice of the profession within the State and remove itself from the arena of abject servitude to the multi-national parent architectural firms which will be interested in Alaska only to the extent of the profits they can derive from their conquest of the State.

Sincerely,

RALPH C. GREGORY, ARCHITECT
RCG/j

BOX 1853 KETCHIKAN, ALASKA 99901

EDITOR, Daily News:
SUBJECT: House Bill 801—An Act Relating to the Capital Site Development Authority

The Alaska Chapter of the American Institute of Architects has received copies of HB 801. The bill has been reviewed and we feel that it is basically an excellent piece of legislation.

As stated in our letter of February 11, 1976, the Alaska Chapter of A.I.A. is endorsing the concept of an international competition for the planning of the capital city. As stated in that letter, we would appreciate any endorsement or inclusion of language to provide for such a competition in some form under HB 801.

The current bill calls for the authority to "conduct contests for building designs." We feel, however, that the competition for the planning of the city will be of the greatest benefit for Alaska. This fact is best illustrated by the Australia capital of Canberra. The low density accomplished through the competition's winning scheme is the key element of Canberra's social and environmental success. The A.I.A. has prepared a ten minute slide presentation illustrating the many potential types of city plans and concepts possible for any site. Concepts which can be explored only by a competition. We would be pleased to present these slides at any public hearings that might be scheduled.

Any questions you might have can be directed to this office or Frank Maier. Mr. Maier's address and telephone number are: Rt. 5, Box 5538, Juneau, AK 99803. 789-9229.

Your assistance is very much appreciated in this matter of importance to all Alaskans.

Sincerely,
MICHAEL E. PLUNKETT
A.I.A. President
Alaska Chapter A.I.A.

HB 801

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5 - JUNEAU 99811

February 24, 1976

The Honorable Joseph McKinnon
Chairman
House State Affairs Committee
Alaska State Legislature
State Capitol Building
Juneau, Alaska

Re: House Bill No. 801

Dear Mr. McKinnon:

House Bill No. 801, an Act relating to the Capital Site Development Authority was introduced in the House on February 17, 1976 and was referred to the House State Affairs and Judiciary Committees.

Sec. 44.58.230 of the proposed legislation appearing on pages 13 and 14 of the Bill provides as follows:

"QUARTERLY AUDIT. The authority shall provide for a quarterly audit of the accounts and financial transactions of the authority by the audit division of the Department of Revenue. Copies of the audit shall be furnished to the legislature within 10 days of each audit."

For the consideration of the House State Affairs Committee, I am enclosing a Fiscal Note and accompanying memorandum prepared by Gary L. Jenkins, Director, Audit Division, Department of Revenue concerning the Quarterly Audits to be performed by the Audit Division of the Department of Revenue.

If you or any members of the House State Affairs Committee have any questions on the material submitted, please telephone the writer at 465-2397 and I will contact Mr. Jenkins for further information or testimony at a hearing.

Very truly yours,

R. D. Stevenson
Special Assistant

Enclosure

The Honorable Joseph McKinnon

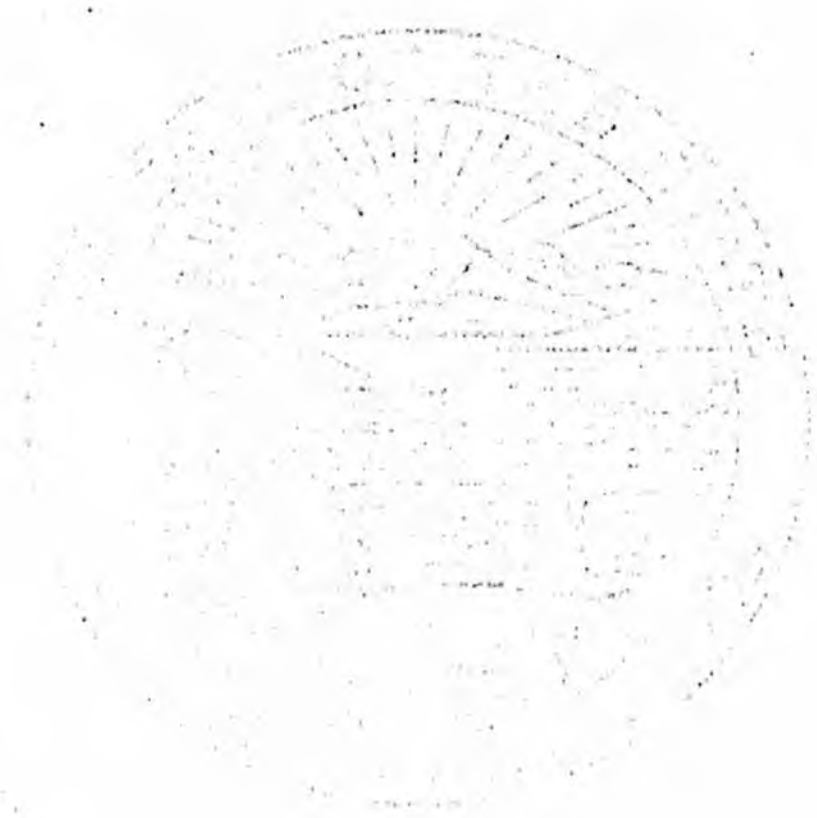
-2-

February 24, 1976

cc: The Honorable Terry Gardiner
Chairman
House Judiciary Committee

The Honorable Theodore Smith
Prime Sponsor
House Bill No. 301

Gary L. Jenkins
Director, Audit Division
Department of Revenue



MEMORANDUM

State of Alaska

TO: R. D. Stevenson
Assistant to the Commissioner
Department of Revenue

DATE: February 23, 1976

FILE NO:

TELEPHONE NO:

FROM: Gary L. Jenkins
Director
Audit Division

SUBJECT: House Bill 801

This bill would establish a capital site development authority whose prime responsibility would be the development of the new proposed capital site. Among the other provisions of this bill, Section 44.58.230 provides for a quarterly audit of the accounts and transactions of the authority which is to be performed by the Audit Division of the Department of Revenue. The language further provides that copies of the audit shall be furnished to the Legislature within ten days of each audit.

There are two major difficulties with this bill in our opinion. First of all, we are assigned the audit responsibilities for an agency which is totally out of the area in which we normally operate. Our audits have always been audits of taxpayer's records to insure that the proper amount of tax has been paid to the State of Alaska. It would seem far more logical to assign this audit function to either the State Internal Auditor, Legislative Audit or to provide for contracting with a professional accounting firm.

Further, the wording of the legislation concerns me for several reasons. First of all, it provides for a quarterly audit which is an inordinately high frequency if a full scale professional audit is to be undertaken. I would recommend instead that the language be modified to provide for a full scale audit on an annual basis with the auditors to perform either a semi-annual or, if deemed necessary, a quarterly review of the accounting records of the authority.

Secondly, the law does not define how extensive of an audit is expected. Perhaps the language could be modified as to specify exactly what is expected of the auditors.

Thirdly, the provision that copies of the audit will be furnished to the Legislature within ten days of each audit, if taken literally, would mean that once the field work was completed, the audit would have to be completed and sent to the Legislature within ten days. It is my experience that on a complete indepth professional audit, the write-up time could take from six to eight weeks after completion of the field work. Thus, I would suggest that the language in the bill be changed to read "copies of the audit shall be furnished to the Legislature within ten days of the completion of each audit."

GLJ/bjm

Attachment