

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 86/2

2468 HJ HJR 1 - HJR 7 2008

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NOTIFICATION OF BILL HEARING

WEEK OF: 1-24

<u>BILL #</u>	<u>BILL TITLE</u>	<u>DEPARTMENT</u>	<u>DATE</u>	<u>SPONSOR</u>	<u>DATE</u>
#JR 1		F.N. received	1/20	✓	
#JR 1	Carl Phillips	for back up	1/21		
#JR 2		F.N. rec.	1/20		
	Responed - bill	for the date	1/26		

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

Received  
12/4/83

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE JOINT RESOLUTION NO. 1  
 Title Proposing an amendment to the Constitution of the State of Alaska  
~~XXXXXXXXXXXX~~ providing that a legislator who is con- Date 01-20-83  
victed of a felony forfeits legislative office.

II. FISCAL DETAIL

Requested by: Rep. Charlie Bussell  
 Agency Affected Legislative Affairs Agency  
 Program Category Affected General Government  
 BRU, Program, Or Subprogram(s) Affected Session  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL	-0-					
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>-0-</b>					

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND	-0-					
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

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

There might be approximately \$5,500 of transportation and moving costs if a legislator should, at sometime, be convicted of a felony for moral turpitude and has to forfeit the office. Without assuming, however, that someone will lose office for this reason in some given fiscal year, we have to assume there is no fiscal impact.

IV. DATE 01-20-83

PREPARED BY Wally Harrison, Director  
 AGENCY Legislative Affairs Agency  
 PHONE 465-3850

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

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Joint Resolution No. 1  
Title "Proposing an amendment to the Constitution of the State of  
Requested by House Judiciary Date 1/20/83

Alaska providing that a legislator who is convicted of a felony forfeits legislative office.

II. FISCAL DETAIL

Agency Affected Office of the Governor  
Program Category Affected Division of Elections  
BRU, Program, Or Subprogram(s) Affected Division of Elections  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

NONE

FULL TIME						
PART TIME						
TEMPORARY						

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

No additional fiscal impact is anticipated with House Joint Resolution No. 1.

IV. DATE 1/20/83

PREPARED BY Danith D. Arnoldt, Deputy Director  
AGENCY Office of the Governor, Division of  
Elections

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

PHONE 586-6181

33-001 (Rev. 12/82)

HJR No. 1 --Amendment to Constitution for Legislator to Forfeit--PHILLIPS, LISKA,  
Office if Convicted of a Felony. SZYMANSKI, TISCHER

1. This would add a new section (No. 22) to Article II, Legislature, of Constitution, that a Legislator forfeits office upon conviction of a felony involving moral turpitude.

Vacancy occurs on date of conviction.

Vacancy to be filled "as provided by law" (i.e., see Art. II, Sec. 4 of Constitution and AS 40.320-470).

2. If adopted by people, would take effect in regular fashion (i.e. 30 days following election certifications), so no need for further provisions along those lines.
3. IMPACT:

(no need for provisions re: reinstatement, cleansing record, or any such thing, as convicted felons have no rights anyway. If conviction is overturned on appeal, it wipes out conviction).

WITNESSES:

CHANGES (?)

FISCAL NOTE(?)

HUTR

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1155

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ALASKA HOUSE OF REPRESENTATIVES  
- CSHJR 12 JUL AM 3RD

2ND SESSION 12TH LEG

3/ 3/82 10:14 PM

		24 YEAS	13 NAYS	2 EXC	1 ABS		
Y	ABOOD	Y	CHUCKWUK	Y	HAUGEN	Y	PHILLIPS
Y	ADAMS	<del>N</del>	-CLOCK SIN	Y	HAYES	Y	RANDOLPH
Y	ANDERSON	<del>N</del>	-COTTEN	Y	HURLBERT	N	ROGERS
Y	BARNES	Y	CUDDY	N	MALONE	A	SMITH
Y	BEIRNE	N	DUNCAN	Y	MARTIN	Y	SUTCLIFFE
Y	BETTISWORTH	E	FANNING	<del>N</del>	-MEEKINS	N	VASKA
N	BROWN	N	FREEMAN	Y	METCALFE	N	ZHAROFF
- E	BUCHHOLDT	Y	FULLER	N	MILLER		
Y	BYLSMA	N	GARDINER	Y	MONTGOMERY		
Y	CARNEY	Y	GRUSSENDORF	N	MOSS		
Y	CATO	Y	HALFORD	Y	O'CONNELL		

+ VOTED FOR  
\* CHANGED VOTE

March 3, 1982

1. Re-wrote bill.
2. Did not use Article II, Sections 9 and 10, "SPECIAL SESSIONS" and "ADJOURNMENT."
3. Used instead, Section 8 "REGULAR SESSIONS."
4. No change on Special Sessions.
5. No change on Governor settling adjournment disputes between House.
6. 120 - day adjournment still in the bill but resolution simplified by limiting constitutional amendment to Section 8 "Regular Sessions."
7. Limited to one the number of 10-day extensions. Original bill said increments.

What was Judiciary amendment?

Places change in Article II, Sec. 10, ADJOURNMENT, instead of Article II, Sec. 8, REGULAR SESSIONS. No substantive change, but now makes clear that the extension vote (2/3's of each house) applies only to regular, not special sessions. Allows only one 10-day extension of the 120 - day regular session, where original allowed unlimited extension "increments."

Governor can still agree with one house and adjourn the legislature if disagreement certified by house, before 120 days, per Sec. 10. No change there.

# COMMON SENSE FOR ALASKA

P.O. Box 4-1104

Anchorage, Alaska 99509

## BACK-UP INFORMATION TO 2/25 PRESS RELEASE

(Not to be attached to release, but for answering any questions that may arise concerning the release - copy to Shelby.)

1. Information gained from: Legislative Rules of each state; Constitutions & Statutes; CCH Legislative Information Chart.
2. States with limits imposed listed below, with additional information:

9(1) ALABAMA	-	30 days
14 ARKANSAS	-	60
5(1) CONNECTICUT	-	80 (5 months first year, 3 months 2nd yr. average 80 days)
8 DELAWARE	-	120 (Session ends June 30, average 120 days)
7 FLORIDA	-	60
10 GEORGIA	-	40
11 HAWAII	-	60
13 IDAHO	-	60
14 INDIANA	-	61
16 KANSAS	-	90
15 KENTUCKY	-	60
19 LOUISIANA	-	60
19 MAINE	-	100
22 MARYLAND	-	90
23 MINNESOTA	-	60 (Limited to 120 days for two-year terms)
24 MISSISSIPPI	-	90
25 MISSOURI	-	120 (Session ends June 30, average 120 days)
26 MONTANA	-	90
27 NEBRASKA	-	90
28 NEVADA	-	60
31 NEW MEXICO	-	60
34 NORTH DAKOTA	-	80
36 OKLAHOMA	-	90
37 RHODE ISLAND	-	60
40 SOUTH CAROLINA	-	40
41 SOUTH DAKOTA	-	35/40 (Odd years, 40 days, even years, 35 days)
42 TENNESSEE	-	90
43 TEXAS	-	140
44 UTAH	-	60
45 VIRGINIA	-	60
46 WASHINGTON	-	105
48 WEST VIRGINIA	-	60
50 WYOMING	-	20/40 (Limited to 60 days for a two-year period, 40 legislative days in odd years, 20 in even years.)

FOR ALASKA

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**P.O. Box 4-1104**

**Anchorage, Alaska 99509**

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February 28, 1981  
For Immediate Release:

For further information please  
contact Jean Peterson, 276-7648

"SESSION LIMITATION IMPOSED IN 33 STATES"

ANCHORAGE, AK.---Thirty-three states have imposed a limit on the length of their legislative session, according to a study released today by Common Sense for Alaska. In a nation wide study of the fifty states' legislative rules undertaken by the Common Sense for Alaska Research Committee, it was found that the session length allowed ranged from 140 days to 20 days with an average of 76 days per session.

In addition to determining what states have limitations on their session length, the committee is also reviewing the legislative rules to determine what states allow conference and free conference committees. Additional items under review by the committee include the states' rules on the following: Bill Content; Definition of "Germane"; Public Notice of Committee Meetings; Recommendations Used to Pass Bills Out of Committees; Interim Committees - Authorization if Interim Committees are Allowed; Code of Ethics & Discipline; Contracting

Procedures; Lobbying Laws; Rules Review and Enforcement; Time Limit for Committees to Process Bills; Rule Waiver Procedures; Legislative Oversight.

The Research Committee began its study in January by obtaining copies of the fifty states' legislative rules manuals. "There is no comprehensive study like this anywhere in the U.S.", noted Common Sense President, J. Shelby Stastny. "An estimated 500 hours of research will have been spent by the committee members in compiling this information. Although the majority of information was gained from the different legislative rules, the committee also had to research state constitutions, statutes and other sources of information."

The Common Sense Research Committee is composed of the following members: Jan Faiks, Committee Chair; Ron Brown; Jan Bomhoff; Helen Butcher; Dr. Art Hippler; Darlene Holt; James Johnson, CPA; Karen Jordan; Carol Maser; Paul Robison, Attorney; J. Shelby Stastny, CPA; Kneeland Taylor, Attorney.

The Legislative Rules Study is estimated to be completed in March, 1981 at which time the results will be made available to the public.

RICHARD B. LAUBER

Joe:

I came across this and found it interesting that most of our legislatures are able to get the job done in much less time than Alaska.

You had the right idea - I think there are too many people in our legislature with nothing else to do! See you

Sam -

Rick

*Not - for the  
File and use  
For backup in  
drafting session  
length legislative  
9/11*

STATE

1982

<u>STATES</u>	<u>CONVENES</u>	<u>ADJOURNED</u>	<u>STATES</u>	<u>CONVENES</u>	<u>ADJOURNED</u>
Alabama	1-12-82	4-26-82	Montan.	NOT IN SESSION	
*Alaska	1-11-82	6- 3-82	*Nebraska	1- 6-82	4-16-82
Arizona	1-11-82	4-24-82	Nevada	NOT IN SESSION	
Arkansas	NOT IN SESSION		New Hampshire	NOT IN SESSION	
*California	1- 4-82		New Jersey	1-12-82	
Colorado	1- 6-82	5-24-82	New Mexico	1-19-82	2-18-82
Connecticut	2- 3-82	5- 5-82	*New York	1- 6-82	
*Delaware	1-12-82		*North Carolina	6- 2-82	
Florida	1-18-82	3-25-82	North Dakota	NOT IN SESSION	
*Georgia	1-11-82	3-26-82	*Ohio	1- 5-82	
*Hawaii	1-20-82	4-23-82	*Oklahoma	1- 5-82	
Idaho	1-11-82	3-24-82	Oregon	NOT IN SESSION	
*Illinois	1-13-82		*Pennsylvania	1- 5-82	
Indiana	1- 5-82	2-20-82	*Rhode Island	1- 5-82	5-18-82
*Iowa	1-11-82	4-24-82	*South Carolina	1-12-82	
*Kansas	1-11-82	5-14-82	South Dakota	1- 5-82	2-27-82
Kentucky	1- 5-82	4-15-82	*Tennessee	1-18-82	5- 6-82
Louisiana	4-19-82		Texas	NOT IN SBSSION	
Maine	1- 6-82	4-13-82	Utah	1-11-82	1-30-82
Maryland	1-13-82	4-12-82	*Vermont	1- 5-82	4-22-82
Massachusetts	1- 6-82		Virginia	1-13-82	3-13-82
*Michigan	1-13-82		*Washington	1-11-82	3-11-82
*Minnesota	1-12-82	3-19-82	West Virginia	1-13-82	3-13-82
Mississippi	1- 5-82	4- 4-82	*Wisconsin	1-27-82	4- 2-82
Missouri	1- 6-82	5-15-82	Wyoming	2- 9-82	3- 1-82

\*Bills carried over from 1981 legislative session.



(See also HJR 3--Same topic--PHILLIPS, FRITZ)

HJR 2 --Proposes amendment to Constitution limiting length of -- HAYES, BARNES, FLOOD,  
regular sessions of Legislature. PHILLIPS, FURNACE, ABOOD  
LISKA, COWDERY, SZYMANSK  
TISCHER and FRITZ

1. This would change Article II, Section 8, Constitution of Alaska,  
REGULAR SESSIONS, to limit of 120 days.
- 2/ This contains nothing regarding special sessions, or extensions of the  
120 day limit. (See some of the wording of bills introduced in 12th  
Session.
3. If this is placed before voters at next general election, it would  
automatically take effect 30 days after certification of election,  
if adopted by the voting public (See Art. XIII, Sec. 1, Amendments).  
Thus, no need for effective date to be included.
4. Provision for extension were included in some earlier versions (12th  
Legislature).

IMPACT:

WITNESSES:

FISCAL NOTE (?)

CHANGES:

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE JOINT RESOLUTION NO. 2  
 Title Proposing an amendment to the Constitution of the State of Alaska  
~~Requesting~~ limiting the length of regular sessions Date 1/20/83  
 of the legislature. Requested by: Representative Charlie Bussell

II. FISCAL DETAIL

Agency Affected Legislative Affairs Agency  
 Program Category Affected General Government  
 BRU, Program, Or Subprogram(s) Affected Session  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES	-0-					
200 TRAVEL	-0-					
300 CONTRACTUAL	-0-					
400 COMMODITIES	-0-					
500 EQUIPMENT	-0-					
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-					

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-					
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS None

FULL TIME						
PART TIME						
TEMPORARY						

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

There is no additional cost for the Division of Elections to place an issue before the voters as that is the Division's function.

IV. DATE 01-21-83

PREPARED BY Wally Harrison, Director, Admin. Svcs.

AGENCY Legislative Affairs Agency

Original: Legislative Finance  
cc: Budget and Management

PHONE 465-3050

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

# First Senate committee endorses session limit

White  
Bureau

— A Senate committee approved a new version of a constitutional amendment to the lengths of legislative sessions.

After dickered with three versions of the limit, the Senate Transition Committee approved a measure over the jesting protests of its chairman, Juneau Democrat Bill

Ed Dankworth, R-Anchorage, limit sessions to 120 days. That could be extended once for 15

days if a majority of each house agreed.

Dankworth said he first wanted a 10-day extension, but he compromised with Senate President Jay Kerttula, D-Palmer, who wanted a 20-day extension.

The Dankworth version replaces three other proposals:

— One that would limit sessions to 120 days with no extensions. This passed the House.

— One that called for a vote by lawmakers on the 110th day on whether they want to adjourn by the 120th day. This passed the Transportation Committee last week. But

Ray retrieved it to offer a bill that would be more acceptable to the House and to senators who want a strict limit on session lengths.

— A new committee proposal, which would call for a vote on the 110th day on whether the session should extend beyond 120 days.

The issue comes on the heels of a record 165-day session last year and in the midst of an effort by House leaders to adjourn as promised by the 105th day — April 25 — this year. The main sponsor of the resolution is House Speaker Joe Hayes, R-Anchorage.

Slightly more than half the states

in the nation have session limits, ranging in length from 20 days for the second-year session in Utah to 125 days for the second session in Mississippi and 140 days for Texas' biennial session.

In addition to regular sessions, special sessions may be called by all governors and by 23 legislatures (including Alaska), according to the National Conference of State Legislatures.

Ray made several joking attempts Tuesday to quash the resolution quietly. He said he adamantly opposes a limit because it constrains one branch of government to the benefit

of the executive and judicial branches.

But Ray clearly was outnumbered by fellow committee members Dankworth, Kerttula and Kenal Republican Don Gilman, all supporters of a limit.

Ray took a voice vote on the new version. "All those in favor of (the resolution), drop dead," he said jokingly. Then he said his lone "no" vote carried.

Kerttula also has urged that the Legislature be careful in muddling with one branch of government without checking how that action affects the other branches.

The Senate president noted that the Legislature generally doesn't meet on weekends, and the House is meeting only three days a week this year.

Dankworth said a more effective limit would be to restrict legislators to no more than a specific number of terms in office.

Ray argued that constituents expect miracles from legislators, "and now they expect to put a time limit on when the miracles are going to happen. . . ."

"I don't think you could have done a competent job in 120 days in the last five years," he said.

## My Turn

By SUZANNE JANSON

I favor a no-nonsense, straight-forward limitation on the length of our Legislative sessions. Parkinson's Law states "work expands to fill the time allowed." Applied to the Legislature, the Executive Branch or private enterprise, it is not only appropriate but virtually a truism! Any organization to be efficient and thereby effective, must plan and establish standards of operation and goals.

Each year one of the major work products of our legislature is the state budget. It amounts to a dollars and cents plan of operation for the coming year and is based on the individual goals for the many governmental functions which make up our state government. It also imposes limitations on government functions in the sense that they cannot do what they are not funded to do! In a very literal sense we can say that what funding is made available limits what time is available—because time is money and visa versa.

Can you imagine awarding a contract to construct a building without limiting how long it would take or how much it would cost? As taxpayers that's exactly what we are doing each year with our legislature. We are awarding a contract to construct our state with no limitation on how long it will take! Like Parkinson's Law we can say, "the Legislature expands to fill the time

Empire 4/12

## Session Limits

allowed"—or—"the Legislature expends what funds are available." Remember—time is money and visa versa.

Let's review a few facts which to me are very relevant to the question of limiting the length of our legislative sessions. Thirty-three other states limit their sessions with the average being 78 days. Limits range from 20 to 140 days, with the vast majority being between 60 and 90 days. Here, in Alaska, no session exceeded 95 days until 1970, when we endured 147 days. Since that time there have been two sessions less than 100 days—in 1973 and 1974—when the House was led by a Republican under coalition—as is now the case. In 1972 and 1978 the sessions lasted 161 days, and in 1980 it was 145 days. But last year was the topper! Last year our legislature spent 185 days in session under the "leadership" of a House Speaker who is a present member of our local delegation! A new and regrettable record, which was made even worse when you consider that it took the leadership 22 days just to organize the House!

Please bear in mind that each and every day of the sessions cost YOU and I about \$40,000.00—just to run the Legislature! Finally, it has been shown that millions of dollars are added to the state budget each day that the Legislature remains in free-conference.

Interestingly, last year's record length session produced our state's largest ever budget!

When I consider the issue of limiting the length of the legislative session, I can't help but remember the fact that we Alaskans are just slightly over 400,000 strong—small in population when compared to our sister states to the South. Here are some more facts to consider. The 33 states that limit their length of sessions have an average population of 3,105,230 compared to our 407,500. Again, their average limited session is 78 days, whereas our average session length has been 135 days, and the curve continues to climb upward! Consider Texas—oil and natural resource rich, a widely diversified large state with many of the like cultural variances that Alaska has, but with over 13 million people with all of the attendant social problems and issues relevant to 13 million people, and Texas has been able to limit their legislature to 140 days in session!

I find no sensible reason not to limit our Legislative sessions. You and I—the people—should decide this issue—not the Legislature! We must insist on a "Can-Do" spirit from our legislators—one which is very simply a working partnership between them and us!

# Hearing promised on session limit

By JON MATTHEWS  
Daily News reporter

JUNEAU — House Speaker Joe Hayes, R-Anchorage, said Monday he hopes public opinion will steer the Senate into acting on a House-passed proposal to limit the length of legislative sessions.

And Senate Transportation Chairman Bill Ray, D-Juneau, said Monday he is planning to hold a hearing on the measure at an unspecified future date.

Senate President Jay Kerttula, D-Palmer, last week upset House leaders when he referred the proposed 120-day session limit to Ray's Transportation Committee. The referral to the unrelated panel was seen as an early, Senate-backed death for the constitutional ballot question, one of the conservative House coalition's priorities for the 1982 legislature.

"I tend not to let myself get too angry," said Hayes. "But I think it's fairly obvious that the referral of a constitutional issue to Transportation is clearly outside the scope of the subject matter of the committee."

Ray said on the Senate



floor that he believes his transportation panel can and will take a balanced look at the session limit issue, with some members in favor of limiting sessions and others, including Kerttula, still undecided.

Ray said a hearing will be held possibly within the next 10 days but that his committee must first deal with such issues as the proposed state takeover of the Alaska Railroad.

"I'll make some public comments like this," said Hayes, asked how he would react to the Transportation Committee referral. "But I think it's going to be fairly obvious to the public that several members of the Senate are soft on limiting session length."

"I think there is a lot of public support for the issue."

## Bill may die in Senate

The Associated Press

JUNEAU — A House-passed resolution calling for a constitutional amendment to limit the length of legislative sessions may be doomed to a slow death in the Senate.

Senate President Jalmar Kerttula, D-Palmer, Friday referred the measure to the Judiciary and Transportation committees for hearings.

The House resolution is expected to bog down in the Transportation Committee.

Asked when the resolution might get a hearing, Transportation Chairman Bill Ray, D-Juneau, said "this afternoon" and chuckled. Ray joked that he may hold public hearings on the proposed constitutional amendment in Anaktuvuk Pass and Unalakleet.

The Senate Judiciary Committee has twice voted down a Senate resolution that would limit the length of legislative sessions to 120 days with a possible seven-day extension.

The House version of the legislation would limit regular sessions to 120 days with no extension allowed.

Judiciary Chairman Pat Rodey, D-Anchorage, said a majority of the committee doesn't favor the resolution, "so, I could not move it" to a vote of the full House.

Rodey said he supports the resolution.

He said his committee may consider the Senate version of the legislation for a third time.

If approved by the legislature, the session-limiting plan would need to be ratified by voters.

News 3/16

A-4 The Anchorage Times, Monday, March 15, 1982

## Limit

(Continued from page A-1)

who's pushing the proposal in the Senate, said last week he is one vote short of the 14 needed to put the limit on the ballot. One observer said today that the seven "no" votes are just as adamant against the limit as the 13 "yes" votes are for it.

Senate President Jay Kerttula, D-Palmer, said today he sent the resolution to Ray's panel for two reasons: that committee isn't too busy now and some of the Senate's top leaders, including himself, sit on the five-member panel.

Ray said the complaints about the measure going to him are a slap in the face. "What are people trying to say, that I'm not competent to conduct a fair hearing?" Ray asked. "You can rest assured it will get a fair hearing."

ported a limit. "The courts are asking for more judges because they have more work."

"The administration, they're busier all the time. We give them 300 to 500 new employees every year. And yet you want to cut down on the Legislature." It's a separation of powers issue, he said.

"I think we have so many complicated problems. When the critics say we're not working, God, we're working all the time," he said.

The Alaska Legislature, unlike most state legislatures, has no revenues that are committed for specific programs, he said. All money goes into the state's general fund, and the Legislature must sort through competing interests in allocating that money, he said.

"You're talking about hundreds of millions of dollars. They want us to just come in and make snap judgments?"

Also, the governor frequently drops major bills on the Legislature

late in the session, Ray said, referring to Gov. Jay Hammond's proposal for a permanent fund dividend backup plan introduced last week. The Legislature needs time if it's to handle these bills properly, he said.

Other members of Ray's committee are split on the proposed limit.

Sen. John Sackett, R-Ruby, said a session limit "just limits ourselves."

Sens. Ed Dankworth, R-Anchorage, and Don Gilman, R-Kenai, both said they support the limit. Dankworth said he thinks 120 days is too long. Gilman said he might make a motion to move the bill from committee. But he said he must be careful not to cross any of his powerful colleagues who oppose the limit. "I don't want to get my head pinched off," he said.

Kerttula said he favors a limit. But any proposal must contain a provision to extend the limit. The resolution contains no such wording as it came from the House.

By The Associated Press

A watered-down version of a House resolution calling for a statewide vote on a constitutional amendment limiting the length of legislative sessions emerged from the Senate Transportation Committee on Tuesday.

It is "better than nothing, but not much," said House Speaker Joe Hayes, R-Anchorage.

The committee's resolution calls for the House and Senate to vote on or before the 120th day of regular legislative sessions on whether to adjourn.

The resolution passed by the House would mandate adjournment on the 120th day.

Proposed amendments to the Alaska Constitution must be approved by a two-thirds vote in each house and ratified by voters.

Transportation Chairman Bill Ray, D-Juneau, said his committee's proposal gives voters what they want, the opportunity to see their representatives held publicly accountable for the length of a session.

At the same time, he said, it gives the Legislature the flexibility to remain in session as long as necessary to finish important business.

Sen. Bob Ziegler, D-Ketchikan, told the Transportation Committee the House plan is too restrictive.

"The idea, as great as it might sound, is neither wise nor responsible," Ziegler said. "Hasty decisions are invariably bad decisions."

Sen. Ed Dankworth, R-Anchorage, comparing the Legislature to the board of directors of a major land and oil company, wondered whether legislative business could be done in 120 days each year.

"I really believe we could get our work done in 90 days," Hayes told the committee. "You need to put some time constraints on whatever project you undertake."

"Psychologically and otherwise," Hayes said, "there are certainly some merits to it."

Dankworth said he favors a limit on the length of legislative sessions, but noted that in his six years as a lawmaker the time needed to complete the Legislature's business has varied.

The Alaska Legislature does "more than any other state would dream of doing," he said, pointing to last year's deliberations on how to appropriate \$8 billion.

"That takes a lot of time and a lot of debate," Dankworth said. Kneely Taylor of Common Sense for Alaska, however, said shorter sessions mean better government.

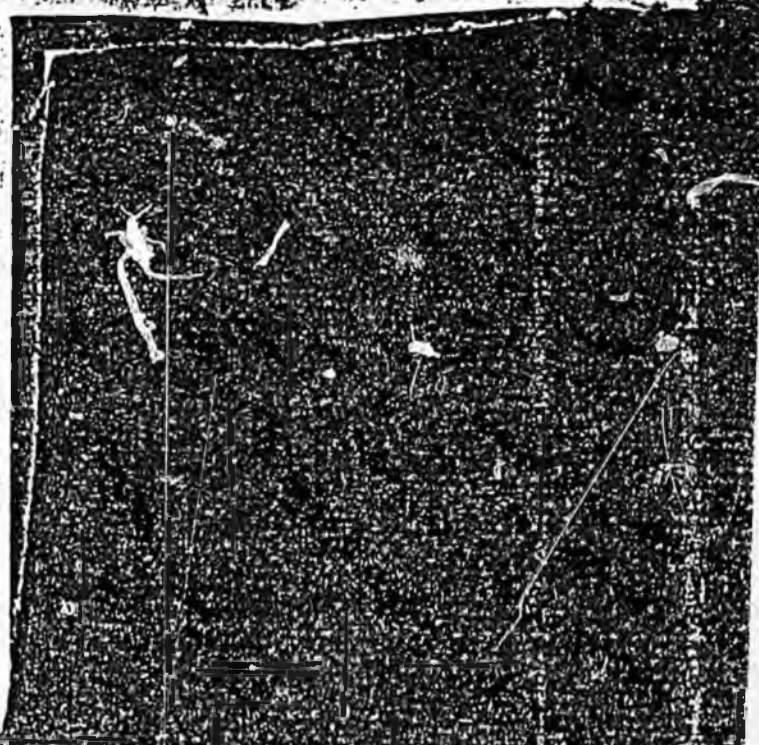
Common Sense is concerned about what it sees as "the trend toward a full-time professional Legislature," he said.

George Krusz, the president of the Alaska State Chamber of Commerce, echoed the concern.

"The concept of a citizen's Legislature is one to which our members subscribe," he said.

Paula Ziegler, president of the League of Women Voters of Alaska, said the organization "favors the idea of stopping somewhere along the line and voting on the matter," but she said the league faced the same predicament as the Transportation Committee in trying to decide when that vote should be taken.

The resolution (SCSCSJR12 Transportation) moves to the Senate Judiciary Committee where a resolution limiting legislative sessions to 120 days, plus a possible seven-day extension, has twice died.



## House's session limit bill changed

The Associated Press

11/17/74

Transportation Chairman Bill Ray, D-Juneau, said his committee's proposal gives voters what they want, the opportunity to see their representatives held publicly accountable for the length of a session.

Sen. Bob Ziegler, D-Ketchikan, said the House plan is too restrictive. "Hasty decisions are invariably bad decisions," he said.

Sen. Ed Dankworth, R-Anchorage, said he wonders whether legislative business could be done in 120 days each year.

"I really believe we could get our work done in 90 days," said House Speaker Joe Hayes, R-Anchorage. "You need to put some time constraints on whatever project you undertake."

Kneely Taylor of Common Sense for Alaska said shorter sessions mean better government. Common Sense is concerned about what it sees as "the trend toward a full-time professional legislature."

Paula Ziegler, president of the League of Women Voters of Alaska, said the organization "favors the idea of stopping somewhere along the line and voting on the matter," but she said they faced the same predicament as the Transportation Committee in trying to decide when that vote should be taken.

The resolution moves to the Senate Judiciary Committee where a resolution limiting legislative sessions to 120 days, plus a possible seven-day extension, has twice died.

JUNEAU — A watered-down version of a House resolution calling for a statewide vote on a constitutional amendment limiting the length of legislative sessions emerged from the Senate Transportation Committee Tuesday.

The committee's resolution calls for the House and Senate to vote on or before the 120th day of regular legislative sessions on whether to adjourn. The resolution passed by the House would mandate adjournment on the 120th day.

Proposed amendments to the Alaska Constitution must be approved by a two-thirds vote in each house and ratified by voters.

# 90-day session limit termed unrealistic

by Ralph Nichols  
Times Writer

Times 2/27

Members of the Anchorage Chamber of Commerce were told Monday that it isn't realistic to get a proposed constitutional amendment limiting legislative sessions to 90 days through the Legislature.

Rep. Richard Halford, R-Chugiak, said it "is a case where you cannot allow the perfect (a 90-day limit) to get in the way of the better (a 120-day limit)." And, he said, getting a proposed amendment limiting legislative sessions to 120 days on the November ballot "is within the realm of possibility."

Sen. Tim Kelly, R-Anchorage, agreed. He said "something is better than nothing," adding that his resolution to limit legislative sessions to 120 days with a provision for one seven-day extension probably will be supported by every senator from Anchorage.

Kelly said most of the opposition to limiting legislative sessions is coming from lawmakers from the Southeast and the Bush.

The comments came during a chamber luncheon program intended to update the Anchorage business community on various legislative activities. Members of the audience

spoke with their representatives via a live television hookup.

Rep. Joe Montgomery, R-Anchorage, said the Legislature supports education statewide, and that any budget cuts in appropriations for either public schools or the University of Alaska "will be made very, very cautiously."

Taking a look at overall budget-cutting efforts, Rep. Sam Cotton, D-Eagle River, said he doesn't disagree with the general philosophy of reducing the state's general operating budget for the 1983 fiscal year. But, he continued, "there is not enough thought into the conse-

quences of reducing the budget.

Cotton singled out consumption, day care services, and municipal assistance as just three where he thinks the impact of cutbacks hasn't been considered equately.

Sen. Pat Rodey, D-Anchorage, said the state urgently needs anism to administer capital projects, and Rep. David Cuddy, D-Chugiak, said he favors tighter controls on capital spending with a limitation on spending.

Referring to a proposal for capital investments administered by an independent board, much like the investment fund, Rodey said the Legislature does not really give up its power over capital appropriations.

Rep. Ramona Barnes, R-Anchorage, lobbied for a bill cracking down on driving while intoxicated, "there should never be an excuse for a drunk driver to get behind the wheel of a vehicle." And Charles Anderson, R-Anchorage, called a new drug bill "a very good law."

## Session limit plan assured of fair hearing

Bill White  
Times Juneau Bureau

Times 3/15

Juneau — Senate leaders today denied accusations by House Speaker Joe Hayes, R-Anchorage, that they are trying to kill a proposal to limit legislative sessions to 120 days.

Sen. Bill Ray said he will give a proposal to limit legislative sessions to 120 days a fair hearing next week, even though he personally opposes such a limit.

The Juneau Democrat chairs the Transportation Committee, to which the proposed constitutional amendment was referred in an unusual action. Normally the proposal would go

to the State Affairs Committee, and observers were saying over the weekend that the measure was given to Ray to kill it.

Hayes said that giving the bill to Ray's committee "is an effort to kill it. The Senate used to send bills to Labor and Commerce (Committee) when they wanted to kill them. Apparently the committee of no return this year is Transportation. I look at it as someone being soft on the bill."

The House passed the measure last week, a year after the Legislature met for a record 165-day session.

Sen. Tim Kelly, R-Anchorage, (See LIMIT, page A-4)

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. House Joint Resolution No. 2  
 Title "Proposing an amendment to the Constitution of the State of Alaska limiting the length of regular sessions of the legislature."  
 Requested by House Judiciary Date 1/20/83

II. FISCAL DETAIL  
 Agency Affected Office of the Governor  
 Program Category Affected Division of Elections  
 BRU, Program, Or Subprogram(s) Affected Division of Elections  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

NONE

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)  
 No additional fiscal impact is anticipated with House Joint Resolution No. 2.

IV. DATE 1/20/83 PREPARED BY Danith D. Arnoldt, Deputy Director  
 AGENCY Office of the Governor, Division of Elections  
 Original: Legislative Finance PHONE 586-6181  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/82)

HUTR

5

COMMITTEE REPORT

HOUSE

FURTHER:

(7)  
1/17/83

Date: 4-13-83

Mr. Speaker:

The Committee on JUDICIARY has had HJR 5

Proposing an amendment to the Constitution of the State of Alaska relating to amendment of regulations by the legislature.

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

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CHAIRMAN

# STATE OF ALASKA

Bill Sheffield, Governor

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K - STATE CAPITOL  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3600

April 13, 1983

The Hon. Charlie Bussell  
Chairman  
House Judiciary Committee  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Re: HJR 5 (constitutional  
amendment on annulment of  
regulations)

Dear Representative Bussell:

I understand that House Joint Resolution No. 5 is on your committee's agenda for today. This letter is to briefly express the Department of Law's opposition to that resolution.

The amendment proposed by HJR 5 is virtually identical to the Eleventh Legislature's CS HJR 82 am. (The only difference between the two amendments is that HJR 5 provides for the annulment to take effect 30 days after approval of the resolution, whereas the earlier version provided that it would take effect on the date the current resolution is approved.) That amendment was rejected by the voters on November 4, 1980 by a vote of 82,010 to 58,808. That is a substantial margin, and we should assume that the voters knew what they were doing. They should not be repeatedly subjected to the same ballot issue.

As you know, these proposals for constitutional amendments are intended to reverse the effect of the Alaska Supreme Court's decision in State of Alaska v. A.L.I.V.E Voluntary, 606 P.2d 769 (1980). The essence of that court decision, which held invalid the statute (AS 44.62.320(a)) that provided for legislative annulment of administrative regulations by concurrent resolution, is that (1) procedurally and substantively valid regulations have the force of law, (2) an "annulment" of a regulation has the effect of changing the law, and (3) when the legislature changes the law, it must do so by following the constitutional procedures for law-making. Since AS 44.62.320(a)'s concurrent resolutions do not follow the procedures for law-making, the court held that that statute was invalid.

As the court pointed out in Plumley v. Hale, 594 P.2d 497, 500 (Alaska 1979), the various constitutional provisions specifying the mechanics of legislation are "designed to engender

a responsible legislative process worthy of the public trust." Those provisions are "to ensure deliberation prior to passage, to ensure that the requisite majority of each house affirmatively votes to enact a bill into law, and to provide a public record of the vote cast by each legislator." Id. Those procedures include, for example, the single subject rule of art. II, sec. 13; the requirement of separate readings on separate days, under art. II, sec. 14; the requirement that the ayes and nays on final passage be recorded in the legislative journal, under art. II, sec. 14; and, of course, the provisions on gubernatorial veto, under art. II, secs. 15 and 16.

Those provisions provide for public accountability, public notice, and an opportunity for the public to prepare for the application of new law. Regulations adopted under the Alaska Administrative Procedure Act require public notice, opportunity for public comment, legal review by the Department of Law, and a deferred effective date. The current version of this proposed constitutional amendment has improved upon some earlier versions by the provision for a thirty-day deferral of the effective date, but neither the other constitutional protections nor the corresponding Administrative Procedure Act protections would be applicable to the annulment of an administrative regulation.

The proposed constitutional amendment before you is not a "mere adjustment" or technical correction of the constitution. It proposes a substantial realignment of the constitutionally specified powers. Although the adoption of administrative regulations by an administrative agency is considered a "quasi-legislative function," it is an essential part of the executive branch's execution or implementation of a statute. The proposed amendment, by providing for legislative annulment, by means a concurrent resolution, provides for the legislature to make what could be considered executive-branch decisions -- executing a program created by statute. This concentration of power in the legislative branch -- both enacting the program statute and then participating in executing it -- does not reflect a sound policy in the face of the separation-of-powers doctrine as expressed in the Federalist Papers and other writings. That doctrine, of course, involves a blending or sharing of powers. The purpose is to avoid an inappropriate concentration of power.

In addition, when the legislature makes a simple negative statement by merely annulling a regulation, it interferes with the executive-branch's execution of the statute and offers nothing in its place. For example, the regulation involved in the A.L.I.V.E. Voluntary case was a Department of Revenue regulation dealing with permits for such things as lotteries. It contained several elements: a dollar limitation, a time limitation, and a provision for the cumulative effect of the value of individual prizes in reaching the dollar limitation. When the legislature annuls a provision such as that, is the agency to

interpret that annulment as meaning that the dollar limitation is not appropriate, or that the time period is not appropriate, or that the cumulative effect is not appropriate? If the agency concluded that the legislature must have been primarily concerned about the dollar limitation, and adopted a new regulation specifying a different dollar amount, would it be guessing right?

I do not believe that anyone questions the legislature's right to review the executive-branch's execution of the statute. Nor does anyone question the legislature's right to enact statutes setting guidelines and imposing limitations or prohibitions. We may disagree as to the merit of a particular guideline or prohibition, but not as to the right of the legislature to enact it (subject, in some circumstances, to the applicability of other constitutional provisions).

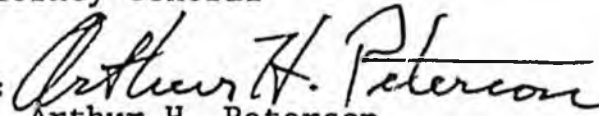
The Alaska Administrative Procedure Act (AS 44.62) provides a carefully structured system with many opportunities for legislator-involvement in the adoption of administrative regulations. If one of those opportunities was missed, or proved otherwise unavailing in some circumstance, further legislation might be appropriate. Such legislation would, of course, supersede the offending regulation.

Chadha v. Immigration and Naturalization Service, 634 F.2d 408 (9th Cir. 1980), is currently on appeal to the United States Supreme Court. That case presents to the court the question of the validity of what has become known as the "legislative veto." A decision is expected by June of this year. Your committee might also find helpful the discussion in the official commentary to the 1981 Revised Model State Administrative Procedure Act, promulgated by the National Conference of Commissioners on Uniform State Laws; see, especially, the art. III introductory comments which discuss the legislative/executive/public interrelationship regarding administrative regulations.

Thank you for this opportunity to comment. I would be happy to discuss the matter further with you at your convenience.

Yours truly,

Norman C. Gorsuch  
Attorney General

By:   
Arthur H. Peterson  
Assistant Attorney General

The Hon. Charlie Busseil  
HJR 5

Apri 13, 1983  
Page 4

cc: Emil Notti  
Legislative Assistant  
Governor's Office

# STATEMENT IN FAVOR OF BALLOT PROPOSITION NO. 1

The legislature, when it writes a law, cannot foresee all of the possible details involved in carrying it out. The appropriate administrative agency is therefore allowed to write regulations which spell out who does what, when, where, and how. If the agency does no more than this no problem is created.

Unfortunately agency regulations are not always consistent with the intent the legislature had in passing the law. Sometimes an agency will get carried away and put out regulations that cause an unnecessary burden for the citizens. The First State Legislature realized this and provided a simple solution. The legislature could, by a concurrent resolution passed by a majority of each house, annul an administrative regulation. Such a resolution is not subject to the governor's veto.

The Alaska Supreme Court recently held, in a 3-2 decision, that the legislature must use a bill rather than a resolution to annul administrative regulations. But a bill is subject to

the governor's veto. The governor can hardly be expected to approve a bill overruling his subordinates, who put out the regulation in the first place. The present governor has already vetoed one such bill.

The court ruling gives agency regulations equal standing with laws, *ever though no single person elected by the voters has approved them.*

Our government is wisely based on dividing power among the three branches: legislative, executive and judicial. The current situation gives entirely too much power to the executive branch. Your approval of this constitutional amendment will restore the better balance under which the state operated from 1961 to 1980.

Charles H. Parr  
Chairman, House Judiciary Committee  
Alaska State Legislature

# STATEMENT AGAINST BALLOT PROPOSITION NO. 1

This is still another proposal by the legislature to free itself from the checks and balances of our constitution. Under the constitution, the legislature has all the power it needs to make laws and annul administrative regulations. This proposal does not aid the public in any way. What it does is allow the legislature to exercise its power to annul regulations in disregard of the constitutional requirements that each bill have a single subject, that each bill have three readings in each house, and that there be a recorded vote of the ayes and nays on final passage. It would also free the legislature from the executive veto and it would allow it to ignore the prohibition against special and local legislation.

The Alaska Supreme Court has recently ruled that the legislature must abide by the constitution's checks and balances on its power whenever it exercises that power, including when it acts to annul regulations. This amendment is intended to overrule the court's decision and erode the constitution's safeguards. It aids legislators, not the public, and it should be rejected.

Katherine D. Nordale  
Delegate to the Alaska  
Constitutional Convention,  
1955-1956

# BALLOT PROPOSITION NO. 1

## LEGISLATIVE ANNULMENT OF REGULATIONS

### Constitutional Amendment

(Committee Substitute for House Joint Resolution No. 82 Amended)

#### SUMMARY

(As it will appear on the November 4, 1980 General Election Ballot)

This proposal would permit the legislature to annul, by adopting a resolution, regulations adopted by state agencies. Annulment of regulations by resolution was authorized by the First State Legislature in 1959; however, in 1980 the Alaska Supreme Court held that the constitution permits the legislature to annul a regulation only by passing a bill, which requires three readings of the bill and a roll call vote which is recorded. The procedures for adopting resolutions are governed by legislative rules and require only the approval of the resolution by voice vote of a majority of both houses. A bill passed by the legislature annulling a regulation could be vetoed by the governor or repealed by referendum. A resolution annulling a regulation could not:

#### BALLOT FORM:

- A vote "FOR" adopts the amendment.
- A vote "AGAINST" rejects the amendment.

FOR   
 AGAINST

#### VOTE CAST BY MEMBERS OF 11TH STATE LEGISLATURE ON FINAL PASSAGE

Senate	(20 members):	Yeas <u>18</u>	Nays <u>0</u>	Absent or Not Voting <u>2</u>
House	(40 members):	Yeas <u>36</u>	Nays <u>0</u>	Absent or Not Voting <u>4</u>

#### LEGISLATIVE AFFAIRS AGENCY SUMMARY

(As required by law)

This proposal would add a new section, section 22, to Article II of the state constitution. If adopted, the proposal would authorize the legislature to annul or set aside a regulation which has been adopted by a state department or agency. In order to annul a regulation, the legislature could adopt a concurrent resolution by approval of the resolution by majority vote of the membership of each house of the legislature. The resolution specifies the date on which the annulment of a regulation would take effect.

#### FULL TEXT OF PROPOSED CONSTITUTIONAL AMENDMENT

SECTION 22. ANNULMENT OF REGULATIONS. The legislature by a concurrent resolution approved by a majority vote of the membership of each house may annul a regulation adopted by a state department or agency. The annulment of the regulation is effective on the date the concurrent resolution is approved by both houses unless the concurrent resolution specifies a different date.



Official Business

# Alaska State Legislature

## House of Representatives

### Representative Mike Szymanski

SR-A-Box 1304B  
Anchorage, Alaska 99502  
Phone (907) 349-3373

While in Session:  
Pouch V  
State Capitol  
Juneau, Alaska 99811




#### MEMORANDUM

DATE: March 26, 1983

TO: HOUSE JUDICIARY COMMITTEE

Rep. Charlie Bussell  
Rep. Ramona Barnes  
Rep. Don Clocksin  
Rep. Joe Hayes  
Rep. John Liska  
Rep. Ron Wendte

FROM:  Rep. Mike Szymanski

SUBJECT: Proposed HJR Amendment

Attached is additional information which should be included in the packet previously forwarded to you regarding the proposed HJR amendment relating to Amendment of Regulations.

Attachment:



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

Pouch Y. State Capitol  
Juneau, Alaska 99811  
(907) 465-3991

March 24, 1983

MEMORANDUM

TO: Representative Mik Szymanski  
FROM: Susan Brody, Director *SB*  
RE: Regulation Review by the Legislature  
Research Request 83-87 (additional information)

As a follow-up to our memorandum of February 25, we have compiled additional information on the attempts by the legislature to annul executive branch regulations by concurrent resolution.

The attached chart lists concurrent resolutions pertaining to regulations which were introduced in both the House and Senate prior to the 1980 Alaska Supreme Court A.L.I.V.E. decision. As shown, we have identified 22 legislative attempts to annul regulations during the period from 1959 to 1980. Of these 22 attempts, only four passed both the House and Senate and were read by the governor.

The two most recent successful attempts to annul regulations by concurrent resolution were made during the Tenth Alaska Legislature (1977-78); copies of these two resolutions are attached (SCR 12 and SC<sup>d</sup> 32).

I hope the information provided here and in our earlier memorandum is of use to you. Please let us know if you would like us to perform additional research on this topic.

SB/dp

Attachments

LEGISLATIVE ATTEMPTS TO ANNUL REGULATIONS  
BY CONCURRENT RESOLUTION

Legislature	Res. #	Subject	Status
1959-1960	SCR 18	Annulling certain Dept. of Fish & Game regs.	read
	HCR 26	Annulling certain Dept. of Fish & Game regs.	expired
1965-1966	SCR 1	Annulling certain Dept. of Revenue regs.	expired
	HCR 53	Annulling certain Dept. of Fish & Game regs.	expired
1969-1970	SCR 27	Annulling certain Dept. of Public Safety regs.	expired
1971-1972	SCR 8	Annulling certain Dept. of Revenue regs.	expired
	HCR 3	Annulling certain Dept. of Revenue regs.	expired
	HCR 48	Annulling certain Dept. of Public Safety regs.	expired
1973-1974	HCR 54	Annulling certain Dept. of Env. Conservation regs.	read
	HCR 30	Annulling certain Dept. of Env. Conservation regs.	expired
	SCR 19	Annulling certain Dept. of Public Safety regs.	expired
	HCR 15	Annulling certain Dept. of Env. Conservation regs.	expired
1975-1976	HCR 47	Annulling certain Dept. of Natural Res. regs.	expired
	HCR 133	Annulling certain DHSS regs.	expired
1977-1978	HCR 136	Annulling certain DHSS regs.	expired
	SCR 8	Annulling certain DCED regs.	expired
	SCR 12	Annulling certain DCRA regs.	read
	SCR 32	Annulling certain Postsecondary Education Comm. regs.	read
	SCR 70	Annulling Guide Licencing & Contal Board regs.	expired
1979-1980	HCR 24	Annulling certain DNR regs.	expired
	HCR 31	Annulling Certain DF&G regs.	expired
	SCR 31	Annulling certain DNR regs.	expired

Source: House Research Agency, March 1983.

STATE OF ALASKA  
FISCAL NOTE

Revision Date \_\_\_\_\_, 1983

I. REQUEST

Bill/Resolution No.: HJR 5  
 Title: "...annulment of regulations..."  
 Sponsor: Repr. Szymanski  
 Requestor: House Judiciary Committee

II. FISCAL DETAIL

Agency Affected: Department of Law  
 Program Category Affected: General Gov  
 BRU, Program of Subprogram(s) Affected: Legal Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

N/A

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Richard I. Pegues Director  
 Division: Administrative Services Division

Phone: 465-3672  
 Date: April 13, 1983

Approved by Richard I. Pegues / For Commissioner: Norman C. Gorsuch, Attorney General  
 Department: Department of Law

Date: April 13, 1983

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

HJR 5  
Fiscal Note  
Analysis

While the Department of Law opposes this resolution, we will limit our comments here to fiscal matters. This proposed amendment to the state's constitution, if adopted in the 1984 general election, will probably not have a direct fiscal impact on the department's operations. The department is statutorily responsible for reviewing all regulations for legality and form to insure consistency with the appropriate enabling legislation. The department also drafts regulations on behalf of other departments and assists other departments in drafting regulations that deal with highly complex matters requiring the attention of an attorney. Obviously, some of the time spent in these efforts will have been lost whenever a regulation has been annulled. Larger departments, which have the responsibility for carrying out major state programs, and who routinely draft numerous program operating regulations inhouse, will probably experience an even greater loss of staff time. The absence of statutorily mandated regulations, which would occur after annulment, could result in litigation from an adversely impacted industry or public interest group. The impact of such litigation cannot, in this case, be estimated in advance and therefore no cost impact can be shown.

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Joint Resolution No. 5  
Title Proposing an amendment to the Constitution of the State of Alaska relating to annulment of regulations by the legislature.

Requested by: House Judiciary Committee Date 4/13/83

II. FISCAL DETAIL

Agency Affected General Government  
Program Category Affected Legislative Affairs Agency  
BRU, Program, Or Subprogram(s) Affected Session

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES	-0-	-0-				
200 TRAVEL	-0-	-0-				
300 CONTRACTUAL	-0-	-0-				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-				

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS None

FULL TIME						
PART TIME						
TEMPORARY						

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

Assuming that no special session is called for the express purpose of annulling regulations, it is estimated that this resolution will have no additional fiscal impact.

There is no additional cost to the Division of Elections to place an issue before the voters as that is the division's function.

IV. DATE 04-13-83 PREPARED BY Wally Harrison, Dir. of Admin. Svcs  
AGENCY Legislative Affairs Agency  
Original: Legislative Finance PHONE 465-3850  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

411B 800 1450 <sup>(3 DOC)</sup> - admin ref review comm (M<sup>r</sup> Conkey & Uno)  
= v. 1

CM13 HJ12 adj 5 <sup>(4 DOC)</sup> - House Judiciary - 13 April 83 - 1:40 (12pp)  
Senate " 29 April 83 - 1:34 (11pp)  
Senate " 13 May 83 - 1:36 (10pp)  
Senate Rules 31 May 83 - 12:30 (43pp)

March 23, 1983

*Judiciary Referral*

Mr. Harry D. Treager - Director  
State of Alaska  
Division of Occupational Licensing  
Pouch "D" - LIC  
Juneau, Alaska 99811

Re: Board of Veterinary Examiners

Dear Mr. Treager:

At the request of our Board Chairman, Dr. Valerie Shepard, I am enclosing a copy of the exact wording, as previously voted upon by our Board, for the proposed Good Samaritan Statute. As you are aware, our Board has attempted to have this legislation introduced for over two years. As indicated in your recent telephone conversation with our Board Chairman, we very much appreciate your willingness to move this matter along by carrying the legislation directly to the Governor's Office.

Also, in regard to Darrell Miller's January 24, 1983 letter to the Board relative to new 1983 Legislation, the Board took the following action at our March 14, 1983 meeting:

1. Re: Senate Bill 25 concerning the Decompression Chamber for animal euthanasia, Our Board did not take a stand on this matter but will be willing to do so with a specific request for same. Kindly advise if this is the case.
2. Re: House Joint Resolution No. 5 concerning the annulment of regulations, our Board voted not to support this matter.
3. Re: House Bill 20 relating to public officials. The Board took no official stand though agrees in principle.
4. Re: House Bill 54 relating to regulations adopted under the Administrative Procedure Act. Our Board voted not to support this matter.

In regard to your February 22, 1983 Memo to our Board pertaining to the reduction of residency requirements on the Board of Veterinary Examiners (Sec. 08.98.010), our Board voted not to support this matter and feels that the State is best served by the current five-year requirement.

We appreciate having the above matters brought to our attention.

Sincerely,

*Dody Froehlich*

Dody Froehlich  
Member - Board of Veterinary Examiners

enc:

cc: Dr. Valerie Shepard

Wording for "Good Samaritan Statute" as voted unanimously upon by the Board of Veterinary Examiners at the December 8, 1980 Meeting:

"A Veterinarian who, on his own initiative or other than at the request of the owner, gives emergency treatment for an injured animal either at the scene of an accident or when such animal is brought to him, shall not be liable in damages to the owner of such animal in the absence of gross negligence."



Official Business

# Alaska State Legislature

House of Representatives

Representative Mike Szymanski

*Referral*  
SR-A-Box 1304B  
Anchorage, Alaska 99502  
Phone (907) 349-3373

While in Session:  
Pouch V  
State Capitol  
Juneau, Alaska 99811



April 22, 1983

## MEMORANDUM

FROM: Representative Szymanski

SUBJECT: HJR 5

It is my understanding that HJR 5, relating to the annulment of regulations by the legislature, will be on the House floor on Monday, April 25, 1983.

I would appreciate your continued support of this legislation.

SELECT - QUERY  
00002 1 SECTION EQ 24.30.035

*2nd Referral*

AS24.30.035 DOCUMENT= 1 OF 1  
CITATION Sec. 24.30.035.  
CATCH LINE

FISCAL NOTES ON BILLS.

TEXT Before a bill is reported from the committee of first referral, there shall be attached to the bill a fiscal note containing an estimate of the amount of the appropriation increase or decrease which would result from enactment of the bill for the ensuing fiscal year and at least two succeeding fiscal years or, if the bill has no fiscal impact, a statement to that effect shall be attached. The fiscal note or statement shall be prepared by the department or departments affected. If the bill is presented by the governor for introduction in accordance with AS 24.30.060(b) and the uniform rules of the legislature, the fiscal note or statement shall be attached to the bill before the bill is introduced. An amendment or a substitute bill proposed by a committee of referral that changes the fiscal impact of a bill shall be explained in a revised fiscal note or statement attached to the bill.

R0601 \* END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

*Charlie,*  
*Concerning our conversation yesterday at Council.*  
*I thought the revised fiscal note language was this.*  
  
*Bill Burris*

HJR

6



2-18-83

2-22-83  
UB

Dear Rep. Bussell:

As a resident in Alaska for forty-two years, I strongly urge you to vote that Alaska approve E.R.A.

It is ridiculous to think that Alaska, where men and women almost always work together, would not be a state working for E.R.A. Thank you.

Ruth W. Sandvik

Ruth W. Sandvik  
Box 526  
Petersburg, Alaska 99833

MSG 83-00010098 PRTY 1 02/22/83 12:43:25 ORIG: LAD1 IN: 0007 OUT: 0049  
FROM: SHIRLEE, ANC LTD TO POMS, BUREAU INFO  
TARGET: LHM 2003- PCH

02/22/83, SHIRLEE ANE LIO, 10098

TO ALL MEMBERS, ALASKA LEGISLATURE

FROM LEILA WISE  
123 WEST TWELFTH  
ANCHORAGE, AK 99501 (H) 277-2245 (W) 265-4401

I ENCOURAGE YOUR SUPPORT OF THE RESOLUTION SUPPORTING THE  
FEDERAL EQUAL RIGHTS AMENDMENT.

*HJR 6*



TO: ALL THE MEMBERS OF THE LEGISLATURE

1000 ...

... ..

...

...

...

...

...

SUPPORT THE NATIONAL ...



0417/83, SHIRLEE AND LID, 0245

TO ALL MEMBERS, ALASKA LEGISLATURE

FROM PATRICIA DAIRD

1720 EAST 27TH

ANCHORAGE, AK 99504 (907) 577-0401 (907) 577-2307

I ASK YOU TO SUPPORT SJR 1, ENA.

\*\*\*\*\*

2/16/83, SHIRLEE AND LIO, 8963

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: JANE BIERING

2644 BLACKBERRY STREET, #12

ANCHORAGE, AK 99502 (H) 243-8799 (W) 277-4564

I URGE YOU TO LEND YOUR STRONGEST ENDORSEMENT TO THE ERA  
AND TO SUPPORT HJR 6.

A VOTE AGAINST THIS BILL IS AN ANACHRONISTIC REJECTION OF  
THE FULL CITIZENSHIP OF WOMEN.

\*\*\*\*\*



MSG 03-00008291 PTY 1 02/16/03 11:44:30 ORIG: L000 IN: 0003 OUT-  
FROM: KODIAK TO: JUNEAU  
TARGET: LJML SUBJ: PUBLIC OPINION MESSAGE

TO: ALL LEGISLATORS - HOUSE AND SENATE

FROM: BILL HERNAN  
P.O. BOX 2225  
KODIAK, AK 99615

REF: SJR 1, HJR 6

I WOULD LIKE TO EXPRESS MY SUPPORT FOR THE RESOLUTIONS INTRODUCED IN THE HOUSE AND THE SENATE FOR SUPPORT OF "ERA" AMENDMENT TO THE CONSTITUTION. THE TIME HAS COME FOR A CONSTITUTIONAL SUPPORT FOR THE WOMEN OF AMERICA AND THEIR EFFORTS TO ATTAIN EQUALITY.

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: HURTLE SCHREIBER, 41008 LATTI CIRCLE,  
SUNNYVALE, CALIFORNIA 95087  
344 5473 31

PLEASE DO NOT SUPPORT END OF THE NATIONAL ORGANIZATION FOR WOMEN.  
WHAT HAS HAPPENED TO OUR HERALD CHARACTER?



XX

ENTHUSIASTICALLY SUPPORTIVE OF SPR 41 BILL  
BE WATCHING.

ANCHORAGE, AK 99504  
4035 INLET PLACE  
NANCY BRAYES

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: 10:

MESSAGE PLEASE REPORT 5PM 4 1 SUBJECT OF REINSTITUTING A NATIONAL GOVT RIGHTS MOVEMENT.

TO ALL MEMBERS OF THE LEGISLATURE.

FROM: SOUTH TRAFFIC  
Rm 21-R  
MEMBER, AN 99507  
HOME: 348-2375  
(NO WORK PHONE)

\*\*\*\*\*

TO BE RECONSIDERED THE APPOINTMENT OF MR. HAROLD  
MEMBERS TO BE COMMISSIONERS OF EDUCATION. IN HIS LAST  
JOB IN WASH, HE EXPRESSED THE PRIVATE CITIZIAN  
CONCEPT TO SAY THAT THEY HAVE LITTLE IN COMMON, WHICH  
WAS TO BECOME TO BECOME TO BECOME TO BECOME TO BECOME

FROM: TOM STEVENS  
1700 COLLEGE  
MEMBER, AN 99504 (PH 333-6001) (H 333-7328)

TO ALL MEMBERS OF THE LEGISLATURE

MEMBER, AN 99504 (PH 333-6001) (H 333-7328)

MEMBER, AN 99504 (PH 333-6001) (H 333-7328)

MEMBER, AN 99504 (PH 333-6001) (H 333-7328)



MSG 23-00000576 PRTY 1 02/15/83 14:45 To: UNIL: LAGD In: 0016 Out: 0016  
FROM: SHIRLEE AND LIO TO: PONS, CONRAD INFO  
SUBJECT: LHR SUBJ FOR

02/15/83, SHIRLEE AND LIO, 2572

TO: SENATORS PETTYJOHN, FAIRBANKS, STURGUILLUSKI, RODE,  
JOSEPHSON, V. FISCHER, HALFORD AND KELLY  
REPRESENTATIVES CATO, CONDERT, PESTINGER,  
HAYES, FLOOD, RUSSELL, LINDAUER, ABOOD, TISCHER,  
UEHLING, CLOCKSON, WARD, MARTIN, BARNES, FURFACE,  
LISKA, AND PHILLIPS



FROM: MARSHA S. HOLLOWAN  
1110 WEST SIXTH  
ANCHORAGE, AK 99501 (H) 274-5188 (W) 562-2062

I STRONGLY URGE YOUR SUPPORT OF SENATE JOINT RESOLUTION NO. 1,  
URGING CONGRESS TO PASS THE EQUAL RIGHTS AMENDMENT AND SEND IT  
OUT TO THE STATES FOR RATIFICATION.

\*\*\*\*\*

\*\*\*\*\*

PLEASE SUPPORT SENATE RESOLUTION NO. 4, PRO ERA.

FROM: ELLIE I. CLAWAY  
2022 JANTSON CIRCLE  
ANCHORAGE, AK 99503 (PH) 274-2556 (H) 284-1244

SJR 1

TO: ALL MEMBERS, ALASKA SENATE

2/15/83, SHIPLEY AND FIG, 6903

\*\*\*\*\*  
LETORS ARE CHARGED MONEY WHICH DOES TO CRIME VICTIMS AND FAMILIES.  
CONSIDER VICTIM FUND BILL SENT TO WASHINGTON. CONVICTED



\*\*\*\*\*  
TO: GEOGRAPHY  
HE WANT STRONG ERN. SUPPORT CAPITAL PUNISHMENT IN  
STRONG ERN. SUPPORT CAPITAL PUNISHMENT IN

FROM: MARY CUNNINGHAM  
244 FAIRBANKS STREET, AP. 5  
ANCHORAGE, AK 99503 (PH) 274-2928

SJR 1

TO: ALL MEMBERS, ALASKA LEGISLATURE

2/15/83, SHIPLEY AND FIG, 6903

\*\*\*\*\*  
FROM: SHIPLEY AND FIG  
TARGET TIME 2:30 PM  
RCF 22 00008702 PRTY 4 02/15/83 0811-1702 IN= 0017 OUT= 0017

FROM: JOHN SHAW, DISTRICT 16, DEMOCRATIC CHAIRMAN  
P.O. BOX V  
PALMER, 99045 PH. 745-3329

DISTRICT 16 DEMOCRATS RECOMMEND CONTINUATION OF THE GOVERNOR'S COMMISSION  
ON THE STATUS OF WOMEN.

FROM: ALISON SMITH, 3406 OREGON DRIVE, ANC 99503  
272-0149 H 279-5516

THIS GREAT STATE DEPENDS UPON AN EDUCATED POPULACE. DECLINING OIL REVENUES SHOULD NOT MEAN A DECREASE IN THE QUALITY OF EDUCATION FOR OUR STUDENTS. THIS WOULD RESULT FROM CUTS IN THE ALASKA STUDENT LOAN PROGRAM. PLEASE CONTINUE THIS WORTHWHILE PROGRAM.

FROM: ALISON SMITH, 3406 OREGON DRIVE, ANC 99503  
272-0149 H 279-5516

PLEASE SUPPORT HJR 6/SJR 4. THE ERA IS FOR HUMAN RIGHTS NOT JUST WOMEN'S RIGHTS.

SDK

MSG 83-00008053 PRTY 4 02/08/83 12:04-22 ORIG: LA02 IN= 0006 OUT= 0041  
FROM: SHIRLEE AND LIO TO: PONS, JUNEAU INFO  
TARGET LHM. SUBJ: PCH

2/8/83, SHIRLEE AND LIO, MSG 6353

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: SHIRLEY HOGAN  
5534 CHILKOOT  
ANCHORAGE, AK 99504 (H) 333-0018

WE ARE VEHEMENTLY OPPOSED TO SENATE JOINT RESOLUTION  
NO. 1.



61

STATE PARTY - 0744 02 14:10 24 BRIG LASS INF 2004 QUI- 024  
TO FOM, JUREAU INFO

-----  
SANDY, MARGE, AND INFO MSG 7929

TO ALL MEMBERS OF THE LEGISLATURE

FROM MARY JANE KRAJNAK, 1401 EAST 10TH ST, ANCHORAGE 99501  
377-6776 H 349-4629 W

PLEASE PASS SUR 1.

ECM

MSG 83-00006444 PRTY 1 02/04/83 17:41:01 ORIG: LA05 OUT= 0068  
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO.  
TARGET: LJHL SUBJ: F O M

-----  
2/4 POM, MARCIE, ANC INFO MSG 6444

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: HOLLY PLOOG, 1300 WEST SEVENTH, ANCHORAGE 99501  
H 278-3715 W 276-3644

PLEASE SUPPORT EQUAL RIGHTS FOR WOMEN AND VOTE YES ON SJR 1.

MSG. 83-00006606 PRTY 1 02/07/83 13:09:36 ORIG: L001 IN= 0001 OUT= 0059  
FROM: KODIAK TO: JUNEAU  
TARGET: LJHL SUBJ: PUBLIC OPINION MESSAGE

---

TO: ALL LEGISLATORS HOUSE AND SENATE

FROM: MARY ELIZABETH RIDER  
GENERAL DELIVERY  
KODIAK, ALASKA 99615 MESSAGE PHONE 486-6171

RE: EQUAL RIGHTS AMMENDMENT

I SUPPORT THE EQUAL RIGHTS AMMENDMENT AND I HOPE THAT YOU WILL TOO.

EOM/

NOV 25 10:00:17Z ENTRY 1 000-1793 17-07 24 ORIG: 1832 IN 0017 OUT-14  
FROM: SHIPLEY, AND LID TO: FIVE, WILSON LIFE

AS SHIPLEY AND LID, MSG 0173

TO: REPRESENTATIVE BURSILL

FROM: ELIZABETH HICKERSON  
746 WEST 18TH  
ANCHORAGE, AK 99503 (H) 272-7170 (W) 274-1426

Received  
2/4/83

AS A CONSTITUENT, I STRONGLY URGE YOUR SUPPORT FOR HJR 6.  
IT IS INCOMPREHENSIBLE THAT IN THIS DAY AND TIME INTELLIGENT  
INDIVIDUALS WOULD FAIL TO RECOGNIZE THAT EQUALITY FOR ALL IS  
MANDATORY IN A DEMOCRATIC SOCIETY. DON'T BE MISLED THAT THE  
ERA LEADS TO UNI-SEX BATHROOMS, REQUIRED ABORTIONS, OR A BRALESS  
SOCIETY RUN BY HOMOSEXUALS. IT IS TIME THAT ALL AMERICANS ENJOY  
THE BENEFITS OF AN EQUAL SOCIETY AS WE DO IN ALASKA.

Received  
2/3/83

MSG 83-00005814 PRTY 1 02/02/83 17:47-06 ORIG: 4024 IN= 0006 OUT= 0  
FROM: MARY JO/KODIAK TO: JUNEAU  
TARGET: LJHL SUBJ: POM

---

TO: ALL LEGISLATORS

FROM: STACIE PETERSON  
P.O. BOX 1224  
KODIAK, AK. 99645 PH: 486-5422

I SUPPORT SJR 7 AND HJR 10.

---

TO: ALL LEGISLATORS

FROM: CAROLYN COVINGTON  
ST RT D BOX 9340  
PALMER 99645 PH. 745-3365

PLEASE SUPPORT THE INTRODUCTION OF E.R.G. TO THE CONGRESS. ALASKA MUST NOT TURN AWAY FROM ITS HISTORY OF CONCERN FOR EQUAL RIGHTS FOR ALL AMERICANS. WE HAVE LED THE FIGHT, LET US CONTINUE TO DO SO.

MSG 93-00006056 PRTY 1 02/03/93 14:01:35 ORIG: LJ04 IN= 0022 OUT= 0065  
FROM: PATRICIA/JUNEAU TO:  
TARGET: LJHL SUBJ: P O N

---

TO: ALL LEGISLATORS

FROM: MARY J. PRUSSING HOME: 586-2754  
104 1/2 TROY AVENUE  
JUNEAU, ALASKA 99901

I AM IN FAVOR OF SJE 1, THE ERA BILL.

MSG 83-00005689 PRTY 1 02/02/83 13:48:35 ORIG: LA05 IN= 0003 OUT= 0066  
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO  
TARGET: LJHL SUBJ: P O N

---

POM, MARCIE, ANC INFO 2/2 MSG 5689

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: GARY POWELL, 9340 NICKELL CIRCLE, ANCHORAGE 99507  
344-3932 H 276-4912 W

7  
0

I WISH TO REGISTER MY OPPOSITION TO SJR 1. THE PEOPLE HAVE SPOKEN  
ONCE LETTING THE AMENDMENT FAIL. LET THE PEOPLES VOICE AND DECISION  
STAND. DO NOT SUPPORT A NEW ERA AMENDMENT.

EOH

02-00006908 PRTY 1 02/08/83 14:25 30 ORIG: LAO IN= 0069  
FROM: MARCIE, AND INFO TO: POM, JUNEAU INFO



FROM: POM, MARCIE, AND INFO MSG 6908

TO: REPRESENTATIVES **RUSSELL** & LINDAUER

SENATORS FAIKS, PETTYJOHN AND KELLY

FROM: KATHRYN ROBINETT, 7411 MARGARET CIRCLE, ANC 99502  
344-7214 H 264-4800 U

I SUPPORT EQUALITY. VOTE YES FOR EQUAL RIGHTS.

\*\*\*\*\*

TO: ALL LEGISLATORS

FROM: HARRY MONROE

P.O. BOX 1729

KODIAK, AK. 99615 HM-496-5777 WK-496-6171

RE: ER6 - SJR #1

I URGE YOU TO VOTE IN FAVOR OF SJR#1 OR HJR#6 TO SHOW THE U.S. CONGRESS THAT ALASKA CONTINUES TO SUPPORT EQUAL RIGHTS FOR WOMEN.



MSG 83-00006958 PRTY 1 02/08/83 15:28:14 ORIG: LS00 IN= 0013 OUT= 0075

FROM: SITKA

TO: JUNEAU

TARGET: LJHL SUBJ: POM

MSG 83-00007217 PRTY 1 02/09/83 11:50:58 ORIG: LA01 IN= 0002 OUT= 0041  
FROM: JUNE, ANCHORAGE LIO TO: PCH, JUNEAU INFO  
TARGET: LJOH SUBJ: PCH

2/9/83 JUNE, ANCHORAGE LIO, MESSAGE #7217

TO: ALL REPRESENTATIVES

FROM: VICKI LESTER (H) 344-7239 (H) 277-4923  
911 W. 74TH  
ANCHORAGE, AK 99502

I AM IN FAVOR OF THE ERA AND I HOPE IT PASSES SUCCESSFULLY.

MSG: B3-00008981 PRTY: 1 02/08/83 16:43:41 ORIG: 1A02 IN: 0016 OUT: 0000  
FROM: SHIPLEY, AND LTD TO: PONS, JUNEAN THEO  
SUBJECT: LAW SUIT FOR

2-8703, SHIPLEY AND LTD, 600 6005

TO: ALL MEMBERS  
ALASKA HOUSE OF REPRESENTATIVES

FROM: BECKY ATCHISON  
2454 COLONY LOOP  
ANCHORAGE, AK 99507 (H) 349-4984



I AM MOST CONCERNED THAT WE IN ALASKA SET A PRIME  
EXAMPLE TO THE WHOLE COUNTRY BY PASSING HJR 6. THE  
RESOLUTION IS OF THE UTMOST IMPORTANT TO ALL OUR  
LIVES AND TO AN EQUAL FUTURE FOR GENERATIONS TO COME.  
PLEASE VOTE IN FAVOR OF THIS RESOLUTION.

\*\*\*\*\*

MSG 93-00007171 PRTY 1 02/09/83 11:04:39 ORIG: LA02 IN= 0002 OUT= 0026  
FROM: SHIRLEE, ANC LID TO: POMS, JUNEAU INFO  
TARGET: LJHL SUBJ: POM

---

2/9/83, SHIRLEE ANC LID, MSG 7171

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: MRS. JEANETTE GONZALES  
4105 CHESS  
ANCHORAGE, AK 99504 (H) 338-6496 (W) 277-4023

WE LOOK TO YOU IN LEADERSHIP IN RATIFYING THE ERA BILL  
IN THIS SESSION AND HELP PUT ALASKA FIRST TO RATIFY  
THIS BILL. THANK YOU FOR JOINING IN THE FIGHT TO  
RATIFY THE ERA.

HSG 83-00007195 PRTY 1 02/09/83 11:28:05 ORIG: LA02 IN= 0003 OUT= 0034  
FROM: SHIRLEE, ANC L10 TO: PONS, JUREAD INFO  
TARGET: LHM SURJ P06

2/9/83, SHIRLEE ANC L10, 7195

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: PATRICIA YELDER  
541 IRWIN ST, APT. 3  
ANCHORAGE, AK 99508 (H) 276-1076 (W) 552-4231

I FEEL THAT AN ERA RESOLUTION SHOULD BE PASSED THIS LEGISLATIVE SESSION.

\*\*\*\*\*

2/9/83 JUNE, ANCHORAGE L10MESSAGE 87186

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: DAN PISTORESI (H) 278-1000 (W) 276-1331  
8152 LAMPLITER COURT  
ANCHORAGE, AK 99502

I WOULD LIKE YOU TO PASS THE ERA IN THIS SESSION.

HSG 83-00007210 PRTY 1 02/09/83 11:40:02 ORIG: LA02 IN= 0004 OUT= 0030  
FROM: SHIRLEE, ANC L10 TO: PONS, JUREAD INFO  
TARGET: LHM SURJ P06

2/9/83, SHIRLEE ANC L10, 7210

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: FERRY BROCK  
2226 NORTH STAR BLVD  
ANCHORAGE, AK 99503 (H) 276-7305 (W) 266-5834

PLEASE TAKE IMMEDIATE ACTION ON SJP 1 OR HJR 5, AFFIRMATIVELY.

\*\*\*\*\*

MSG 83-00007252 PRTY 1 02/09/83 13:29:21 ORIG: LA02 IN= 0109 DE # 0000  
FROM: SHIRLEE, AND LIO TO: PONS, JUNEAU INFO  
TARGET: LJHL SUBJ: POM

02/09/83, SHIRLEE AND LIO, 7252

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: AUDREY TAVANIS  
4110 DEDARR ROAD  
P. O. BOX 8343  
ANCHORAGE, AK 99502 (W) 277-5054



VIC FISCHER INTRODUCED THE ERA BILL. WE LOOK TO YOU IN LEADERSHIP IN RATIFYING THE ERA AND HELP PUT ALASKA FIRST IN RATIFYING THE ERA BILL. THANK YOU FOR JOINING IN THE FIGHT TO RATIFY THE ERA.

FROM: TOM "BEAR" REHARD  
BOX 1550  
WASILLA 99607

HALLEAH CROSSING GOT ANOTHER ONE LAST NIGHT. SAM PROVOST CAME DOWN LUCILLE RD. THE ROAD WAS SLICK, HE COULDN'T SEE THE TRAIN STOPPED ON THE CROSSING. HE COULDN'T STOP WHEN HE SAW THERE WAS A TRAIN THERE. HIS TRUCK WENT UNDER THE TRAIN. IT TOOK THE TOP RIGHT OFF THAT TRUCK AND HE IS IN THE HOSPITAL IN SERIOUS CONDITION.

WE MUST HAVE BLINKER LIGHTS AT THAT CROSSING.

FROM: JOHN F. SCHLICHTER PHONE: 709-2816  
P.O. BOX 203  
DUKE WAY, ALASKA 99821

I SUPPORT ERA.

TO: ALL LEGISLATORS

FROM: THEDA HADEN-KNITH PHONE: 364-2007  
WASHER ILLIS  
2729 JOHN STREET  
JUNEAU, ALASKA 99801

I SUPPORT ERA.

TO: ALL LEGISLATORS

FROM: LORNA SHELL  
234 3RD APT. 1  
JUNEAU, ALASKA 99801

I Support ERA.

REC 83-00007264 PRTY 1 02/09/83 13:32:08 ORIG: 1402 IN= 90 OUT= 9034  
FROM: SHIRLEE, AND LIO TO: POMS, JUNEAU INFO  
TARGET: LJHL SUPJ: PCH

---

2/9/83, SHIRLEE AND LIO, 7264

TO: ALL MEMBERS, ALASKA LEGISLATURE

FROM: TAMMY TOWNSEND  
4107 HAMPTON  
P. O. BOX 102511  
ANCHORAGE, AK 99510 (H) 337-5665

I AM IN SUPPORT OF THE PASSAGE OF SJR 1 AND HJT 6,  
SUPPORTING REINTRODUCTION OF THE EQUAL RIGHTS  
AMENDMENT.

MSG 83-00006875 PRTY 1 02/08/83 13:13:41 ORIG: L001 IN= 0002 OUT= 0055  
FROM: KODIAK TO: JUNEAU  
TARGET: LJHL SUBJ: PUBLIC OPINION MESSAGE

TO: ALL LEGISLATORS HOUSE AND SENATE

FROM: THIA FALCONE  
P.O. BOX 3373  
KODIAK, ALASKA 99615 PHONE 486-6435

RE: HJR 6

PLEASE SUPPORT EQUAL RIGHTS FOR WOMEN. SUPPORT HJR 6.

EOM/



I WOULD LIKE TO GO ON RECORD AS SUPPORTING EQUAL RIGHTS LEGISLATIONS.

RE: SJR 4 - HJR 2

486-6316 (HMT) 486-2202 (MKT)  
W. DIXON, ALASKA 99545

FROM: FRANK RHINES DIXON  
P.O. BOX 2275

SENATORS: HENRIE, ZIMMER

REPRESENTATIVES: RUSSELL, HAYS, BARRETT, BALDRE, CLOCKSTON

TO: SENATORS: BAY, JOSEPHSON, ELIVSON, STEIGER, BETTENDORF, WILCANY  
.....

FROM: KODIAK  
TARGET FUND SUBJ: POW

HSC 83-0000732 PRTY 4 02/19/83 17:50-37 015 1000 IN=0004 OUT=



POST 03-000000030 DAY 1 02:14:03 13 02 74 CITE 1000 IN= 0005 OUT= 0033  
FROM KODIAK  
TARGET L.J.M. SUBJ PUBLIC OPINION - STATE



TO ALL LEGISLATORS, HOUSE AND SENATE

FROM JOAN CONNERS  
P.O. BOX 2422  
KODIAK, ALASKA 99545 PHONE 484-4239

RE SB54, HJR6, SJR1, HB128 AND HB87

I STRONGLY SUPPORT HJR 6 AND SJR 1. I ALSO SUPPORT SB 54 AND HB128.  
I DO NOT SUPPORT HB 87.

MSG 83-00010685 PRTY 1 04/21/83 09:14:22 ORIG: LJ04 IN= 0003 OUT= 0011  
FROM: PATRICIA/JUNEAU TO:  
TARGET: LJHL SUBJ: P O M

---

FROM: JUDY AND DAVID LEWIS PHONE: 789-9936  
8845 GAIL AVENUE, JUNEAU, ALASKA 99801

---

TO: ALL REPRESENTATIVES

RE: HJR 6

WE ARE AGAINST HJR 6. ANY VOTE FOR ERA RESOLUTION WOULD BE A VOTE AGAINST  
THE TRADITIONAL FAMILY.

\*\*\*\*\*

TO ALL REPRESENTATIVES:

RE: HB 270

WE ARE FOR HB 270. WE DO NOT FEEL CHILDREN SHOULD BE USED FOR SEXUAL  
EXPLOITATION.

*Judiciary  
Referral*

HJR

7

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, FOR THE RECORD I AM RAMONA BARNES, STATE HOUSE OF REPRESENTATIVES, ANCHORAGE, DISTRICT 10.

AS YOU KNOW THIS RESOLUTION, ~~HJR 22~~, IS NOT A NEW IDEA. SIMILAR LEGISLATION, ~~HJR 6~~, WAS INTRODUCED LAST YEAR BY REPRESENTATIVE TERRY MARTIN, AND CO-SPONSORED BY MYSELF AND OTHER MEMBERS. IT HAS ALSO BEEN INTRODUCED IN THE OTHER HOUSE QUITE SOME YEARS AGO.

I BELIEVE THE REASONS FOR CHANGING THE PROCESS OF SELECTING THE ATTORNEY GENERAL ARE JUST AS VALID TODAY AS THEY WERE A YEAR OR TEN YEARS AGO. PERHAPS SOME ARE SATISFIED WITH THE GOVERNOR'S CHOICE FOR THAT OFFICE, BUT I THINK WE CAN AGREE THAT IF WE WERE NOT AND HAD GOOD CAUSE TO RECOMMEND HIS REMOVAL, IT WOULD RESULT IN A POWER STRUGGLE WITH THE ADMINISTRATION. THE RESULTS OF SUCH A STRUGGLE, NO MATTER WHAT THE OUTCOME, WOULD HAVE A NEGATIVE IMPACT ON OUR LABORS HERE IN THIS BODY.

I BELIEVE THAT THE ATTORNEY GENERAL SHOULD SERVE AS AN UNBIASED INTERPRETER OF THE LAW FOR THE CITIZENS OF THIS STATE, THEIR REPRESENTATIVES, AND OUR GOVERNOR. IT IS POSSIBLE, BUT HIGHLY IMPROBABLE, THAT THROUGH OUR PRESENT SYSTEM WE HAVE AN ATTORNEY GENERAL WHO ISN'T IN AGREEMENT

WITH THE POLITICAL PHILOSOPHIES OF THE PERSON WHO APPOINTED HIM. AND SINCE HE SERVES AT THE PLEASURE OF THAT PERSON, THERE IS FURTHER INCENTIVE FOR "POLITICAL LEANINGS" TOWARD ADMINISTRATIVE POLICY AND PHILOSOPHY.

THIS IS NOT A TIME FOR POLITICS. I SINCERELY BELIEVE THAT WE, AS REPRESENTATIVES OF THE PEOPLE, HAVE TO ASK OURSELVES IF THEIR BEST INTERESTS ARE BEING SERVED BY THE PROCESS OF SELECTING OUR ATTORNEY GENERAL.

WHEN OUR CONSTITUTIONAL CONVENTION WAS IN PROGRESS AND THIS ISSUE WAS BEING ADDRESSED, THERE WERE THIRTY-EIGHT (38) STATES WHICH ELECTED ATTORNEY GENERALS. FOR THE RECORD, THERE ARE FORTY-FOUR (44) STATES THAT NOW USE THAT PROCESS. I USE THESE FIGURES TO DEMONSTRATE NOT A "TREND", BUT TO ALLEVIATE ANY DOUBT CONCERNING CITIZEN PREFERENCES OVER A GIVEN PERIOD OF TIME IN OTHER STATES.

LET ME SAY IN SUMMARY THAT I FEEL THAT THE ATTORNEY GENERAL SHOULD BE MOST ACCOUNTABLE TO THE PEOPLE OF THE STATE WHEN INTERPRETING THE LAW. WHILE HE IS NOT A JUDGE, HE DOES INTERPRET THE LAW WHICH GOVERNS PEOPLE, AND THAT CARRIES WITH IT A GREAT RESPONSIBILITY TO THE PEOPLE. SINCE WE ARE REPRESENTATIVES OF THOSE PEOPLE, OUR OBJECTIVE SHOULD BE TO ENSURE THAT THOSE LAWS ARE INTERPRETED BY SOMEONE OF THEIR CHOOSING.

STATEMENT BY REPRESENTATIVE RICK UEHLING ON BEHALF OF  
HOUSE JOINT RESOLUTION SEVEN

I thank you, Mr. Chairman and members of the committee, for this opportunity to voice my reasons for introducing House Joint Resolution Seven, proposing amendments to the Constitution of the State of Alaska relating to the election of the attorney general.

The idea behind HJR 7, that of electing Alaska's attorney general, is not an original concept. For years, many Alaskans have supported the principle of electing our state's highest law enforcement officer. The past five years have seen similar legislation introduced by Senator Brad Bradley, Representative Terry Martin, and Majority Leader Ramona Barnes. As early as the Constitutional Convention in 1956, when Frank Barr of Fairbanks introduced an amendment to require the election of the AG, many citizens have recognized the need for a truly impartial and independent attorney general. Many believe, as Mr. Barr expressed the ideal, "the attorney general should be 'the people's attorney,' elected by and responsible to the citizens of Alaska."

Since our Constitutional Convention rejected Barr's suggestion, many of the states have provided for the election of attorneys general. In fact, today all but five of the fifty states elect their AG, a dramatic reversal from 1956 when only a dozen states elected attorneys general. Even the most avid opponent of electing the attorney general would have to admit that the last fifteen years have clearly indicated overwhelming national sympathy for the idea.

Today, my arguments in favor of HJR Seven will concentrate on three main points: 1. election provides for greater autonomy for the AG's office; 2. election provides for freedom from political manipulation; and 3. election provides for greater personal responsibility by the attorney general.

Today the attorney general is defined in AS 44.23.020 as "the legal advisor of the governor and other state officers." By very definition, the actions of the AG are subject to the whims of the governor. Providing for the election of future attorneys general will free the state's legal arm to exercise more autonomous control over prosecutorial and other activities. As an elected official, the AG would respond directly to the public. To quote former New York Attorney General Louis J.

Lefkowitz in his classic defense of elected attorneys general:

The elected attorney general has a natural and impelling desire to be creative and to exercise broader initiative in the service of the public. He is free of the fear of dismissal by any superior official if he should exercise contrary independent judgment. He is in the best position to render maximum service to the people and impartial advice to the Governor, the Legislature, and State departments and agencies.

My second argument in favor of HJR Seven is to the effect that, if elective, the office of attorney general will be free from political manipulation by the governor's office. As our system is arranged now, the attorney general is just another cabinet officer, directly responsible to the governor. Although I will certainly not argue that any of the fine men who have served in the office of attorney general have been politically manipulated, I will eagerly point out that the potential does exist. As our law is written today, the attorney general is the servant of the governor: he makes prosecutions as the governor sees fit and he generally interprets the law as the governor directs. This arrangement is obviously dangerous. Requiring the election of the attorney general would help eliminate this danger. Former Illinois Attorney General William J. Scott made this point clearly when he argued, "the Attorney General's roles of 'government watchdog' and 'attorney for the people' require independence from the governor." Former Attorney General Lefkowitz argued the same point when he said that electing the state's AG provides that "he can appear in Court without fear or favor--an attorney in the fullest and finest sense of the word."

My third observation is that election would provide a sense of personal responsibility for the attorney general. As an official directly responsible to the electorate, an elected attorney general would naturally feel a personal responsibility for the activities of the department. Perhaps more than any other reason, this argument hits the real point of electing Alaska's attorney general. That is in fact the main purpose in electing almost any official, be it our governor, our judges, or our mayors. When the direct authority and responsibility inherent to a particular position become so unusually varied and important, it is prudent to make that official directly answerable to the people he serves. Going again to General Lefkowitz: "To sum it up--an elected

attorney general has a measure of independence and a sense of personal and direct responsibility to the public."

Ladies and gentlemen, I will not tell you that there are no problems with the election of Alaska's attorney general or of any state official, for that matter: elections cost money; politics is inevitably involved, even in a non-partisan election as in this bill; personal greed and ambition are simply impossible to eliminate; and effective governments do require strong executives. However, I am willing to tell you that the potential benefits of an elected attorney general are far more numerous and important than any costs, real or imagined. The arguments I have made today hopefully demonstrate that point.

In my opinion, the argument is simply this: does the attorney general represent the governor of Alaska or the thousands of men and women who make up this great state? If you believe like I do that the attorney general should represent all of Alaska's citizens, then I encourage you to support this resolution to make that official directly responsible to the people represented. I encourage you to vote "Do Pass" on this important issue.

Thank you.

Alaska State Legislature

REPRESENTATIVE  
**TERRY MARTIN**

~~SENATOR~~

~~COMMERCE AND CONSUMER AFFAIRS COMMITTEE~~

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DURING LEGISLATURE  
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MEMORANDUM

February 23, 1983

TO: Representative Charlie Bussell  
Representative John Liska  
Representative Joe Hayes  
Representative Ramona Barnes  
Representative Hugh Malone  
Representative Don Clocksin  
Representative Ron Wendte

FROM: Representative Terry Martin *T.M.*

SUBJECT: SPONSOR SUBSTITUTE HOUSE JOINT RESOLUTION 7  
Providing for Election Attorney General

I strongly recommend that as a member of the House Judiciary Committee you vote SSHJR 7 out of committee with a "do pass" recommendation.

In 1979 I introduced HJR 6, Providing for Election of Attorney General (copy attached) in the House of Representatives.

I believe passage of SSHJR 7 would eliminate conflicts arising from a Governor having control of a State Attorney General. The majority of Alaskans believe the Attorney General is to protect the public interest -- not only that of the Executive Branch of Government.

Attachment

S

4/13/83

Robert B. Atwood  
Editor-in-Chief  
and Publisher

Lana Johnson  
Managing Editor

ALASKA FEVER

WHAT KIND OF BIRD IS AN  
APPOINTED ATTORNEY GENERAL?



WHAT KIND OF BIRD IS AN  
ELECTED ATTORNEY GENERAL?



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JERRY TCU  
IN THE HONOR OF THE

4/13

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CHAIRMAN  
HOUSE JUDICIARY COMMITTEE  
MEMBER  
HOUSE RESOURCES COMMITTEE

## Representative Charlie Bussell

ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES

March 24, 1983

Mr. Robert E. Sharp, Jr.  
2926 Madison Way  
Anchorage, Alaska 99504

Dear Mr. Sharp:

I thank you very much for your letter of March 16, 1983 regarding the legislation relating to the election of the attorney general and to procedures governing the election and term for state offices to be elected under the constitution.

I have enclosed a House Journal for March 23, 1983, which indicates how the voting went on the House Floor.

Thank you for your comments regarding the confirmation hearings on Norman Gorsuch. It is refreshing to hear good news.

Again, thank you for your letter and for becoming a part of the legislative process.

Very truly yours,

A handwritten signature in cursive script, appearing to read "C. Bussell".

Representative Charlie Bussell  
Chairman, Committee on Judiciary

CB:lyn

enclosure

