

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 86/2

2470 HJ HJR 8 - HJR 12

2470

CS HJR 9 "Proposing an amendment to the Constitution of the State of Alaska relating to elections for candidates for Governor and Lieutenant Governor and for members of the legislature."

ANALYSIS : This bill would require that any candidate for state elective office (executive and legislature) receive 50% of the votes cast for the office plus one vote, in the general election. If a candidate for office does not receive this amount, a runoff election shall be held between the top two vote getters.

A review of the 1982 legislative races shows that, if this law were then in effect, one (1) Senate race and eight (8) House races would require runoff elections. It should be noted that in every one of these nine races there were strong Libertarian and Independent candidates.

	<u>Senate #15&16</u>	<u>House #5 A</u>	<u>House #5 B</u>	<u>House #10 B</u>	<u>House #14 B</u>
winner %	41%	45%	49%	48.2%	49%
lack #	-876	-504	-101	-145	-95

	<u>House #16 B</u>	<u>House #18</u>	<u>House #19</u>	<u>House #17</u>
winner %	36%	41%	48.7%	42%
lack #	-1529	-425	-66	-363

Additionally, for point of reference, there were two (2) Senate races won with 50% plus 6 and 12 votes respectively, four (4) Senate race won between 51% and 55%, and four (4) House races won with barely more than 50% (plus 12, 34, 60 and 63 votes respectively)

As was noted previously in comments on the original HJR 9, all gubernatorial races except 1970 would have required a runoff election. Even the decisive 17,000 vote margin of the 1982 race left the winner with 45% of the ballots cast for that race, again due to the strong showing of the Libertarian and Independent candidates.

Analysis : Present state election law, Title 15, does not contain provisions for runoff elections. However, AS 15.15 and AS 15.20 address absentee ballot counts, questioned ballot counts, the State Ballot Counting Review process, certification of elections and 10 day notice of election.

The following schedule sets out the election calendar for 1984:

November 6, 1984	GENERAL ELECTION	AS 15.50.020
November 14, 1984	District Absentee & Questioned Ballots are counted	AS 15.20.201 AS 15.20.205
November 14, 1984	State Ballot Counting Review begins	AS 15.15.440
November 21, 1984	Last day to receive all ballots and certificates	AS 15.15.440
November 26, 1984	Certify General Election	AS 15.15.450
December 1, 1984	Last day to request recount(s) for any race, precinct, question	AS 15.20.430
December 6, 1984	Last day to set date of recount(s)	AS 15.20.460
December 11, 1984	Last day to hold recount of General Election	AS 15.20.480
December 21, 1984	Last day to complete recount	AS 15.20.480
December 30, 1984	Last day to give notice and issue order for runoff election	AS 15.15.070
January 8, 1985	Preparation of ballots, printing and distribution of absentee ballots Runoff Elections (Tuesday, not a holiday)	

SUMMARY OF VOTER TOTALS, PERCENTAGES OF GOV. ELECTIONS, GENERAL
1962-1982

<u>YEAR</u>	<u>TOTAL VOTES</u>	<u>CANDIDATE #1 / %</u>	<u>CAN. #2 / %</u>	<u>CAN. #3 / %</u>	<u>CAN. #4 / %</u>
1962	60,084 (56,681)*	29,627 49.3% (52.2%)	27,054 45% (47.7%)		
1966	67,361 (66,294)	33,145 49.2% (49.9%)	32,065 47.6% (48.3%)	1084 1.6% (1.6%)	
1970	82,405 (80,779)	42,309 51.3% (52.3%)	37,264 45.2% (46.1%)	1206 1.4% (1.4%)	
1974	98,557 (96,163)	45,840 46.5% (47.6%)	45,553 46.2% (47.3%)	4770 4.8% (4.9%)	
1978	129,705 (126,910)	49,580 38.2% (39.%)	33,555 25.8% (26.4%)	25,656 19.8% (20.2%)	
			<u>CAN. #4 / %</u>	<u>CAN. #5 / %</u>	
			15,656 12.% (13.%)	2,463 1.9% (1.94%)	
1982	199,358 (194,511)	89,918 45.1% (46.2%)	72,291 36.2% (37.1%)	29,067 14.5% (14.9%)	
			<u>CAN. #4 / %</u>		
			3235 1.6% (1.66%)		

* NOTE: These numbers and percentages in ()s are totals excluding votes not cast for one of the candidates listed above; all small write-in votes.

COMMENTS REGARDING HJR 9 "...relating to the elections of candidates
for the offices of Governor and Lt. Governor"

TUESDAY 2/8 House Judiciary Committee

HJR 9 proposes an amendment to the Alaska Constitution which, if approved by the voters, would require that elections of the Gov. and Lt. Gov. be decided by receipt of 50% of the votes plus one in the general election.

If no candidate were to receive 50% plus one vote, then a runoff election would be scheduled at least two weeks after certification, but before the last Tuesday of November.

* NOTE: If this were law, all gubernatorial races except 1970 would have required a runoff election. Even the decisive 17,000 margin of the '82 race left the winner with 45%.

The Division of Elections has the position that the time limits set on the certification and runoff would be difficult to meet.

As the Governor's term of office is defined in Article III Sec. 4, it "shall begin at noon on the first Monday in December following the general election". The Division sees this requirement as the end limit under which an HJR 9 scenario could occur, unless this section is amended or repealed.

One month is not enough time to hold and certify two elections.

Additionally, as weather rapidly deteriorates in Alaska in November, weather may prevent another vote taking place, ballots distributed properly to all areas of the state or a proper count conducted.

Finally, the Division of Elections, after reviewing the margins of victory and percentages of the last 6 Governor races, contends that to achieve a 50% margin in the General Election that no more than two candidates should be on the ballot. Only in this way could runoff elections be avoided. But the Division does not advocate this position, as it would deny access to the ballot by third party and write-in candidates.

I. REQUEST

Bill/Resolution No.: CSHJR 8
 Title: Proposing an amendment...
 Sponsor: Judiciary Committee
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Div. of Electio
 BRU, Program of Subprogram(s) Affected:
Division of Elections

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						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Dana C. Coffman - Deputy Director Phone: 586-6181
 Division: Division of Elections Date: April 4, 1983

Approved by Commissioner: _____ Date: _____
 Department: _____

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)

FISCAL ANALYSIS FOR CSHJR 8

"Proposing an amendment to the Constitution of the State of Alaska relating to elections for candidates for governor and lieutenant governor and for members of the legislature."

The amendments proposed by this resolution would appear on the 1984 general election ballot. Because the Division of Elections plans for the inclusion of constitutional amendments this resolution does not have a fiscal impact.

HJR

9

CONGRESSIONAL QUARTERLY'S

GUIDE

TO

U.S.

ELECTIONS

terms for an interim of at least one term. Two exceptions to that general rule—Delaware and Missouri—impose an absolute two term limit. That is, a governor may serve only two terms, however spaced, in his lifetime. The remaining 21 states impose no limits on the number of consecutive terms a governor may serve (box this page).

Majority Vote Requirement

A peculiarity of gubernatorial voting which has almost disappeared from the American political scene is the requirement that the winning gubernatorial candidate receive a majority of the popular vote. Otherwise, the choice devolves upon the state legislature or, in one case, necessitates a runoff between the two highest candidates. Centered in New England, this practice was used mainly in the 19th century. All six New England states, plus Georgia, had such a provision in their state constitutions at one time. New Hampshire, Vermont, Massachusetts, and Connecticut already had the provision when they entered the Union from 1789 to 1791.

Rhode Island required a majority election, but did not adopt a provision for legislative election until 1842. (See p. 364) Maine adopted the provision when it split off from Massachusetts to form a separate state in 1820; Georgia put the provision in its constitution when it switched from legislative to popular election of governors in 1825.

The purpose of the majority provision appears to have been to safeguard against a candidate in a multiple field winning with a small fraction of the popular vote. In most of New England, the provision was part of the early state constitutions, formed largely in the 1780s, before the development of the two party system.

The prospect of multiple-candidate fields diminished with the coming of the two party system. Nevertheless, each of these states had occasion to use the provision at least once. Sometimes, in an extremely close election, minor party candidates received enough of a vote to keep the winner from getting a majority of the total vote. And at other times, strong third party movements or disintegration of the old party structure resulted in the election being thrown into the state legislatures.

Vermont still maintains the majority vote provision, although the legislature has not elected a governor since 1912. Georgia maintains the requirement for a majority vote for governor, but instead of legislative election, provides for a runoff between the top two contenders three weeks after the general election.¹

Following are the states which had the majority vote provision for governor, the years in which the choice devolved on the legislature because of it, and the year in which the requirement was repealed or changed:

Connecticut

No gubernatorial candidate received a majority of the popular vote, thus throwing the election into the legislature in the following years subsequent to 1824: 1833, 1834, 1842, 1844, 1846, 1849, 1850, 1851, 1854, 1855, 1856, 1878, 1884, 1886, 1888, and 1890. Following the election of 1890, the legislature was unable to choose a new governor, so the outgoing governor, Morgan G. Bulkeley (R) continued to serve through the entire new term (1891-93). The provision was repealed in 1901. The years prior to 1824 in which the provision was used, if any, were unavailable from the Connecticut secretary of state's office.

¹ Mississippi has a majority vote provision under the 1890 state constitution, but the provision has not been used because the Democratic Party nominee has always received a majority.

Limitations on Governor Terms

(As of 1975)

State	Maximum number of consecutive terms
Alabama	2
Alaska	2
Arizona	No limit
Arkansas	No limit
California	No limit
Colorado	No limit
Connecticut	No limit
Delaware	2*
Florida	2
Georgia	None
Hawaii	No limit
Idaho	No limit
Illinois	No limit
Indiana	2
Iowa	No limit
Kansas	2
Kentucky	None
Louisiana	2
Maine	2
Maryland	2
Massachusetts	No limit
Michigan	No limit
Minnesota	No limit
Mississippi	None
Missouri	2*
Montana	No limit
Nebraska	2
Nevada	2
New Hampshire	No limit
New Jersey	2
New Mexico	None
New York	No limit
North Carolina	None
North Dakota	No limit
Ohio	2
Oklahoma	2
Oregon	2
Pennsylvania	2
Rhode Island	No limit
South Carolina	None
South Dakota	2
Tennessee	None
Texas	No limit
Utah	No limit
Vermont	No limit
Virginia	None
Washington	No limit
West Virginia	2
Wisconsin	No limit
Wyoming	No limit

* Indicates an absolute two term limit. That is, no person may serve more than two gubernatorial terms in his lifetime. In other states with limitations, a governor may serve as many terms as he may be elected to, provided he retires after one, or two, terms, depending on the constitutional provisions of his state, and stays out of office at least one term before running again.

None indicates the governor must retire at the end of his first term. After a one term interim, he may serve again.

2 indicates the governor must retire after two consecutive terms. After a one term interim, he may serve again.

SOURCE: *The Book of the States, 1974-75*, Vol. XX, The Council of State Governments, Lexington, Ky., 1974.

Georgia

Although the majority vote requirement was contained in the constitution as early as 1825, it was not used until the 20th century. In 1966, with an emerging Republican Party, a controversial Democratic nominee, and an independent Democrat all in the gubernatorial race, no candidate received a majority. The legislature chose Democrat Lester Maddox. It was the controversy surrounding this experience which led to the change from legislative choice to a runoff among the top two contenders. Earlier, in 1946, the Georgia legislature also attempted to choose the governor, under unusual circumstances not covered by the majority vote requirement. The governor-elect, Eugene Talmadge (D) died before taking office. The legislature, when it met, chose Talmadge's son, Herman E. Talmadge, as the new governor. Talmadge was eligible for consideration on the basis that he received enough write-in votes in the general election to make him the second-place candidate. But the state supreme court voided the legislature's choice and declared that the lieutenant governor-elect, Melvin E. Thompson (D) should be governor.

Maine

Maine entered statehood in 1820 with a majority vote provision for governor and kept it until repeal in 1880. During this 60 year span, the legislature was called on to choose the governor nine times, as follows: 1840, 1846, 1848, 1852, 1853, 1854, 1855, 1878 and 1879.

Massachusetts

Like the other New England states, Massachusetts originally had a requirement for majority voting in gubernatorial elections. However, after six straight elections from 1848 to 1853 when the legislature was forced to choose the governor, Massachusetts repealed the provision in 1855. The years in which it was used were as follows: 1785, 1833, 1842, 1843, 1845, 1848, 1849, 1850, 1851, 1852, 1853.

New Hampshire

New Hampshire's mandated majority vote for governor was in force from 1784 through 1912, when it was repealed. The outcome of the following gubernatorial elections was determined by the legislature: 1785, 1787, 1789, 1790, 1812, 1824, 1846, 1851, 1856, 1863, 1871, 1874, 1875, 1886, 1888, 1890, 1906, and 1912.

Rhode Island

Under the constitution of 1842, Rhode Island required a majority to win the gubernatorial election. Under this mandate, the legislature chose the governor in the years 1846, 1875, 1876, 1880, 1883, 1890, and 1891. Owing to a disagreement between the two houses of the state legislature, the ballots for governor were not counted in 1893, and Gov. D. Russell Brown (R) continued in office for another term of one year. The provision for majority voting was then repealed.

Before 1842, there was also a requirement for a popular majority, but the legislature was not allowed to choose a new governor if no candidate achieved a majority. Three times—in 1806, 1832 and 1839—there was a lack of a majority in a gubernatorial election, with a different outcome each time. In 1806, the lieutenant governor-elect served as acting governor for the term. In 1832, the legislature mandated a new election, but still no majority choice was reached; three more elections were held, all without a majority being achieved, so the same state officers were con-

tinued until the next regular election. And in 1839, when neither the gubernatorial nor lieutenant governor's race yielded a winner by majority, the senior state senator acted as governor for the term.

Vermont

Vermont's provision for majority gubernatorial election resulted in the legislature picking the governor 19 times: 1789, 1797, 1813, 1814, 1830, 1831, 1832, 1834, 1841, 1843, 1845, 1846, 1847, 1848, 1849, 1852, 1853, 1902, and 1912. On a twentieth occasion, 1835, the legislature failed to choose a new governor because of a deadlock and the lieutenant governor-elect served as governor for the term. The Vermont provision remains in force.

—By Warden Moxley

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Term of office

Time in excess of four-year term which Governor may be required to serve "until his successor shall be chosen and qualified" is part of his constitutional term; provision rendering Governor ineligible to succeed himself has no bearing whatever upon duration of his term. 201/867, 828 (41 S. E. 2d 383).

2-2702 (Art. V, Sec. I) Paragraph II. Election for Governor

The first election for Governor, under this Constitution, shall be held on Tuesday after the first Monday in November of 1978, and the Governor-Elect shall be installed in office at the next session of the General Assembly. An election shall take place quadrennially thereafter, on said date, until another date be fixed by the General Assembly. Said election shall be held at the places of holding general elections in the several counties of this State, in the manner prescribed for the election of members of the General Assembly, and the electors shall be the same.

Editorial Note

This section was Const. 1945, § 2-3002. The first election for Governor under the 1976 Constitution was changed to 1978 as the proper date.

Library References

See 5 E. G. L. Constitutional Law, § 84. Op. Att'y Gen. 1960-61 pp. 204, 213; 1962, p. 227.

ANNOTATIONS

Stated. 223/7, 11 (152 S. E. 2d 847).

2-2703 (Art. V, Sec. I) Paragraph III. Transmission, canvassing and publishing election returns

The returns of each election district in a gubernatorial election shall be sealed up by the superintendent thereof separately from other returns and shall be transmitted to the Secretary of State. On the Tuesday next following the general election, unless the date therefor shall be changed by law, the Secretary of State shall transmit said returns to a Constitutional Officers Election Board which shall be composed of the Speaker and Clerk of the House of Representatives, the President Pro Tempore and the Secretary of the Senate, and the chairman of each standing committee of the General Assembly. Such Board shall open and publish the returns, and the person having the majority of the whole number of votes shall be declared duly elected Governor of this State. Each candidate for Governor shall be entitled to designate one person to be present at the opening of the returns.

Editorial Note

This section was Const. 1945 § 2-3003. In the 1976 Constitution language was changed for proper agreement between noun and pronoun.

Library References

See 5 E. G. L. Constitutional Law, § 84. Op. Att'y. Gen. 1948-49, pp. 155, 162.

Stated. 223/7

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Notes of Decisions Under the Constitution of 1945 (prior to 1968 Amendment)

Stated. 223/7, 11 (152 S. E. 2d 847).

2-2704 (Art. V, Sec. I) Paragraph IV. Run-off election

In the event no gubernatorial candidate receives a majority of the whole number of votes cast in the general election, the Constitutional Officers Election Board shall continue the gubernatorial election by immediately calling a run-off election and designate as candidates therein the two persons who received the highest number of votes, who continue in life and have not declined to continue as a gubernatorial candidate. This run-off election shall be held on the third Tuesday immediately following the general election unless the date thereof shall be changed by the General Assembly. The run-off election shall be a continuation of the general election and only the electors who were entitled to vote in the general election shall be entitled to vote therein; and only those votes cast for the two persons designated shall be counted in the tabulation and canvass of the votes cast. The provisions relating to the transmission of the returns in the general election, the opening of the returns, their tabulation, canvassing and publication shall apply to the run-off election. On the Tuesday next following the run-off election, the Constitutional Officers Election Board shall convene, open, canvass, tabulate and publish the returns of the run-off election. The person having the highest number of votes entitled to be counted in the run-off election shall be declared the duly elected Governor of this State.

Editorial Note

This section was Const. 1945, § 2-3004.

Library References

See 5 E. G. L. Constitutional Law, § 84. Op. Att'y Gen. 1948-49, p. 155; 1954-56, p. 375.

Notes of Decisions Under the Constitution of 1945 (prior to 1968 Amendment)

Canvass of returns

General Assembly, as canvassers of election returns, have no discretionary power except to determine if returns are in proper form and executed by proper officials and to pronounce mathematical result; they can neither receive nor consider any extraneous information or evidence, but must look only to contents of election returns. 201/867, 877 (41 S. E. 2d 883).

Condition precedent

Condition precedent to election of Governor by General Assembly is a failure of the people to cast a majority of their votes for any person, in which event the General Assembly is given power to elect one of the two persons having the highest number of votes who are in life and willing to accept election at the time appointed for the General Assembly to elect. 201/867 (2) (41 S. E. 2d 883).

Constitutionality

Georgia Assembly is not disqualified to elect Governor as required by Article V of State Constitution of 1945. Neither is it disqualified by fact that its Democratic members had obligated themselves to support Democratic nominee in general election on November 8, 1966. That election is over, and with it, terminated any promises by Democratic legislators to support Democratic nominee. 385 U. S. 231 (87 Sup. Ct. Rep. 719, 17 L. Ed. 2d 330).

Article V of Georgia Constitution of 1945 provides method for selecting Governor which is as old as Nation itself. Georgia does not violate equal protection clause of Federal Constitution by following this Article as it was written. Id.

Construction

The word "person," as used in the second and third clauses of this section, refers to a living person as of the time of the election by the people, and his subsequent death is immaterial, so far as any power of election by the General Assembly is concerned. 201/867, 881 (41 S. E. 2d 883).

The clause "the person having majority of the whole number of votes, shall be declared duly elected Governor," means that the General Assembly shall declare such persons to have been duly elected Governor; it means this under any and all circumstances, for it refers always to a past fact. Id. 884.

In construing this section, Supreme Court is authorized, if indeed not required, to give consideration to the history of elections for Governor over a period of approximately half a century before the drafting and submission of the present Constitution and its ratification by the voters in 1945. Id. 884.

Acts 1871, p. 27, providing that if at special election for Governor no person be found to have received a majority of the whole number of votes cast, then from the two persons having the highest number of votes, who shall be in life, the legislature shall elect a Governor, and Acts 1878-79, p. 173 (now § 40-102 of Code), providing for election to fill vacancy in office, are legislative interpretation of language of this section prior to its incorporation in Constitution of 1877, and when lifted from that Constitution and inserted in the Constitution of 1945, presumably was intended to have the same meaning. Id. 886.

See also General Note at end of Title 2.

Death

Death of person receiving majority of votes cast for Governor after election by the people and before publication of returns by the General Assembly did not change duty of that body to declare his election nor authorize the General Assembly to declare by resolution that because of his death no person had a majority of the votes and to elect a Governor; such an election was a void act, which did not confer any right or title to the office of Governor. 201/867, 868 (2-a) (41 S. E. 2d 883).

Duty of General Assembly

In publishing returns and declaring results the members of the General Assembly perform a strict and precise duty identical in character with that which rests upon any and all persons who are merely authorized to canvass; they are not, while performing that duty, exercising or authorized to exercise any discretion, but simply perform the ministerial act of disclosing to the public the official election returns that have been prepared by the election managers. 201/867, 876 (41 S. E. 2d 883).

The canvassing of returns and declaration of the result are constitutional directives to the General Assembly, and its failure to observe them ought not to defeat the right of the person elected or the franchise of the voters who elected him. Id. 877.

Georgia Election

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STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: House Joint Resolution No. 9 Date on Bill: 1/18/83
 Title: "Proposing an amendment to the Constitution of the State of Alaska relating
 Sponsor: to elections...Governor and Lieutenant Governor" Bussell, Fischer, Hayes
 Requestor: House Judiciary

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital								
Operating								
Total			-0-	-0-	-0-			

b. Revenues:

Revenue								
---------	--	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

Sponsor was unable to provide funding information.

3. Assumptions:

1. HJR has no fiscal impact as the Division of Elections plans for the inclusion of constitutional amendments on the general election ballot.
2. If passed and approved by the electorate, the division would not be impacted until FY 87 - the next gubernatorial election year.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.

Prepared By: Dana Coffman, Deputy Director Phone: 586-6181
 Division: Division of Elections Date: 2-14-83

Approved by Commissioner: _____ Date: _____
 Department: _____

5. Distribution:

Original to Legislative Finance
 Copy to OMB
 Copy to Sponsor
 Copy to -Requestor Copy to Mike Nizich

2/18/83

HJR 9

SUMMARY OF VOTER TOTALS, PERCENTAGES OF GOV. ELECTIONS, GENERAL
1962-1982

<u>YEAR</u>	<u>TOTAL VOTES</u>	<u>CANDIDATE #1 / %</u>	<u>CAN.#2 / %</u>	<u>CAN.#3 / %</u>
1962	60,084 (56,681)*	29,627 49.3% (52.2%)	27,054 45% (47.7%)	
1966	67,361 (66,294)	33,145 49.2% (49.9%)	32,065 47.6% (48.3%)	1084 1.6% (1.6%)
1970	82,405 (80,779)	42,309 51.3% (52.3%)	37,264 45.2% (46.1%)	1206 1.4% (1.4%)
1974	98,557 (96,163)	45,840 46.5% (47.6%)	45,553 46.2% (47.3%)	4770 4.8% (4.9%)
1978	129,705 (126,910)	49,580 38.2% (39.%)	33,555 25.8% (26.4%)	25,656 19.8% (20.2%)
			<u>CAN #4 / %</u>	<u>CAN.#5 / %</u>
			15,656 12.% (13.%)	2,463 1.9% (1.94%)
1982	199,358 (194,511)	89,918 45.1% (46.2%)	72,291 36.2% (37.1%)	29,067 14.5% (14.9%)
			<u>CAN. #4 / %</u>	
			3235 1.6% (1.66%)	

* NOTE: These numbers and percentages in ()s are totals excluding votes not cast for one of the candidates listed above; all small write-in votes.

HJR

12

POUCH V
JUNEAU, ALASKA 99811
465-4990

P.O. Box 4-1325
ANCHORAGE, ALASKA 99509
248-1515



CHAIRMAN
HOUSE JUDICIARY COMMITTEE
MEMBER
HOUSE RESOURCES COMMITTEE

Representative Charlie Bussell

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

February 28, 1983

FREE
P. O. Box No. 42955
Anchorage, Alaska 99509

ATTENTION: Ms. Cheri Jacobus, Chairman, Legislative Study

RE: HJR 12

Dear Ms. Jacobus:

Thank you, and through you, the FREE Committee for your written comments pertaining to the House Judiciary Committee considerations of HJR 12.

During the hearing held on February 22, 1983, much discussion was directed to the bill's lack of clearly defining the "set out" and "method" of going from one thing to the other, etc. As a result the Committee has produced three separate work bill copies which will be further debated, at a scheduled rehearing of HJR 12, March 1st. At this hearing one of the enclosed committee substitutes will likely be reported out.

Again, thank you for your comments and if I or the Committee staff can be of assistance, please do not hesitate to call.

With best regards,

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

Representative Charlie Bussell
Chairman, Committee on Judiciary

CB:lyn

enclosures

FREE

Federation's Role in our Enterprise Economy

February 11, 1983

Representative Charlie Bussell
Chairman House Judiciary Committee
Pouch V
Juneau, Alaska 99811



Re: HJR 12 -- Limiting Legislator Terms

Dear Representative Bussell:

In January 1981, the Legislative Study Committee sponsored by the General Federation of Women's Clubs, Anchorage FREE Committee, completed a comprehensive study on legislative reform. One of the recommendations made in that report was that legislator terms be limited.

The Legislative Information Office reported that HJR 12 which addresses legislator terms was currently being considered by the House Judiciary Committee. This particular resolution proposes an amendment to the Alaska Constitution limiting representatives to serving not more than four consecutive full two year terms and senators to serving not more than two consecutive full four year terms. We endorse this resolution.

This resolution is particularly good, because it neither grandfathers in current legislators nor applies to them retroactively. If this resolution was approved by the voters, current legislators would still be eligible for two more consecutive terms as senators or four more as representatives. This is fair. We recommend that no changes to the resolution be made.

In particular, the resolution should not be changed to allow current legislators to be exempt from its application. This would create two problems. First, creating two distinct classes of legislators, those subject to the term limitation and those who could run for unlimited terms, may violate United States constitutional equal protection guarantees. Second, we believe that areas such as Anchorage which have greater changes in representation would be hurt, because these legislators would always be junior to those grandfathered in.

Thank you for the opportunity to comment on this resolution. Please support its passage without any changes.

Sincerely,

Cheri C. Jacobus
Cheri C. Jacobus
Chairman Legislative Study

Alaska State Legislature



SENATOR
TERRY STIMSON
POUCH V
JUNEAU, ALASKA 99811

WHILE IN ANCHORAGE
1610 E STREET
ANCHORAGE, ALASKA 99501

Senate

August 27, 1982

Dear Candidate:

During the past legislative session, two resolutions were introduced in the State Senate calling for an amendment to the State Constitution limiting the number of terms a legislator could serve in each house. SCR No. 9 was introduced during the 1981 session by Senator Dankworth and myself. If it had been adopted by the Legislature and approved by the voters in a general election, it would have limited State Senators to two consecutive terms and State Representatives to four consecutive terms. A similar resolution, introduced by Senator Colletta, placed the same restriction on service, but would have allowed a legislator who had served eight years to run for election to a different house or, if four years had elapsed, to run for election to the same house.

Debate on the measure was lively in the State Affairs Committee, with violent opposition voiced by some legislators and support from others, such as myself, who favor a citizens' legislature. Two reports were circulated at the meeting: a report from the General Federation of Women's Clubs supporting the "concept of a citizen legislature versus professional lawmakers;" and a poll conducted by the Dittman Research Corporation for the Anchorage Women's Club showing 62 percent of Alaskans interviewed favored limiting terms served by legislators.

No legislation on this subject was adopted by the Twelfth Legislature, and I do not believe a similar measure would fare much better in the Thirteenth. Based on the evident popular support for the concept, however, it is my feeling that the Constitution of the State of Alaska could be amended to limit the number of terms served by legislators through the initiative process.

If you are in favor of limiting legislative terms and perhaps would like to include the issue in your campaign, my office would be happy to provide you with pertinent testimony and reports for your use. Please call my secretary at 338-6000 for this assistance.

Sincerely,

A handwritten signature in cursive script that reads "Terry Stimson".
Terry Stimson

TS/sc

SENATOR
M. "ED" DANKWORTH

REPRESENTING
SENATE DISTRICT 12-J

COMMITTEES
VICE-CHAIRMAN
JUDICIARY
RESOURCES

FINANCE
REGULATORY REVIEW



Senate

HOME ADDRESS
2425 HALEAH DRIVE
ANCHORAGE, ALASKA 99502
HOME PHONE: (907) 277-0287

IN SESSION
FOUCH V
JUNEAU, ALASKA 99811
PHONE: (907) 465-3749

February 27, 1980

IK + Harry

Honorable Thomas B. Stewart
Juneau Court & Office Bldg.
Juneau, Alaska 99811

Dear Tom,

I have attached a copy of SJR 42 which I recently introduced in the Senate. This resolution would amend our state constitution to limit the number of consecutive years that a legislator may serve to; eight years in the House and eight years in the Senate.

My personal philosophy is one that would generally oppose any law which would restrict the right of the public to choose a candidate. I do believe, that when there is a substantial change in the function of one of the branches of government, that a review of the checks and balance of power is in order.

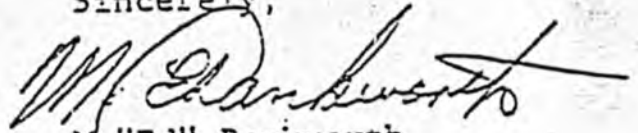
I suppose that my chief concern has been that the legislature has developed into a year-round operation. The legislature now, more than perhaps was envisioned in the beginning, manages and develops one of the richest natural resource deposits in the world. Because of the Legislature's internal wealth and liberal rules of operation, an incumbent legislator has an unprecedent advantage over the average citizen seeking to compete with him for office. On the federal level, it has been suggested that an incumbent candidate has roughly \$400,000. to \$500,000. advantage over a challenger. Through the seniority system, and this added political advantage, a political dynasty is built and an unjustifiable concentration of power is shared by a few individuals.

It appears to me, that we may have reached that time when, in order to safeguard and keep intact the principal of a citizen's legislature; we ought to consider some of the

limits this bill would provide. I have set out a few of my thoughts and those which compelled me to introduce this legislation. Because of your experience, particularly in the writing of the state constitution, and your valued judgment; I would like to impose upon you a request that you give me your views, pro or con, concerning this legislation.

Thank you in advance.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. 'Ed' Dankworth". The signature is written in dark ink and is positioned above the printed name and title.

M. "Ed" Dankworth
State Senator

MED/mc

Enclosure



Superior Court

State of Alaska

FIRST JUDICIAL DISTRICT
COURT AND OFFICE BUILDING
POUCH U
JUNEAU, ALASKA
99811

April 1, 1980

CHAMBERS OF
THOMAS B. STEWART, JUDGE, PRESIDING

The Honorable M. "Ed" Dankworth
Alaska State Senator
Pouch V
Juneau, Alaska 99811

Dear ~~Senator~~ Dankworth:

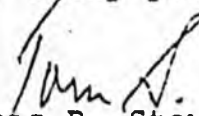
This is in response to your letter of February 27, 1980, asking my views on SJR 42, which would amend the constitution to limit the number of consecutive years a legislator may serve.

While I can well understand and sympathize with your concern about the concentration of power in too few hands in the legislative body, I am frankly doubtful that the approach of limiting terms provides the best solution to that problem. Perhaps I am too strong an advocate of your expressed personal philosophy that would generally oppose any law restricting the right of the public to choose a candidate. It seems to me that the problem of too concentrated a power structure in the legislative body can and definitely should be addressed, but through a different mechanism.

It is not my intent to elaborate on thoughts in this regard at the present time, though I would be pleased to discuss them with you sometime in the future if you should desire it. At the moment I would simply reiterate my concern that restricting the public's choice in its selection of candidates in my view is not an appropriate answer.

With personal regards I am

Very truly yours,


Thomas B. Stewart
Presiding Judge

LAW OFFICES

JOSEPHSON, TRICKEY & LORENSEN, INC.

425 "G" STREET
SUITE 930
ANCHORAGE, ALASKA 99501
907 276-7133

May 2, 1980

JOE P. JOSEPHSON
HOWARD S. TRICKEY
RONALD W. LORENSEN
NANCY R. GORDON
TIM MacMILLAN
IAN HART DeYOUNG

JUNEAU:
210 NORTH FRANKLIN STREET
JUNEAU, ALASKA 99801
907 586-6994, 586-6997

*Juneau

Senator M. "Ed" Dankworth
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Ed:

Belatedly I am acknowledging your letter of March 21 and the enclosure. I have mixed feelings about SJR 42. As you acknowledged, there is some value in experience, continuity and professionalism in the legislative branch.

On the other hand, the advantages of an incumbent are enormous, as you say. The remoteness of the state capital, the relatively small size of the legislature, and the advantages of name familiarity, and other factors, can help maintain an "old-boy" network. I think that in legislative work, like any other field, a worker can get calloused and stale over time.

I reached the point after eight years in the legislature where I was beginning to foresee a lack of freshness of ideas on my part. I felt it important to go back into the private sector and regenerate. There is a tendency to stay in the legislature when one has really creative matters on his or her agenda. To stay under those circumstances is a limitation on a person's own growth. It is as refreshing to leave after a time as it is to obtain office.

Also, I think there is something attractive in the notion of citizen-statesman. I like the idea that legislative service in a place like Alaska is a civic duty which concerned citizens share. Sometimes, when one is in office too long, he grows to feel that he owns the office; the sense of being a public servant is obscured.

It is a very difficult matter to generalize about because, of course, some people serve for decades with undiminished distinction. Senator Butrovich comes to mind. Others become complacent or lazy.

The argument can be made that the complacent and lazy should be removed by the people, and that the public's freedom of choice should not be diminished.

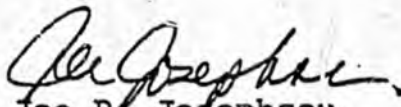
May 2, 1980

On balance, I would resolve my doubts in favor of something like SJR 42, except that I think I would favor four successive terms for house members, and three successive terms for senators as a limitation, and I would only require a senator to sit out for two years instead of "one full term."

I think the effect would be to bring new blood and fresh perspectives to the legislature from time to time to a greater degree than now is the case, and I think it would help bring the legislature closer to the people.

Thanks for seeking my views, and I hope this answers your inquiry.

Best regards,



Joe P. Josephson

JPJ/cw

COUNSEL
MARCILE S. SHEFELMAN

VICTOR D. LAWRENCE
JAMES GAY
ROBERT G. MOCH
GEORGE M. MACK
BRIAN L. COMSTOCK
TIMOTHY R. CLIFFORD
JAMES S. TURNER
LEE R. VOORHEES JR.
WILLIAM N. APPEL
DAVID B. SWEENEY
WILLIAM G. TONKIN
DAVID A. BENNETT
ROBERT H. CAMPBELL
ROBERT D. MULLENDORF *
GARY H. ACKERMAN
ROGER A. MYKLEBUST
DIANE D. KENNY
JON W. MACLEOD
PAUL L. AHERN, JR.
WILLIAM H. SONG
STEVEN E. CUMMINGS
TERESA V. BIGELOW

LAW OFFICES
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1818 IBM BUILDING
SEATTLE, WASHINGTON 98101
TEL. (206) 622-1818
SUITE 302
2600 DENALI STREET
ANCHORAGE, ALASKA 99503
TEL. (907) 276-1338

JOHN E. HAVELOCK * *

JAMES P. WETER (1877-1969)
F. M. ROBERTS (1860-1973)
JAMES C. HARPER (RETIRED)

March 31, 1980

The Honorable M. "Ed" Dankworth
Alaska State Senator
Pouch "V"
Juneau, AK 99811

Dear Ed:

While I have spent most of my legal career in occasional engagement with constitutional questions, I make no claim to having written the Alaska Constitution. Thanks for the compliment.

In general, I agree that something is seriously amiss with the Alaskan system of legislative representation. I would agree with you (perhaps as a partial consequence of the decay of the two party system) that we seem to be moving towards a system of constituencies based on personal fiefdoms supported by the power of incumbency. This style of government is not altogether new in America, being, in some regions of the South prior to the revival of the two party system, typical.

A limitation on number of terms served would have some effect in limiting such a system. In the absence of anyone supporting a better approach to the problem, I would support SJR 42 (assuming you have the technical bugs worked out).

As I think you certainly sense, we are moving into a period of extraordinary times in government. Government for the next decade will not be subject to the normal constraints of taxpayer resistance. We are moving from a form of government which is regulatory and lawmaking and which provides essential services to a government built around the function of disbursement of public wealth. I wonder whether the whole system doesn't need some examination under this style of government or, alternatively, we need to get the government out of this line of business.

The Honorable M. "Ed" Dankworth
March 31, 1980
Page Two

Returning to your proposal, it is certainly a step in the right direction. Whether it will cure the disease or not, unaccompanied by other remedies, is another question.

Sincerely,


John E. Havelock

JEH:dw

STEVE McCUTCHEON
ALASKA PICTORIAL SERVICE
DRAWER 6144
ANCHORAGE, ALASKA 99502
(907) 344-1370

to Dear Ed .

DATE 6 Mar 80 .

SUBJECT

SJR42 .

I am attaching some comments to your bill as requested.

It is in rough form and I must apologize- but, I've had notice a few minutes ago to catch a plane in the early A. M.. thought I'd better send it, since 'll be gone for a spell.

Best regards, and best of luck



Dear Ed:

6 MAR 80

Prior to the constitutional convention, I would have opposed legislation similar to your SJK 42. but in that convention I gave a lot of thought to just such a limitation since we were going to limit the governor, and in a sense put a limitation upon state judges.

After convention hours, Dayton Keene, who was the legislative branch comm advisor, Weldon Cooper, Emil Sasy, and Ernest Bartley often met in my apt to discuss just the subject of your bill. Frankly I was looking for support from the consultants.

My presentation to them, was that historically we had many poor Governors- (of which we could do nothing) and that since the legislature had been established in 1913 we had had some pretty poor legislators. In those days the mining industry and fishing interests pretty well controlled those small legislatures of 24 people. but as state hood effort really came to life with the advent of Ernest Gruening as governor the full pressure of industry was felt. we had a number of pro mining and pro fish legislators who really controlled the legislature--much of it by seniority. ~~I sought to put a restriction on the legislature.~~

Dayton Keene who had been a legislator for some years felt my arguments were valid and that this might now be the time to put in a limitation- so was Bartley inclined. The others were of the opinion there probably was a necessity for such action, in this state as well as some other states. We all agreed that unicameralism would in no way better the situation. but then there was argument presented that the people might feel and "infringement on voters rights.

As I look back now, I think the people would have accepted that limitation without a ~~good~~ complaint, because I heard very few questioning the limitation on the Governor tenure.

I believe we discuss the subject in our committee meeting on several occasions. I discussed the matter extensively with my friend Senator Vic Rivers who was chairman of the Executive branch committee. he was inclined to agree in principal as he was including the limitation on the governor in his article. Rivers quietly polled a number of convention delegates reporting back to me that though they agreed on the gubernatorial limitation there was no favorable consensus relative to legislators. So, I let the matter go as we already had some novel ideas in our article.

It is my feeling, in the light of the action of the state legislature over the last 8 or 10 sessions, the people might now be ready to accept a limit on terms of legislators, particularly since they have seen the benefits of a limitation on the governor.

I doubt if your SJK 42 will pass in the legislature--too many have a "good thing" going for themselves. But, if someone had the time and energy to see it through via referendum, I'm certain it would pass.

Certainly the time has come to put some brakes on the legislature. This maybe a start.

I am agreed with your bill, I hope it passes.

S M *Steve McC. L.*

TRAINING COURSES

TT---Terminal & Keyboard Instruction
WT---Learning to use WESTLAW
ST---How to use Shepard's

FEDERAL DATABASES

IDENTIFIER TITLE
USC---United States Code-----p7
SCT---Supreme Court Rptr.-----p7
FED---Federal Rptr. 2d-----p7
FS---Federal Supplement-----p7
MJR---Military Justice Rptr.-----p9
CFR---Code of Federal Regulations-p7

SPECIAL DATABASES

WCH---WESTLAW Case Highlights
WTH---WESTLAW Tax Highlights
SH---Shepard's Citations-----p11
FSD---Forensic Services Directory-p9

Press enter for additional database listings (on pages 3, 4, 5 and 6).

To access a database, enter the database Identifier (e.g. FED).

For more information about a database, enter P followed by the page number.

FEDERAL TAX DATABASES

IDENTIFIER TITLE
FTX-TN---Tax Notes -----p12
FTX-USC--Internal Revenue Code -----p12
FTX-PL---Public Laws -----p12
FTX-CS---Federal cases (Ex. Tax Ct.)-p12
FTX-SC?--Supreme Ct. cases -----p12
FTX-CTA--Ct.App., Ct.Cl. cases -----p12
FTX-DCT--District Ct. cases -----p12
FTX-TCT--Tax Court cases -----p12
FTX-CFR--Tax Regulations -----p12
FTX-ADM--Tax Administrative Material-p12
FTX-WD---IRS Written Determinations -p13
FTX-NR---IRS News Releases -----p13

FEDERAL PATENTS DATABASES

FP-USC---U.S. Code -----p13
FP-CS---Federal cases -----p13
FP-SCT---Supreme Ct. cases -----p13
FP-CTA---Ct.App., Ct.Cl. cases -----p13
FP-DCT---District Ct. cases -----p13

Press enter for additional database listings (pages 4, 5 and 6).

To access a database, enter its Identifier.

For more information about a database, enter P followed by the page number.

FEDERAL ANTI-TRUST AND
BUSINESS REGULATION DATABASES

IDENTIFIER TITLE
FABR-USC--U.S. Code -----p18
FABR-CFR--Regulations -----p18
FABR-CS---Federal cases -----p18
FABR-SCT--Supreme Ct. cases -----p18
FABR-CTA--Ct.App., Ct.Cl. cases ---p18
FABR-DCT--District Court cases ----p18
FABR-FTC--FTC Decisions -----p18

REGIONAL AND STATE DATABASES

IDENTIFIER TITLE
ATL-----Atlantic Rptr. 2d-----p8
NJ-TCT---New Jersey Tax Court Rptr.---p8
DE-CORP--Delaware Corp. Law-----p9
NE-----North Eastern Rptr. 2d-----p8
NYS-----New York Supplement 2d-----p8
NW-----North Western Rptr. 2d-----p9
PAC-----Pacific Rptr. 2d-----p11
CRP-----California Rptr. -----p11
SE-----South Eastern Rptr. 2d-----p10
SO-----Southern Rptr. 2d-----p10
SW-----South Western Rptr. 2d-----p10
CA-E----California Education cases--p21
CA-FL----California Family Law cases-p21
CA-IN----California Insurance cases--p21
NY-E----New York Education cases---p21
NY-FL----New York Family Law cases---p21
NY-IN----New York Insurance cases---p21

FEDERAL LABOR DATABASES

IDENTIFIER TITLE
FLB-USC--U.S. Code -----p15
FLB-CS---Federal cases -----p15
FLB-SCT--Supreme Ct. cases -----p15
FLB-CTA--Ct.App., Ct.Cl. cases --p15
FLB-DCT--District Ct. cases -----p15
FLB-OSRC-OSHA Review Comm. Dec.--p15
FLB-NLRB-NLRB Decisions -----p15

FEDERAL SECURITIES DATABASES

FSEC-USC--U.S. Code -----p14
FSEC-CFR--Regulations -----p14
FSEC-CS---Federal cases -----p14
FSEC-SCT--Supreme Ct. cases -----p14
FSEC-CTA--Ct.App., Ct.Cl. cases -p14
FSEC-DCT--District Ct. cases ----p14
FSEC-DEC--SEC Decisions -----p14
FSEC-NAL--SEC No-Action Letters -p14
FSEC-IR---SEC Interpretive Rel. -p14

FEDERAL BANKRUPTCY DATABASES

IDENTIFIER TITLE
FBKR-USC--U.S. Code -----p17
FBKR-CS---Federal cases -----p17
FBKR-SCT--Supreme Ct. cases -----p17
FBKR-CTA--Ct.App., Ct.Cl. cases ---p17
FBKR-DCT--District Ct. cases ----p17
FBKR-SEC--Reorganization Reports--p17

FEDERAL ADMIRALTY DATABASES

FADM-CS---Federal cases-----p20

FADM-CTA--Ct.App., Ct.Cl. cases----p20
 FADM-DCT--District Ct. cases-----p20
 FADM-USC--U.S. Code-----p20

Press enter for additional database listings (pages 5 and 6).
 To access a database, enter its Identifier.
 For more information about a database, enter P followed by the page number.

COPR. (C) WEST 1983 NO CLAIM TO ORIG. U.S. GOVT. WORKS
 p5

FEDERAL COPYRIGHT DATABASE		STATE ATTORNEY GENERAL OPINIONS	
IDENTIFIER	TITLE	IDENTIFIER	TITLE
FCP-USC--U.S. Code -----	p16	AG ---All states listed below --	p20
FCP-CS---Federal cases -----	p16	CA-AG-----California -----	p20
FCP-SCT--Supreme Ct. cases -----	p16	IL-AG-----Illinois -----	p20
FCP-CTA--Ct.App., Ct.Cl. cases-----	p16	MN-AG-----Minnesota -----	p20
FCP-DCT--District Ct. cases -----	p16	NY-AG-----New York -----	p20
		OH-AG-----Ohio -----	p20
		PA-AG-----Pennsylvania -----	p20
		TN-AG-----Tennessee -----	p20
		TX-AG-----Texas -----	p20

FEDERAL COMMUNICATIONS DATABASE
 FCOM-USC U.S. Code -----p19
 FCOM-CS--Federal cases -----p19
 FCOM-SCT-Supreme Ct. cases -----p19
 FCOM-CTA-Ct.App., Ct.Cl. cases ----p19
 FCOM-DCT-District Ct. cases -----p19
 Press enter for additional database listings (page 6).
 To access a database, enter its Identifier.
 For more information about a database, enter P followed by the page number.

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 p6

FEDERAL GOVERNMENT CONTRACTS DATABASES

IDENTIFIER	TITLE
FGC-USC -----U.S. Code -----	p22
FGC-CS -----Federal cases -----	p22
FGC-SCT -----Supreme Court cases ----	p22
FGC-CTA -----Ct.App., Ct.Cl. cases --	p22
FGC-DCT -----District Ct. cases -----	p22
FGC-BCA -----Bd. of Cont. App. Dec. -	p22
FGC-AGBCA ---Agriculture BCA -----	p22
FGC-ASBCA ---Armed Services BCA -----	p22
FGC-EBCA ----Energy BCA -----	p22
FGC-ENGBCA --Corps of Engineers BCA -	p22
FGC-GSBCA ---General Services BCA ---	p22
FGC-HUDBCA --Housing and Urban Dev. -	p22
FGC-IBCA ----Interior BCA -----	p22
FGC-LBCA ----Labor BCA -----	p23
FGC-NASABCA -Natl. Aero. and Space --	p23
FGC-PSBCA ---Postal Service BCA -----	p23
FGC-DOTCAB --Dept. of Transportation-	p23
FGC-VABCA ---Veterans Admin. BCA ----	p23

To access a database, enter its Identifier.
 For more information about a database, enter P followed by the page number.
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- USC U.S.Code: Titles 1-25,27-50 through P.L.97-259, enacted 9/13/82.
Title 26 through P.L.97-172, enacted 4/16/82.
- SCT Supreme Court Reporter. Full text plus headnotes beginning 46 S.Ct.(1925)
Includes cases received but not yet published.
- FED Federal Reporter 2d. U.S. Courts of Appeals, U.S. Court of Customs and
Patent Appeals: full text plus headnotes beginning 146 F.2d (1945).
U.S. Court of Claims: full text plus headnotes beginning 276 F.2d (1960).
Includes cases received but not yet published.
- FS Federal Supplement. U.S. District Courts: full text plus headnotes
beginning 84 F.Supp. (1950). Also headnotes for cases in Federal Rules
Decisions beginning 27 F.R.D. (1961); full text plus headnotes beginning
73 F.R.D. (1977). U.S. Court of Claims: full text plus headnotes
beginning 115 F.Supp. (1954) through 181 F.Supp (1960) (See FED for later
cases). Includes cases received but not yet published.
- CFR. Code of Federal Regulations
Title 26 only (as of 11/1/82)
Other files temporarily unavailable pending file maintenance.

SCT, FED and FS databases are current through most recent advance sheets.
To access a database, enter its Identifier. To see Database Listing, enter DB .
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- | IDENTIFIER | TITLE AND SCOPE OF COVERAGE | p8 |
|------------|--|----|
| ATL | Atlantic Reporter, 2d
N.J.: full text and headnotes beginning 61 A.2d (1948).
Conn., Del., Me., Md., N.H., Pa., R.I., Vermont and Dist. of Columbia:
headnotes beginning (except Delaware) 121 A.2d 729 (1956) through 217 A.2d
(1965); full text plus headnotes for all states beginning 218 A.2d (1966). | |
| NE | North Eastern Reporter, 2d
Ill., Ind., Mass., Ohio: headnotes beginning 133 N.E.2d 257 (1956); full
text plus headnotes beginning 215 N.E.2d (1966), except in Ohio where
full text plus headnotes begins at 201 N.E.2d (1965).
New York Ct. of App.: headnotes beginning 215 N.E.2d 482 (1966) through
363 N.E.2d (1977); full text plus headnotes beginning 364 N.E.2d (1977).
Ill. Supreme Ct.; full text plus headnotes beginning 58 N.E.2d (1945).
For expanded coverage of Court of Appeals decisions, see NYS. | |
| NYS | New York Supplement, 2d
Court of Appeals: full text plus headnotes beginning 281 N.Y. 1,
21 N.E.2d 891 (1940). Supreme Court: App. Div., Supreme Court, misc. courts
of record: headnotes beginning 149 N.Y.S.2d (1956) through 267 N.Y.S.2d
(1965); full text plus headnotes beginning 268 N.Y.S.2d (1966). | |
| NJ-TCT | New Jersey Tax Court Reporter - full text plus begins 1 N.J.Tax (1980). | |

ATL, NE, NYS and NJ-TCT are current through the most recent advance sheets.
To access a database, enter its Identifier. To see Database Listing, enter DB .
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- | IDENTIFIER | TITLE AND SCOPE OF COVERAGE | p9 |
|------------|--|----|
| DE-CORP | Delaware Corporation Law
Cases relating to corporation law and to securities law decided in
Delaware. Includes unreported cases from the Del. Journal of Corporate
Law beginning Vol. 1 (1975) and reported cases beginning 218 A.2d (1966). | |
| NW | North Western Reporter, 2d
Minnesota: full text plus headnotes beginning 16 N.W.2d (1945).
Iowa, Mich., Nebraska, North Dakota and South Dakota: headnotes beginning
75 N.W.2d 841 (1956) through 129 N.W.2d (1964); full text plus headnotes
beginning 130 N.W.2d (1965). Wisconsin: headnotes beginning 128 N.W.2d
(1965); full text plus headnotes beginning 130 N.W.2d (1965).
Michigan Supreme Ct.: full text plus headnotes beginning 66 N.W.2d (1955) | |
| MJR | Military Justice Reporter | |

FSD 1983 Forensic Services Directory. Names of scientific, medical and technical experts available to serve as consultants to attorneys and as expert trial witnesses. Also translators, testing laboratories, investigators, and other specialists providing trial support services. COPYRIGHT 1982 by the National Forensic Center. A hardcover edition is available from the NFC for \$69.50 (N.J. residents add 5% tax). Inquiries respecting Directory entries should be addressed to: The National Forensic Center, P.O. Box 305, Fair Lawn, NJ 07410 DE-CORP, NW and MJR databases are current through most recent advance sheets. To access a database, enter the Identifier. To see Database Listing, enter DB .

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IDENTIFIER TITLE AND SCOPE OF COVERAGE p10

SO Southern Reporter, 2d
 La.: full text plus headnotes beginning 90 So.2d (1956).
 Fla.: full text plus headnotes beginning 74 So.2d (1955).
 Ala., Miss.: headnotes beginning 86 So.2d 369 (1956) through 183 So.2d (1967); full text plus headnotes beginning 184 So.2d (1967).

SE South Eastern Reporter, 2d
 Georgia, No. Carolina, So. Carolina, Virginia, W. Virginia: headnotes beginning 92 S.E.2d 89 (1956) through 146 S.E.2d (1967); full text plus headnotes beginning 147 S.E.2d (1967).

SW South Western Reporter, 2d
 Arkansas, Kentucky, Missouri, Tennessee, and Texas: headnotes beginning 288 S.W.2d 321 (1956) through 399 S.W.2d (1967); full text plus headnotes beginning 400 S.W.2d (1967).
 Texas Supreme Court: full text plus headnotes beginning 216 S.W. (1920).

SO, SE, SW databases are current through most recent advance sheets. To access a database, enter the Identifier. To see Database Listing, enter DB .

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PAC Pacific Reporter, 2d
 Washington: headnotes beginning 295 P.2d 401 (1956) through 396 P.2d 138 (1964); full text plus headnotes beginning 396 P.2d 139 (1964).
 Alaska, Arizona, Colorado, Hawaii, Idaho, Kansas, Montana, Nevada, New Mexico, Oklahoma, Oregon, Utah, Wyoming: headnotes beginning (except Nevada, Utah and Wyoming) 295 P.2d 401 (1956) through 411 P.2d (1967); full text plus headnotes for all states beginning 412 P.2d (1967).
 Cal. Supreme Ct. only: headnotes beginning 407 P.2d (1965) through 564 P.2d (1977); full text plus headnotes beginning 565 P.2d (1977).
 For coverage of all reported California decisions use CRP.

CRP California Reporter
 Cal. Supreme Court: full text plus headnotes beginning 152 P.2d (1945).
 Other reported decisions: headnotes beginning 1 Cal.Rptr. (1960) through 49 Cal.Rptr. (1966); full text plus headnotes beginning 50 Cal.Rptr. (1966)

SH Shepard's Citations - Citing case coverage beginning with Vol. 1 for each WESTLAW database with the following exceptions: 62 S.Ct (1941), 303 N.Y.S.2d (1969), 227 F.2d (1955), 281 F.Supp. (1968), QFED not included. Additional coverage information may be found on page 26 of the Shepard's Training Course.

PAC and CRP databases are current through the most recent advance sheets. To access a database, enter the Identifier. To see Database Listing, enter DB .

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IDENTIFIER TITLE AND SCOPE OF COVERAGE p12

FEDERAL TAX. Documents relating to federal tax law and procedure.

analysis. Coverage begins with the issue of 1/5/81 and is current through the most recent issue. Tax Notes is copyrighted by Tax Analysts, 6830 N. Fairfax Dr., Arlington, VA 22213. The full text of documents referenced in Tax Notes may be obtained through Tax Analysts' Complete Access Service; for details, call (800)336-0439.

- FTX-USC U.S. Code. Selected provisions, includes Internal Revenue Code.
- FTX-PL Public Laws. The Tax Equity and Fiscal Responsibility Act of 1982.
- FTX-CS Cases. Consolidates FTX-SCT, FTX-CTA, FTX-DCT (Tax Court not included).
- FTX-SCT U.S. Supreme Court cases beginning 1925.
- FTX-CTA U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
- FTX-DCT U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.
- FTX-TCT U.S. Tax Court Reported and Memorandum decisions beginning 1954.
- FTX-CFR Tax Regulations. Treasury regulations codified at 26 CFR as of 11/1/82.
- FTX-ADM Administrative Material. Includes: Revenue Rulings, Revenue Procedures, Delegation Orders, Executive and Treasury Dept. Orders. Beginning 1954.

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases.

To access a database, enter the Identifier. To see Database Listing, enter DB .

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- | IDENTIFIER | TITLE AND SCOPE OF COVERAGE |
|------------|---|
| | FEDERAL TAX (cont.) |
| FTX-WD | IRS Written Determinations. Includes letter rulings and National Office Technical Advice Memoranda beginning 1954, with the exception of certain illegible documents.
Caution: These rulings are directed only to the taxpayers who request them. 26 U.S.C.A. s 6110(j)(3) prohibits their use as precedent. |
| FTX-NR | IRS news releases, announcing policy determinations and other matters, beginning January 1, 1981. |

FEDERAL PATENTS. Documents relating to federal patent laws.

- FP-USC U.S. Code. Selected U.S. Code provisions.
- FP-CS Cases. Consolidates cases from FP-SCT, FP-CTA and FP-DCT.
- FP-SCT U.S. Supreme Ct. cases beginning 1925.
- FP-CTA U.S. Courts of Appeals cases beginning 1945. Court of Claims cases beginning 1960. Includes U.S. Court of Customs and Patent Appeals.
- FP-DCT U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a Database, enter its Identifier. To see Database Listing, enter DB .

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- | IDENTIFIER | TITLE AND SCOPE OF COVERAGE |
|------------|--|
| | FEDERAL SECURITIES. Documents relating to federal securities and commodity futures regulation. |
| FSEC-USC | U.S. Code. Includes acts administered by the SEC. |
| FSEC-CFR | Regulations temporarily unavailable pending file maintenance. |
| FSEC-CS | Cases. Consolidates cases from FSEC-SCT, FSEC-CTA, and FSEC-DCT. |
| FSEC-SCT | U.S. Supreme Court cases beginning 1925. |
| FSEC-CTA | U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960. |
| FSEC-DCT | U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960. |
| FSEC-DEC | Decisions of the SEC published in SEC Decisions and Reports, beginning with 1 S.E.C. (1933). |
| FSEC-NAL | Private requests for no-action and interpretive letters and responses thereto by the SEC. All letters available from the SEC public files, |

FSEC-IR SEC Interpretive Releases relating to the acts administered by the SEC, to the general rules and regulations issued under those acts, and to accounting matters. Coverage beginning 1935.

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a Database, enter its Identifier. To see Database Listing, enter DB .
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IDENTIFIER	TITLE AND SCOPE OF COVERAGE
	FEDERAL LABOR. Documents relating to labor issues.
FLB-USC	U.S. Code. Selected U.S. Code provisions.
FLB-CS	Cases. Consolidates cases from FLB-SCT, FLB-CTA, and FLB-DCT.
FLB-SCT	U.S. Supreme Court decisions beginning 1925.
FLB-CTA	U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
FLB-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.
FLB-OSRC	Decisions of the Occupational Safety and Health Review Commission. Cases are represented by full text beginning with 1 OSAHRC (1971).
FLB-NLRB	National Labor Relations Board Decisions. Cases are represented by full text beginning 221 NLRB

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a Database, enter its Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE
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	FEDERAL COPYRIGHT. Documents pertaining to federal copyright law.
FCP-USC	U.S. Code. Selected U.S. Code provisions.
FCP-CS	Cases. Consolidates cases from FCP-SCT, FCP-CTA, and FCP-DCT.
FCP-SCT	U.S. Supreme Court cases beginning 1925.
FCP-CTA	U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
FCP-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims from 1954 through 1960.

Topical case law databases are current through most recent advance sheets; for status of topical UCS or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE
	FEDERAL BANKRUPTCY. Documents relating to the bankruptcy laws.
FBKR-USC	U.S. Code. Selected provisions, including 11 U.S. Code.

- Includes U.S. Bankruptcy Court.
- FBKR-SCT U.S. Supreme Court cases beginning 1925.
- FBKR-CTA U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
- FBKR-DCT U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960. U.S. Bankruptcy Court beginning 1979.
- FBKR-SEC SEC Reports respecting corporate reorganizations under Chapter X of the former Bankruptcy Act, and Chapter 11 of the current Bankruptcy Code, beginning 1 S.E.C. (1934).

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

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- | IDENTIFIER | TITLE AND SCOPE OF COVERAGE |
|------------|---|
| | FEDERAL ANTITRUST AND BUSINESS REGULATION. Documents relating to antitrust, business regulation, and consumer protection. |
| FABR-USC | U.S. Code. Selected U.S. Code provisions. See also other topical databases including Federal Securities, Patents and Labor databases. |
| FABR-CFR | Regulations temporarily unavailable pending file maintenance. |
| FABR-CS | Cases. Consolidates cases from FABR-SCT, FABR-CTA and FABR-DCT. |
| FABR-SCT | U.S. Supreme Court cases beginning 1925. |
| FABR-CTA | U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960. |
| FABR-DCT | U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960. |
| FABR-FTC | Decisions of the FTC published in FTC Decisions and Reports beginning with 56 F.T.C. (1959). |

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

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- | IDENTIFIER | TITLE AND SCOPE OF COVERAGE |
|------------|---|
| | FEDERAL COMMUNICATIONS AND MASS MEDIA. Documents relating to federal regulation of the commercial broadcast, cable and print media. Also includes documents relating to censorship and prior restraint as it relates to the media, the conflict between a free press and a fair trial, the rights of journalists to protect their sources, pornography, and defamation as it relates to the media. This database does not include documents dealing with copyrights, FOIA, advertising practices or government communications (i.e. Federal Government civilian and military communications). |
| FCCM-USC | U.S. Code. Selected U.S. Code provisions. |
| FCCM-CS | Cases. Consolidates cases from FCCM-SCT, FCCM-CTA, and FCCM-DCT. |
| FCCM-SCT | U.S. Supreme Court cases beginning 1925. |
| FCCM-CTA | U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960. |
| FCCM-DCT | U.S. District Court cases beginning 1950. U.S. Court of Claims |

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p20
	FEDERAL ADMIRALTY. Documents relating to federal admiralty and maritime law and practice, including shipping, collision of vessels, maritime liens, maritime employment (including injuries to seamen and longshoremen), wharf and dock operations, and regulation of navigation and navigable waters (including pollution control).	
FADM-USC	U.S. Code. Selected U.S. Code provisions.	
FADM-CS	Cases. Consolidates cases from FADM-SCT, FADM-CTA, and FADM-DCT.	
FADM-SCT	U.S. Supreme Court cases beginning 1925.	
FADM-CTA	U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.	
FADM-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.	

STATE ATTORNEY GENERAL OPINIONS.

Opinions of the the Attorneys General for the following states beginning 1977. Identifiers appear in parentheses. By using the identifier (AG) , all the following states can be searched at once.

California (CA-AG)	Illinois (IL-AG)	Minnesota (MN-AG)	Ohio (OH-AG)
Pennsylvania (PA-AG)	Texas (TX-AG)	Tennessee (TN-AG)	New York (NY-AG)

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p21
CA-E	Education. Cases involving education issues including contracts, management of educational institutions, and rights and liabilities of teachers, administrators and boards. For coverage, see CRP on p. 11.	
CA-FL	Family Law. Cases relating to marriage, divorce, adoption, custody, intra-familial property rights and other relationships, mental health, and juvenile law decided in California. For coverage see CRP on p. 11.	
CA-IN	Insurance. Decisions in the state of California involving insurance issues. Does not extend to decisions involving bonds and suretyship, insurance on bank deposits, social security coverage, unemployment compensation or workers' compensation. For coverage, see CRP on p. 11.	
NY-E	Education. Cases involving education issues including contracts, management of educational institutions, and rights and liabilities of teachers, administrators and boards. For coverage, see NYS on p. 8.	
NY-FL	Family Law. Cases relating to marriage, divorce, adoption, custody, intra-familial property rights and other relationships, mental health, and juvenile law decided in New York. For coverage see NYS on p. 8.	
NY-IN	Insurance. Decisions in the state of New York involving insurance issues. Does not extend to decisions involving bonds and suretyship, insurance on bank deposits, social security coverage, unemployment compensation or workers' compensation. For coverage, see NYS on p. 8.	

To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p22
	FEDERAL GOVERNMENT CONTRACTS. Documents relating to procurement and other federal government contracts questions.	
FGC-USC	U.S. Code. Selected U.S. Code provisions.	
FGC-CS	Cases. Consolidates cases from FGC-SCT, FGC-CTA and FGC-DCT.	
FGC-SCT	U.S. Supreme Court cases beginning 1925.	
FGC-CTA	U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.	

cases from 1954 through 1960.

FGC-BCA Board of Contract Appeals decisions from all of the following agencies (beginning coverage appears in parentheses):

FGC-AGBCA Agriculture Board of Contract Appeals (1975).

FGC-ASBCA Armed Services Board of Contract Appeals (1981).

FGC-EBCA Energy Board of Contract Appeals (1980).

FGC-ENGBCA Corps of Engineers Board of Contract Appeals (1981).

FGC-GSBCA General Services Board of Contract Appeals (1962).

FGC-HUDBCA Housing and Urban Development Board of Contract Appeals (1980).

FGC-IBCA Interior Board of Contract Appeals (1955).

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFK databases, see description of general database. To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p23
FEDERAL GOVERNMENT CONTRACTS (cont.)		

FGC-LBCA	Labor Board of Contract Appeals (1981).
FGC-NASABCA	National Aeronautics and Space Administration Board of Contract Appeals (1960).
FGC-PSBCA	Postal Service Board of Contract Appeals (1968).
FGC-DOTCAB	Department of Transportation Contracts Appeals Board (1967).
FGC-VABCA	Veterans Administration Board of Contract Appeals (1981).

To access a database, enter its Identifier. To see Database Listing, enter DB .

TRAINING COURSES

TT---Terminal & Keyboard Instruction
WT---Learning to use WESTLAW
ST---How to use Shepard's

FEDERAL DATABASES

IDENTIFIER TITLE
USC----United States Code-----p7
SCT----Supreme Court Rptr.-----p7
FED----Federal Rptr. 2d-----p7
FS-----Federal Supplement-----p7
MJR----Military Justice Rptr.-----p9
CFR----Code of Federal Regulations-p7

SPECIAL DATABASES

WCH----WESTLAW Case Highlights
WITH---WESTLAW Tax Highlights
SH-----Shepard's Citations-----p11
FSD----Forensic Services Directory-p9

Press enter for additional database listings (on pages 3, 4, 5 and 6).

To access a database, enter the database Identifier (e.g. FED).

For more information about a database, enter P followed by the page number.

FEDERAL TAX DATABASES

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FTX-TN---Tax Notes -----p12
FTX-USC--Internal Revenue Code -----p12
FTX-PL---Public Laws -----p12
FTX-CS---Federal cases (Ex. Tax Ct.)-p12
FTX-SCT--Supreme Ct. cases -----p12
FTX-CTA--Ct.App., Ct.Cl. cases -----p12
FTX-DCT--District Ct. cases -----p12
FTX-TCT--Tax Court cases -----p12
FTX-CFR--Tax Regulations -----p12
FTX-ADM--Tax Administrative Material-p12
FTX-WD---IRS Written Determinations -p13
FTX-NR---IRS News Releases -----p13

FEDERAL PATENTS DATABASES

FP-USC---U.S. Code -----p13
FP-CS----Federal cases -----p13
FP-SCT---Supreme Ct. cases -----p13
FP-CTA---Ct.App., Ct.Cl. cases -----p13
FP-DCT---District Ct. cases -----p13

Press enter for additional database listings (pages 4, 5 and 6).

To access a database, enter its Identifier.

For more information about a database, enter P followed by the page number.

FEDERAL ANTITRUST AND
BUSINESS REGULATION DATABASES

IDENTIFIER TITLE
FABR-USC--U.S. Code -----p18
FABR-CFR--Regulations -----p18
FABR-CS---Federal cases -----p18
FABR-SCT--Supreme Ct. cases -----p18
FABR-CTA--Ct.App., Ct.Cl. cases ---p18
FABR-DCT--District Court cases ----p18
FABR-FTC--FTC Decisions -----p18

REGIONAL AND STATE DATABASES

IDENTIFIER TITLE
ATL-----Atlantic Rptr. 2d-----p8
NJ-TCT---New Jersey Tax Court Rptr.---p8
DE-CORP--Delaware Corp. Law-----p9
NE-----North Eastern Rptr. 2d-----p8
NYS-----New York Supplement 2d-----p8
NW-----North Western Rptr. 2d-----p9
PAC-----Pacific Rptr. 2d-----p11
CRP-----California Rptr. -----p11
SE-----South Eastern Rptr. 2d-----p10
SO-----Southern Rptr. 2d-----p10
SW-----South Western Rptr. 2d-----p10
CA-E-----California Education cases--p21
CA-FL----California Family Law cases-p21
CA-IN----California Insurance cases--p21
NY-E-----New York Education cases----p21
NY-FL----New York Family Law cases---p21
NY-IN----New York Insurance cases----p21

FEDERAL LABOR DATABASES

IDENTIFIER TITLE
FLB-USC--U.S. Code -----p15
FLB-CS---Federal cases -----p15
FLB-SCT--Supreme Ct. cases -----p15
FLB-CTA--Ct.App., Ct.Cl. cases ---p15
FLB-DCT--District Ct. cases -----p15
FLB-OSRC--OSHA Review Comm. Dec.--p15
FLB-NLRB--NLRB Decisions -----p15

FEDERAL SECURITIES DATABASES

FSEC-USC--U.S. Code -----p14
FSEC-CFR--Regulations -----p14
FSEC-CS---Federal cases -----p14
FSEC-SCT--Supreme Ct. cases -----p14
FSEC-CTA--Ct.App., Ct.Cl. cases -p14
FSEC-DCT--District Ct. cases -----p14
FSEC-DEC--SEC Decisions -----p14
FSEC-NAL--SEC No-Action Letters -p14
FSEC-IR---SEC Interpretive Rel. -p14

FEDERAL BANKRUPTCY DATABASES

IDENTIFIER TITLE
FBKR-USC--U.S. Code -----p17
FBKR-CS---Federal cases -----p17
FBKR-SCT--Supreme Ct. cases -----p17
FBKR-CTA--Ct.App., Ct.Cl. cases ---p17
FBKR-DCT--District Ct. cases -----p17
FBKR-SEC--Reorganization Reports --p17

FEDERAL ADMIRALTY DATABASES

FADM-CS---Federal cases-----p20

FADM-SCT--Supreme Ct. cases-----p20
 FADM-CTA--Ct.App., Ct.Cl. cases----p20
 FADM-DCT--District Ct. cases-----p20
 FADM-USC--U.S. Code-----p20

Press enter for additional database listings (pages 5 and 6).
 To access a database, enter its Identifier.
 For more information about a database, enter P followed by the page number.

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FEDERAL COPYRIGHT DATABASE
 IDENTIFIER TITLE
 FCP-USC--U.S. Code -----p16
 FCP-CS---Federal cases -----p16
 FCP-SCT--Supreme Ct. cases -----p16
 FCP-CTA--Ct.App., Ct.Cl. cases----p16
 FCP-DCT--District Ct. cases -----p16

STATE ATTORNEY GENERAL OPINIONS
 IDENTIFIER TITLE
 AG ---All states listed below --p20
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 OH-AG-----Ohio -----p20
 PA-AG-----Pennsylvania -----p20
 TN-AG-----Tennessee -----p20
 TX-AG-----Texas -----p20

FEDERAL COMMUNICATIONS DATABASE
 FCOM-USC U.S. Code -----p19
 FCOM-CS--Federal cases -----p19
 FCOM-SCT-Supreme Ct. cases -----p19
 FCOM-CTA-Ct.App., Ct.Cl. cases ----p19
 FCOM-DCT-District Ct. cases -----p19

Press enter for additional database listings (page 6).
 To access a database, enter its Identifier.
 For more information about a database, enter P followed by the page number.

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FEDERAL GOVERNMENT CONTRACTS DATABASES
 IDENTIFIER TITLE
 FGC-USC -----U.S. Code -----p22
 FGC-CS -----Federal cases -----p22
 FGC-SCT -----Supreme Court cases ----p22
 FGC-CTA -----Ct.App., Ct.Cl. cases --p22
 FGC-DCT -----District Ct. cases -----p22
 FGC-BCA -----Bd. of Cont. App. Dec. -p22
 FGC-AGBCA ---Agriculture BCA -----p22
 FGC-ASBCA ---Armed Services BCA -----p22
 FGC-EBCA -----Energy BCA -----p22
 FGC-ENGBCA --Corps of Engineers BCA -p22
 FGC-GSBCA ---General Services BCA ---p22
 FGC-HUDBCA --Housing and Urban Dev. -p22
 FGC-IBCA -----Interior BCA -----p22
 FGC-LBCA -----Labor BCA -----p23
 FGC-NASABCA -Natl. Aero. and Space --p23
 FGC-PSBCA ---Postal Service BCA -----p23
 FGC-DOTCAB --Dept. of Transportation-p23
 FGC-VABCA ---Veterans Admin. BCA -----p23

To access a database, enter its Identifier.
 For more information about a database, enter P followed by the page number.

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE
USC	U.S.Code: Titles 1-25,27-50 through P.L.97-259, enacted 9/13/82. Title 26 through P.L.97-172, enacted 4/16/82.
SCT	Supreme Court Reporter. Full text plus headnotes beginning 46 S.Ct.(1925) Includes cases received but not yet published.
FED	Federal Reporter 2d. U.S. Courts of Appeals, U.S. Court of Customs and Patent Appeals: full text plus headnotes beginning 146 F.2d (1945). U.S. Court of Claims: full text plus headnotes beginning 276 F.2d (1960). Includes cases received but not yet published.
FS	Federal Supplement. U.S. District Courts: full text plus headnotes beginning 84 F.Supp. (1950). Also headnotes for cases in Federal Rules Decisions beginning 27 F.R.D. (1961); full text plus headnotes beginning 73 F.R.D. (1977). U.S. Court of Claims: full text plus headnotes beginning 115 F.Supp. (1954) through 181 F.Supp (1960) (See FED for later cases). Includes cases received but not yet published.
CFR	Code of Federal Regulations Title 26 only (as of 11/1/82) Other files temporarily unavailable pending file maintenance.

SCT, FED and FS databases are current through most recent advance sheets.
To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE
ATL	Atlantic Reporter, 2d N.J.: full text and headnotes beginning 61 A.2d (1948). Conn., Del., Me., Md., N.H., Pa., R.I., Vermont and Dist. of Columbia: headnotes beginning (except Delaware) 121 A.2d 729 (1956) through 217 A.2d (1965); full text plus headnotes for all states beginning 218 A.2d (1966).
NE	North Eastern Reporter, 2d Ill., Ind., Mass., Ohio: headnotes beginning 133 N.E.2d 257 (1956); full text plus headnotes beginning 215 N.E.2d (1966), except in Ohio where full text plus headnotes begins at 201 N.E.2d (1965). New York Ct. of App.: headnotes beginning 215 N.E.2d 482 (1966) through 363 N.E.2d (1977); full text plus headnotes beginning 364 N.E.2d (1977). Ill. Supreme Ct.; full text plus headnotes beginning 58 N.E.2d (1945). For expanded coverage of Court of Appeals decisions, see NYS.
NYS	New York Supplement, 2d Court of Appeals: full text plus headnotes beginning 281 N.Y. 1, 21 N.E.2d 891 (1940). Supreme Court App. Div., Supreme Court, misc. courts of record: headnotes beginning 149 N.Y.S.2d (1956) through 267 N.Y.S.2d (1965); full text plus headnotes beginning 268 N.Y.S.2d (1966).
NJ-TCT	New Jersey Tax Court Reporter - full text plus begins 1 N.J.Tax (1980).

ATL, NE, NYS and NJ-TCT are current through the most recent advance sheets.
To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE
DE-CORP	Delaware Corporation Law Cases relating to corporation law and to securities law decided in Delaware. Includes unreported cases from the Del. Journal of Corporate Law beginning Vol. 1 (1975) and reported cases beginning 218 A.2d (1966).
NW	North Western Reporter, 2d Minnesota: full text plus headnotes beginning 16 N.W.2d (1945). Iowa, Mich., Nebraska, North Dakota and South Dakota: headnotes beginning 75 N.W.2d 841 (1956) through 129 N.W.2d (1964); full text plus headnotes beginning 130 N.W.2d (1965). Wisconsin: headnotes beginning 128 N.W.2d (1965); full text plus headnotes beginning 130 N.W.2d (1965).

Michigan Supreme Ct.: full text plus headnotes beginning 66 N.W.2d (1955)
 MJR Military Justice Reporter
 Full text plus headnotes beginning 1 M.J. (1977)
 FSD 1983 Forensic Services Directory. Names of scientific, medical and technical experts available to serve as consultants to attorneys and as expert trial witnesses. Also translators, testing laboratories, investigators, and other specialists providing trial support services. COPYRIGHT 1982 by the National Forensic Center. A hardcover edition is available from the NFC for \$69.50 (N.J. residents add 5% tax). Inquiries respecting Directory entries should be addressed to: The National Forensic Center, P.O. Box 305, Fair Lawn, NJ 07410
 DE-CORP, NW and MJR databases are current through most recent advance sheets. To access a database, enter the Identifier. To see Database Listing, enter DB .

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SO Southern Reporter, 2d
 La.: full text plus headnotes beginning 90 So.2d (1956).
 Fla.: full text plus headnotes beginning 74 So.2d (1955).
 Ala., Miss.: headnotes beginning 86 So.2d 369 (1956) through 183 So.2d (1967); full text plus headnotes beginning 184 So.2d (1967).

SE South Eastern Reporter, 2d
 Georgia, No. Carolina, So. Carolina, Virginia, W. Virginia: headnotes beginning 92 S.E.2d 89 (1956) through 146 S.E.2d (1967); full text plus headnotes beginning 147 S.E.2d (1967).

SW South Western Reporter, 2d
 Arkansas, Kentucky, Missouri, Tennessee, and Texas: headnotes beginning 288 S.W.2d 321 (1956) through 399 S.W.2d (1967); full text plus headnotes beginning 400 S.W.2d (1967).
 Texas Supreme Court: full text plus headnotes beginning 216 S.W. (1920).

SO, SE, SW databases are current through most recent advance sheets. To access a database, enter the Identifier. To see Database Listing, enter DB .

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PAC Pacific Reporter, 2d
 Washington: headnotes beginning 295 P.2d 401 (1956) through 396 P.2d 138 (1964); full text plus headnotes beginning 396 P.2d 139 (1964).
 Alaska, Arizona, Colorado, Hawaii, Idaho, Kansas, Montana, Nevada, New Mexico, Oklahoma, Oregon, Utah, Wyoming: headnotes beginning (except Nevada, Utah and Wyoming) 295 P.2d 401 (1956) through 411 P.2d (1967); full text plus headnotes for all states beginning 412 P.2d (1967).
 Cal. Supreme Ct. only: headnotes beginning 407 P.2d (1965) through 564 P.2d (1977); full text plus headnotes beginning 565 P.2d (1977).
 For coverage of all reported California decisions use CRP.

CRP California Reporter
 Cal. Supreme Court: full text plus headnotes beginning 152 P.2d (1945).
 Other reported decisions: headnotes beginning 1 Cal.Rptr. (1960) through 49 Cal.Rptr. (1966); full text plus headnotes beginning 50 Cal.Rptr. (1966)

SH Shepard's Citations - Citing case coverage beginning with Vol. 1 for each WESTLAW database with the following exceptions: 62 S.Ct (1941), 303 N.Y.S.2d (1969), 227 F.2d (1955), 281 F.Supp. (1968), QFED not included. Additional coverage information may be found on page 26 of the Shepard's Training Course.

PAC and CRP databases are current through the most recent advance sheets. To access a database, enter the Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p12
	FEDERAL TAX. Documents relating to federal tax law and procedure.	
FTX-TN	Tax Notes. This weekly publication provides current tax news and analysis. Coverage begins with the issue of 1/5/81 and is current through the most recent issue. Tax Notes is copyrighted by Tax Analysts, 6830 N. Fairfax Dr., Arlington, VA 22213. The full text of documents referenced in Tax Notes may be obtained through Tax Analysts' Complete Access Service; for details, call (800)336-0439.	
FTX-USC	U.S. Code. Selected provisions, includes Internal Revenue Code.	
FTX-PL	Public Laws. The Tax Equity and Fiscal Responsibility Act of 1982.	
FTX-CS	Cases. Consolidates FTX-SCT, FTX-CTA, FTX-DCT (Tax Court not included).	
FTX-SCT	U.S. Supreme Court cases beginning 1925.	
FTX-CTA	U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.	
FTX-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.	
FTX-TCT	U.S. Tax Court Reported and Memorandum decisions beginning 1954.	
FTX-CFR	Tax Regulations. Treasury regulations codified at 26 CFR as of 11/1/82.	
FTX-ADM	Administrative Material. Includes: Revenue Rulings, Revenue Procedures, Delegation Orders, Executive and Treasury Dept. Orders. Beginning 1954.	

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter the Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p13
	FEDERAL TAX (cont.)	
FTX-WD	IRS Written Determinations. Includes letter rulings and National Office Technical Advice Memoranda beginning 1954, with the exception of certain illegible documents. Caution: These rulings are directed only to the taxpayers who request them. 26 U.S.C.A. s 6119(j)(3) prohibits their use as precedent.	
FTX-NR	IRS news releases, announcing policy determinations and other matters, beginning January 1, 1981.	
	FEDERAL PATENTS. Documents relating to federal patent laws.	
FP-USC	U.S. Code. Selected U.S. Code provisions.	
FP-CS	Cases. Consolidates cases from FP-SCT, FP-CTA and FP-DCT.	
FP-SCT	U.S. Supreme Ct. cases beginning 1925.	
FP-CTA	U.S. Courts of Appeals cases beginning 1945. Court of Claims cases beginning 1960. Includes U.S. Court of Customs and Patent Appeals.	
FP-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.	

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a Database, enter its Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p14
	FEDERAL SECURITIES. Documents relating to federal securities and commodity futures regulation.	
FSEC-USC	U.S. Code. Includes acts administered by the SEC.	
FSEC-CFR	Regulations temporarily unavailable pending file maintenance.	
FSEC-CS	Cases. Consolidates cases from FSEC-SCT, FSEC-CTA, and FSEC-DCT.	
FSEC-SCT	U.S. Supreme Court cases beginning 1925.	
FSEC-CTA	U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.	
FSEC-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.	

- FSEC-DEC Decisions of the SEC published in SEC Decisions and Reports, beginning with 1 S.E.C. (1933).
- FSEC-NAL Private requests for no-action and interpretive letters and responses thereto by the SEC. All letters available from the SEC public files, with the exception of certain illegible documents, beginning 1970.
- FSEC-IR SEC Interpretive Releases relating to the acts administered by the SEC, to the general rules and regulations issued under those acts, and to accounting matters. Coverage beginning 1935.

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a Database, enter its Identifier. To see Database Listing, enter DB .
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IDENTIFIER	TITLE AND SCOPE OF COVERAGE
	FEDERAL LABOR. Documents relating to labor issues.
FLB-USC	U.S. Code. Selected U.S. Code provisions.
FLB-CS	Cases. Consolidates cases from FLB-SCT, FLB-CTA, and FLB-DCT.
FLB-SCT	U.S. Supreme Court decisions beginning 1925.
FLB-CTA	U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
FLB-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.
FLB-OSRC	Decisions of the Occupational Safety and Health Review Commission. Cases are represented by full text beginning with 1 OSAHRC (1971).
FLB-NLRB	National Labor Relations Board Decisions. Cases are represented by full text beginning 221 NLRB.

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a Database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER TITLE AND SCOPE OF COVERAGE p16

IDENTIFIER	TITLE AND SCOPE OF COVERAGE
	FEDERAL COPYRIGHT. Documents pertaining to federal copyright law.
FCP-USC	U.S. Code. Selected U.S. Code provisions.
FCP-CS	Cases. Consolidates cases from FCP-SCT, FCP-CTA, and FCP-DCT.
FCP-SCT	U.S. Supreme Court cases beginning 1925.
FCP-CTA	U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
FCP-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims from 1954 through 1960.

Topical case law databases are current through most recent advance sheets; for status of topical UCS or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE
	FEDERAL BANKRUPTCY. Documents relating to the bankruptcy laws.
FBKR-USC	U.S. Code. Selected provisions, including 11 U.S. Code.
FBKR-CS	Cases. Consolidates cases from FBKR-SCT, FBKR-CTA and FBKR-DCT. Includes U.S. Bankruptcy Court.
FBKR-SCT	U.S. Supreme Court cases beginning 1925.
FBKR-CTA	U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
FBKR-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960. U.S. Bankruptcy Court beginning 1979.
FBKR-SEC	SEC Reports respecting corporate reorganizations under Chapter X of the former Bankruptcy Act, and Chapter 11 of the current Bankruptcy Code, beginning 1 S.E.C. (1934).

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE
	FEDERAL ANTITRUST AND BUSINESS REGULATION. Documents relating to antitrust, business regulation, and consumer protection.
FABR-USC	U.S. Code. Selected U.S. Code provisions. See also other topical databases including Federal Securities, Patents and Labor databases.
FABR-CFR	Regulations temporarily unavailable pending file maintenance.
FABR-CS	Cases. Consolidates cases from FABR-SCT, FABR-CTA and FABR-DCT.
FABR-SCT	U.S. Supreme Court cases beginning 1925.
FABR-CTA	U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
FABR-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.
FABR-FTC	Decisions of the FTC published in FTC Decisions and Reports beginning with 56 F.T.C. (1959).

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE
	FEDERAL COMMUNICATIONS AND MASS MEDIA. Documents relating to federal regulation of the commercial broadcast, cable and print media. Also includes documents relating to censorship and prior restraint as it relates to the media, the conflict between a free press and a fair trial, the rights of journalists to protect their sources, pornography, and defamation as it relates to the media. This database does not include documents dealing with copyrights, FOIA, advertising practices or government communications (i.e. Federal Government' civilian and military communications).

FCOM-USC U.S. Code. Selected U.S. Code provisions.
 FCOM-CS Cases. Consolidates cases from FCOM-SCT, FCOM-CTA, and FCOM-DCT.
 FCOM-SCT U.S. Supreme Court cases beginning 1925.
 FCOM-CTA U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
 FCOM-DCT U.S. District Court cases beginning 1950. U.S. Court of Claims from 1954 through 1960.

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p20
	FEDERAL ADMIRALTY. Documents relating to federal admiralty and maritime law and practice, including shipping, collision of vessels, maritime liens, maritime employment (including injuries to seamen and longshoremen), wharf and dock operations, and regulation of navigation and navigable waters (including pollution control).	

FADM-USC U.S. Code. Selected U.S. Code provisions.
 FADM-CS Cases. Consolidates cases from FADM-SCT, FADM-CTA, and FADM-DCT.
 FADM-SCT U.S. Supreme Court cases beginning 1925.
 FADM-CTA U.S. Court of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.
 FADM-DCT U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.

STATE ATTORNEY GENERAL OPINIONS.

Opinions of the the Attorneys General for the following states beginning 1977. Identifiers appear in parentheses. By using the identifier (AG) , all the following states can be searched at once.

California (CA-AG)	Illinois (IL-AG)	Minnesota (MN-AG)	Ohio (OH-AG)
Pennsylvania (PA-AG)	Texas (TX-AG)	Tennessee (TN-AG)	New York (NY-AG)

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see descriptions of general databases. To access a database, enter its Identifier. To see Database Listing, enter DB .

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IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p21
CA-E	Education. Cases involving education issues including contracts, management of educational institutions, and rights and liabilities of teachers, administrators and boards. For coverage, see CRP on p. 11.	
CA-FL	Family Law. Cases relating to marriage, divorce, adoption, custody, intra-familial property rights and other relationships, mental health, and juvenile law decided in California. For coverage see CRP on p. 11.	
CA-IN	Insurance. Decisions in the state of California involving insurance issues. Does not extend to decisions involving bonds and suretyship, insurance on bank deposits, social security coverage, unemployment compensation or workers' compensation. For coverage, see CRP on p. 11.	
NY-E	Education. Cases involving education issues including contracts, management of educational institutions, and rights and liabilities of teachers, administrators and boards. For coverage, see NYS on p. 8.	
NY-FL	Family Law. Cases relating to marriage, divorce, adoption, custody, intra-familial property rights and other relationships, mental health, and juvenile law decided in New York. For coverage see NYS on p. 8.	
NY-IN	Insurance. Decisions in the state of New York involving insurance issues. Does not extend to decisions involving bonds and suretyship, insurance on bank deposits, social security coverage, unemployment compensation or workers' compensation. For coverage, see NYS on p. 8.	

To access a database, enter its Identifier. To see Database Listing, enter DB .
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IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p22
	FEDERAL GOVERNMENT CONTRACTS. Documents relating to procurement and other federal government contracts questions.	
FGC-USC	U.S. Code. Selected U.S. Code provisions.	
FGC-CS	Cases. Consolidates cases from FGC-SCT, FGC-CTA and FGC-DCT.	
FGC-SCT	U.S. Supreme Court cases beginning 1925.	
FGC-CTA	U.S. Courts of Appeals cases beginning 1945. U.S. Court of Claims cases beginning 1960.	
FGC-DCT	U.S. District Court cases beginning 1950. U.S. Court of Claims cases from 1954 through 1960.	
FGC-BCA	Board of Contract Appeals decisions from all of the following agencies (beginning coverage appears in parentheses):	
FGC-AGBCA	Agriculture Board of Contract Appeals (1975).	
FGC-ASBCA	Armed Services Board of Contract Appeals (1981).	
FGC-EBCA	Energy Board of Contract Appeals (1980).	
FGC-ENGBCA	Corps of Engineers Board of Contract Appeals (1981).	
FGC-GSBCA	General Services Board of Contract Appeals (1962).	
FGC-HUDBCA	Housing and Urban Development Board of Contract Appeals (1980).	
FGC-IBCA	Interior Board of Contract Appeals (1955).	

Topical case law databases are current through most recent advance sheets; for status of topical USC or CFR databases, see description of general database. To access a database, enter its Identifier. To see Database Listing, enter DB .

IDENTIFIER	TITLE AND SCOPE OF COVERAGE	p23
	COPR. (C) WEST 1983 NO CLAIM TO ORIG. U.S. GOVT. WORKS FEDERAL GOVERNMENT CONTRACTS (cont.)	
FGC-LBCA	Labor Board of Contract Appeals (1981).	
FGC-NASABCA	National Aeronautics and Space Administration Board of Contract Appeals (1960).	
FGC-PSBCA	Postal Service Board of Contract Appeals (1968).	
FGC-DOTCAB	Department of Transportation Contracts Appeals Board (1967).	
FGC-VABCA	Veterans Administration Board of Contract Appeals (1981).	

To access a database, enter its Identifier. To see Database Listing, enter DB .

I

THE STATE CONSTITUTION WITHIN THE
AMERICAN POLITICAL SYSTEM

A staff paper prepared by the Public Administration
Service for the Delegates to the Alaska
Constitutional Convention

November, 1955

which, though unwritten, are really a part of the "constitution" in the broad sense. Constitutional practice does not always follow the ideas which the formulators had in mind. One of the best known examples, on the national level, is found in the practice by which presidential electors have been mere rubber stamps; only on two occasions since the election of John Adams have presidential electors exercised their constitutional right to use their independent judgment in casting a ballot for the President of the United States.⁴⁰ Delegates to the Alaskan Constitutional Convention will recognize that their handiwork may not receive the precise interpretations in subsequent years that they had intended when writing the document at College.

Certainly, however, the Delegates at College will write into the Alaskan Constitution the great principles of government which have become so much a part of the genius and tradition of the American people and, in some cases, of democratic countries throughout the world. The machinery for implementing these principles may be the subject of argument but universal agreement on the principles themselves may be assumed.

The Principle of Popular Sovereignty.

Basic to the conception of democratic government wherever found is the idea that the people govern. Government is not

⁴⁰ One elector did so at the time of the election of Munroe. One Tennessee elector cast his ballot for J. Strom Thurmond in 1948, even though Tennessee had been carried by Mr. Truman.

something imposed on the people; it is an institution which comes from the people and over which they have control. A legal statement of the principle is found in the preamble to the national Constitution:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

With less verbiage the Declaration of Rights of the North Carolina Constitution of 1776 stated simply: "All political power is vested in and derived from the people only." The principle found expression in the bloody years of the Civil War when Lincoln coined his immortal "Government of the people, by the people, and for the people."

The principle of popular sovereignty is not a platitude. "We the people" govern. We elect our lawmakers, and having elected them, we may also choose new ones more responsive to our will. We may err in our choice, and we may elect rascals instead of statesmen, but the choice is ours--freely made and freely revocable at fixed periods. And government officials, of high and low estate, are always the servants and not the masters of the people. On no other principle can democratic government function and be maintained.

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Legislative Affairs Agency
Fourth Y State Capitol
Juneau, Alaska 99801

C O N S T I T U T I O N A L S T U D I E S

Prepared on behalf of the
ALASKA STATEHOOD COMMITTEE
for the
ALASKA
CONSTITUTIONAL CONVENTION

Convened
November 8, 1955

P U B L I C A D M I N I S T R A T I O N S E R V I C E

Volume 2 of 3

2933 11

<u>No. of States</u>	<u>Age Qualifications for Upper House Membership</u>
18	21
1	24
21	25
1	26
1	27
6	30

Citizenship and Residence Requirements. The citizenship requirement is present in all states and constitutions either specify that a person must be a citizen or a qualified elector in order to be a member of the legislature. Some constitutions further stipulate the period of citizenship which go as high as five years in the case of Maine. State citizenship for a certain period of time is occasionally specified.¹² Residence requirements in both the state and county for membership in the legislature exist in most constitutions, either expressly or by direct implication. These range from one to five years.

Election and Terms of Members

In all states legislative terms are either for two or four year. Short terms are the rule for members of lower houses: in 43 of the 47 states with two houses, House members serve for two years.¹³ Longer terms are generally provided for state senators: in 32 states they serve for four years; in 16 states

¹² Alabama and California have state citizenship requirements of three years; Georgia and New Jersey of four years for the upper house and two years for the lower house.

¹³ Only in Alabama, Louisiana, Maryland, and Mississippi do they have four-year terms.

(including Nebraska) they serve for two. Legislatures in a quarter of the states in 1952-53 considered measures to lengthen legislative terms so as to increase the amount of time the legislator might devote to public business, to reduce the time consumed in running for re-election, and to retain experienced legislators longer. The proposed changes would have increased House terms from two to four years and Senate terms correspondingly, except in California, Illinois, Kentucky, and South Carolina, where Senate terms would have been increased from four to six years.

In setting the length of term for legislators a satisfactory balance should be sought between providing for legislative responsiveness to the ever-changing will of the people and a deliberative, experienced body of lawmakers. It would seem desirable to have the term long enough to permit a legislator to participate in two or more sessions, so that provisions governing sessions should be considered in determining the length of terms. There is really no important basis for the use of different terms for the two houses. This is largely due to the federal pattern and a device to attain some stability and to assure some experience in the legislative process. The objectives of stability and responsiveness might both be served by longer legislative terms and the election of a portion of each body biennially.

Alaska State Legislature



Senate

SENATOR MIKE COLLETTA

February 25, 1982

The Honorable Victor Fischer
Chairman
State Affairs Committee
Pouch V
Juneau, Ak 99811

Dear Senator Fischer:

Enclosed is a copy of a poll conducted by Dave Dittman for the Free Committee showing conclusively that Alaskans favor limiting the terms of legislators.

Based on the overwhelming statistics contained in the poll, I urge you to schedule hearings as soon as possible on Senate Joint Resolution 55, which I introduced earlier this session.

The resolution, which must pass this session to gain a spot on the 1982 general election ballot, would limit the number of terms a legislator may serve to four consecutive terms in the House and two consecutive terms in the Senate.

Nothing in the resolution prevents an incumbent from running for office in the opposite house after serving the maximum time in one body, or to sit out a term and seek election to his former seat.

I just feel it is good business practice to rotate people, before old habits set in. And apparently Alaskans hold the same opinion. Of the 455 persons interviewed in 51 communities across the state, 62 percent favored limiting the terms of legislators. The trend was consistent among Alaskans of all ages, background and areas of the state.

Again, I request that you take up SJR 55 as soon as possible, in order to allow the public ample time to testify on this matter.

Sincerely,

Mike Colletta

Mike Colletta

cc: all legislators

FILE MULTIS (CREATION DATE = 21/03/80.)

***** CROSSTABULATION OF INCOME BY LEGTERMS *****

		LEGTERMS					
	COUNT	I					
	ROW	PCT	IN-R	FAVOR	OPPOSE	ROW	
			I			TOTAL	
			I 0	I 1	I 2	I	
INCOME			I-----I-----I-----I				
	0		I 3	I 20	I 10	I 33	
DECLINED			I 9.1	I 60.6	I 30.3	I 7.3	
			I-----I-----I-----I				
	1		I 10	I 69	I 37	I 116	
0-20000			I 8.6	I 59.5	I 31.9	I 25.5	
			I-----I-----I-----I				
	2		I 13	I 107	I 61	I 181	
20-45000			I 7.2	I 59.1	I 33.7	I 39.8	
			I-----I-----I-----I				
	3		I 2	I 60	I 17	I 79	
45-60000			I 2.5	I 75.9	I 21.5	I 17.4	
			I-----I-----I-----I				
	4		I 5	I 28	I 13	I 46	
60000+			I 10.9	I 60.9	I 28.3	I 10.1	
			I-----I-----I-----I				
	COLUMN		33	284	138	455	
	TOTAL		7.3	62.4	30.3	100.0	

FILE MULTIS (CREATION DATE = 81/03/10.)

***** C R O S S T A B U L A T I O N O F *****
 PARTY BY LEGTERMS

		LEGTERMS				
	COUNT	I				
PARTY	ROW PCT	IN-R	FAVOR	OPPOSE	ROW	TOTAL
		I	I	I	I	I
		0	1	2		
PARTY		7	53	17		77
N-R		9.1	68.8	22.1		16.9
		5	61	34		100
DEMOCRAT		5.0	61.0	34.0		22.0
		3	57	24		84
REPUBLICAN		3.6	67.9	28.6		18.5
		18	113	63		194
NONPARTISAN		9.3	58.2	32.5		42.6
	COLUMN	33	284	138		455
	TOTAL	7.3	62.4	30.3		100.0

FILE MULTIS (CREATION DATE = 81/03/10.)

***** C R O S S T A B U L A T I O N O F *****
 WCRKDC BY LEGTERMS

		LEGTERMS						
	COUNT	I						
	ROW	PCT	IN-R	FAVOR	OPPOSE			ROW
								TOTAL
WCRKDC			0	1	2			
N-R	0		0	3	0			3
			0	100.0	0			.7
DEGREE	2		2	42	20			64
			3.1	65.6	31.3			14.1
NONDEGREE	3		6	74	35			115
			5.2	64.3	30.4			25.3
SKILLED	4		19	47	19			76
			13.2	61.8	25.0			16.7
NONSKILL	5		3	35	23			61
			4.9	57.4	37.7			13.4
NOTWORKF	6		5	21	4			30
			16.7	70.0	13.3			6.6
HOMEMAKE	7		7	62	37			106
			6.6	58.5	34.9			23.3
	COLUMN		33	284	138			455
	TOTAL		7.3	62.4	39.3			100.0

MULTI-QUEST

VOLUME IX

MARCH 1981

PREPARED FOR

ANCHORAGE WOMEN'S CLUB
FREE COMMITTEE

DITTMAN RESEARCH CORPORATION
ALASKA BANK OF COMMERCE BUILDING
3230 "C" STREET
ANCHORAGE, ALASKA

Alaska Analyst / Dittman Research

SURVEY ACCURACY

The Dittman Research Corporation, recognized in 1978 as one of the nation's most accurate political survey research organizations following a nation-wide comparison of published pre-election survey results, further enhanced the reputation following the 1980 General Elections in Alaska. The final pre-election state-wide survey published in The Anchorage Times reported that Frank Murkowski would defeat Clark Gruening by 8% and become Alaska's new U.S. Senator. After all challenged and absentee ballots were counted, the certified results revealed Murkowski had defeated Gruening by 8.002%.

Alaska Studies / Dittman Research Corporation

METHODOLOGY

During the period February 27 - March 5, 1981, residents of the sample locations listed on the following pages were personally contacted by telephone by professional interviewing employees of the Dittman Research Corporation. The views and opinions of the Alaska residents were recorded on a number of topics on a strictly confidential basis.

Research design- A random sample design was featured which provided that all residents of those communities included in the survey had essentially the same chance of being interviewed. The sample was apportioned based on the population of the included communities.

Sample selection- The Anchorage sample was selected through a computer-generated random digit dialing program. This is particularly important in Anchorage due to a 40% rate of unpublished and unlisted numbers.

The sample in the other communities state-wide was randomly selected from current telephone subscribers listed in the most recent telephone directory for each community. In these communities the percentage of non-listed numbers does not exceed 10%.

PROCESSING THE DATA-

Dittman Research Employees completed the coding and editing, while all key-punching, verification, and data processing was completed by Boeing Computer Services Company through the Statistical Package for the Social Sciences (SPSS) programs. The SPSS package is one of the most sophisticated research-oriented data processing and analytical systems available, and is designed specifically for the processing and analysis of survey research data.

QUESTION:

Would you favor or oppose limiting the number of terms a legislator may serve to a maximum of four consecutive terms -- 8 years -- in the House; and two consecutive terms -- also 8 years -- in the Senate?

ANSWER:

FAVOR @@@@@@@@@@@@@@@@w@@@@@@@@@@@@@@@@@@@@ 62%

OPPOSE @@@@@@@@@@@@@@@@@@ 30%

SAMPLE LOCATIONS

Sample points are assigned geographically throughout Alaska in such a manner that all citizens over 18 have essentially the same opportunity for involvement. Samples are drawn from 51 Alaskan communities.

FILE MULTI9 (CREATION DATE = 81/03/10.)

***** CROSSTABULATION OF LOCATION BY LEGTERMS *****

		LEGTERMS						
	COUNT	I					ROW	
LOCATION	ROW PCT	IN-R	FAVOR	OPPOSE			TOTAL	
		I	I	I	I	I		
		I	9	I	1	I	2	I
		I		I		I		I
	1	I	4	I	17	I	13	I
RURAL		I	11.8	I	50.0	I	38.2	I
		I		I		I		I
	2	I	8	I	41	I	29	I
CENTRAL		I	10.3	I	52.6	I	37.2	I
		I		I		I		I
	3	I	4	I	38	I	15	I
SCENTRAL		I	7.0	I	66.7	I	26.3	I
		I		I		I		I
	4	I	11	I	137	I	52	I
ANCH		I	5.5	I	68.5	I	26.0	I
		I		I		I		I
	5	I	6	I	51	I	29	I
SCUTHEST		I	7.0	I	59.3	I	33.7	I
		I		I		I		I
	COLUMN		33		284		138	
	TOTAL		7.3		62.4		30.3	
							455	

new # actual # of res.

total sample size

FILE MULTI9 (CREATION DATE = 81/03/10.)

***** C F O S S T A B U L A T I O N O F *****
 TIMEINAK BY LEGTERMS

		LEGTERMS					
	COUNT	I	I	I	I	I	I
	ROW	PCT	IN-R	FAVOR	OPPOSE	ROW	TOTAL
TIMEINAK			0	1	2		
	1		12	87	28		127
1-4YRS		9.4	68.5	22.0			27.9
	2		3	52	31		86
5-7YRS		3.5	60.5	36.0			18.9
	3		6	49	23		78
8-13YRS		7.7	62.8	25.5			17.1
	4		1	41	15		57
14-19YRS		1.8	71.9	26.3			12.5
	5		11	55	41		107
20+YRS		10.3	51.4	38.3			23.5
COLUMN			33	284	138		455
TOTAL			7.3	62.4	30.3		100.0

FILE MULTI9 (CREATION DATE = 81/03/10.)

***** C R O S S T A B U L A T I O N O F * *
 AGE BY LEGTERMS

		LEGTERMS					
	COUNT	I					
AGE	ROW PCT	IN-R	FAVOR	OPPCSE		ROW TOTAL	
		I	I	I	I	I	
		I	0	1	2		
		I	I	I	I	I	
	0	I	0	1	0	1	
N-R		I	0	100.0	0	.2	
		I	I	I	I	I	
	1	I	5	46	27	78	
18-24		I	6.4	59.0	34.6	17.1	
		I	I	I	I	I	
	2	I	13	133	68	214	
25-40		I	6.1	62.1	31.8	47.0	
		I	I	I	I	I	
	3	I	8	69	35	112	
41-55		I	7.1	61.6	31.3	24.6	
		I	I	I	I	I	
	4	I	7	35	8	59	
56+		I	14.0	70.0	16.0	11.0	
		I	I	I	I	I	
	COLUMN		33	284	138	455	
	TOTAL		7.3	62.4	30.3	100.0	

FILE MULTIS (CREATION DATE = 81/03/10.)

***** C R O S S T A B U L A T I O N O F *****
 SEX BY LEGTERMS

SEX	COUNT	LEGTERMS				ROW TOTAL
		IN-R	FAVGR	OPPGSE		
	1	15	130	57	202	
MALE		7.4	64.4	28.2	44.4	
	2	18	154	81	253	
FEMALE		7.1	60.9	32.0	55.6	
COLUMN TOTAL		33	284	138	455	
		7.3	62.4	30.3	100.0	

LEGISLATIVE STUDY COMMITTEE REPORT

PART I

Sponsored by

General Federation of Women's Clubs

Anchorage FREE Committee

Prepared by

Jan Bomhoff and Jan Faiks

January, 1981

VIII.

LIMIT TERMS OF OFFICE

The FREE Committee strongly believes in the concept of a citizen legislature versus professional lawmakers. For this reason, and others, FREE feels that there should be a limitation on the number of terms a Representative and Senator may serve. Surprisingly, a good portion of the responding legislators favored this concept.

FREE feels that a limitation would serve as an incentive for more citizens to seek elective office - the perception being that incumbents are generally pretty difficult to unseat. New faces bring fresh approaches to programs and issues, needed at all times, but especially now in Alaska with its vast natural resource wealth.

When legislators remain in one house for a long period of time, excessive power over colleagues and staff seems to develop, as do legislative cliches. By dispersing the concentration of power, it will be more difficult for a handful of "long time" legislators to control legislation contrary to the wishes of the majority.

One legislator commented during the discussions that it was difficult for even the "good guy" legislators to remain free of obligations to their colleagues. In the lawmaking process there is always give and take, and legislators who have been on the job for a long time will inevitably build up a certain amount of "favors due" and

"favours owed", so that it becomes increasingly difficult to judge matters under consideration solely on their merit.

FREE recommends the following limitations on the terms of office:

1. Senate - two 4-year consecutive terms.
2. House - four 2-year consecutive terms.
3. Present incumbents would begin counting their terms with the effective date of the law.

Using FREE's formula, legislators popular with their constituents could remain in the legislature, but would have to change Houses every eight years. Thereby, the right of the citizen to choose his lawmakers remains intact.

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FREE Legislative Study Committee Members

Jan Faiks, Chairman

Jan Bomhoff, Vice-Chairman

Darlene Holt, Project Coordinator

Esther Brautigan

Teddy Cartwright

Connie Chambers

Betty Cuddy

Beth Henderson

Annie Laurie Howard

Pauline Martens

Priscilla Thorsness

Bobbye Young

Invited Participants

Bob Fleming - Resource Development Council

Cliff Groh - Former Legislator

Dave Harbour - Registered Lobbyist

Jean Peterson - Common Sense for Alaska

Contributing Legislators

Senator W. E. "Brad" Bradley

Senator Mike Colletta

Senator M. E. Dankworth

Senator Bettye Fahrenkamp

Senator Frank Ferguson

Senator Tim Kelly

Senator Patrick Rodey

Senator Terry Stimson

Senator Arliss Sturgulewski.

Representative C. V. "Chat" Chatterton

Representative Samuel Cotten

Representative Richard Halford

Representative Joe L. Hayes

Representative Terry Martin

Representative Russ Meekins, Jr.

Representative Joe D. Montgomery

Representative Joyce Munson

Representative Randy Phillips

Representative Richard L. Randolph

Senator-elect Vic Fischer

Senator-elect Don Gilman

Representative-elect Mitch Abood

Representative-elect Charles Anderson

Representative-elect David Cuddy

Common Sense Surveys Legislative Candidates

The following questions and answers were obtained from a survey Common Sense sent to all state legislature candidates in July. Answers to four of those questions are listed below according to districts and additional responses will appear in upcoming newsletters:

1. DO YOU SUPPORT A CONSTITUTIONAL PROVISION LIMITING THE LENGTH OF THE LEGISLATIVE SESSION?
2. IF YOU DO SUPPORT A SESSION LIMIT, HOW MANY DAYS SHOULD BE ALLOWED?
3. DO YOU SUPPORT THE CONCEPT OF A LIMIT OF 90 DAYS ON LEGISLATORS' PER DIEM ALLOWANCE?
4. DO YOU SUPPORT A LIMIT ON THE NUMBER OF CONSECUTIVE TERMS A LEGISLATOR CAN SERVE?

STATE SENATE CANDIDATES

	Question Number	1	2	3	4
DISTRICT A Ketchikan/Wrangell/Petersburg)					
FADER, CAROL G.			No Response		
WHITAKER, RICHARD			No Response		
ZIEGLER, ROBERT H. SR.	No	—	No	No	
DISTRICT C (Juneau) MANLY, JOHN; RAY, BILL					
			No Response		
DISTRICT D (Kenai/Soldotna/South Anchorage)					
BALDWIN, RICK	Yes	90	No*	Yes	
FISCHER, PAI			No Response		
SHADURA, ALEX			No Response		
SMITH, PHILIP J.			Declined with Comment*		
GILMAN, DON			No Response		
SHAFFER, SUSAN	Yes	90*	Yes	Yes	
DISTRICT E (Anchorage: Sand Lake/Hillside)					
McLEAN, JACK N.			No Response		
PETTYJOHN, FRITZ	Yes	90	Yes	Yes	
TACKETT, STEVE L.			No Response		
FAIKS, JAN	Yes*	90	Yes	Yes	
METCALFE, RAY			No Response		
DISTRICT F (Anchorage: West Side/Mid-Town)					
STURCULEWSKI, ARLISS	Yes	120	No	Yes	
GAY, ROBERT E.	Yes	120	No*	Yes	
RODEY, PATRICK	Yes	120	No*	—	
DISTRICT G (Anchorage: Downtown/Mt. View/University)					
JOSEPHSON, JOE P.	No*	120*	No*	?	
RATCLIFF, WILLIE	No	—	No	No	
SCHMEDLEN, DOUG	Yes	90	Yes	Yes	
ADAMS, THOMAS S.	Yes	120	Yes	Yes	
DAVIC, MILES M.			No Response		
FISCHER, VIC			No Response		

	Question Number	1	2	3	4
DISTRICT H (Anchorage: Muldoon/Chuglak/Eagle River/Bases)					
HALFORD, RICK	Yes	120*	No	Yes	
KELLY, TIM			No Response		
SUTER, JOHN P.	Yes	120	Yes	No	
DISTRICT J (Interior Highways/S.E. Fairbanks/North Star Borough)					
BENSHOOF, GERALDINE	Yes	80	Yes	No	
BUSBEE, CHARLES			No Response		
GODDARD, JACK	Yes	120	Yes	Yes*	
McCRACKEN, DAVID			No Response		
MOSS, H. PAPPY	Yes	120*	No	No	
WILLIAMS, ORIE G.			No Response		
DISTRICT K (Ft. Wainwright/Fairbanks/W. Fairbanks)					
BENNETT, DON			No Response		
STACIOKAS, LINDEN			No Response		
STINSON, GERNALD E.	No	—	No	No	
FAHRENKAMP, BETTYE			No Response		
FALKE, WOLFCANG	Yes	75	Yes*		
ROWE, AL			No Response		
DISTRICT L (North Slope/ Kotzebue/Norton Sound)					
FERGUSON, FRANK R.			No Response		
DISTRICT M (Norton Sound/Interior Rivers)					
HOFFMAN, LYMAN F.			No Response		
SACKETT, JOHN C.			No Response		
DISTRICT N (Bristol Bay/ Aleutians/E. Alaska Peninsula)					
BALTZO, STAN; LEDOUX, KURT M.; MULCAHY, BOB; SNIDER, MERLE G.			No Response		

STATE HOUSE CANDIDATES

	Question Number	1	2	3	4
DISTRICT 1 Ketchikan/Wrangell/Petersburg)					
TAGGART, TOM			No Response		
BAKER, LAWRENCE S.	No	—	Yes	Yes	
GARDINER, TERRY			No Response		
PRIVETT, SAMUEL R.	Yes	90	Yes	Yes	
WENDTE, RON			No Response		
ELKINS, JAMES B.	Yes	120*	No*	No	
McBRIDE, JACK			No Response		
DISTRICT 2 (Inside Passage/Cordova)					
FRISBY, PERCY; COLL, PETER; HALLIWILL, JON D.; HARRINGTON, GEORGE S. JR.; KOOKESH, ALBERT M.			No Response		
DISTRICT 3 (Baranof/Chichagof)					
GRUSSENDORF, BEN			No Response		

	Question Number	1	2	3	4
DISTRICT 4 (Juneau)					
BARNES, ALLAN W.	Yes	130-140	No	No	
GOODMAN, SAMUAL PARKER			No Response		
MILLER, MIKE			No Response		
DUNCAN, JIM			No Response		
JANSON, M. SUZANNE	Yes*	120*	No*	Yes*	
SWANSON, LESLIE			No Response		
DISTRICT 5 (Kenai/Cook Inlet)					
CARSON, TED	Yes	75	Yes	Yes	
MALONE, HUGH			No Response		
SIKORSKI, MERRILL	Yes	90	Yes	Yes	
FRITZ, MILO H.	Yes	100	Yes	No	
MARROL, ANDRE V.			No Response		
MARTIN, CHRIS	Yes	120	No	Yes	
O'CONNELL, PATRICK M.			No Response		
SCHRADER, GLENN D.	Yes	90	Yes	Yes	

STATE HOUSE CANDIDATES (Con't)

	Question Number	1	2	3	4
DISTRICT 6 (N. Kenai/South Coast)					
BRANDON, STEWART E.			No Response		
CATO, BETTE	No*	—	No*	?	
LEARY, ROBERT A.			No Response		
DISTRICT 7 (S. Anchorage)					
BYLSMA, BERNIE	Yes	105	No	Yes	
HOLLOWAY, MIKE			No Response		
SZYMANSKI, MIKE			No Response		
DISTRICT 8 (Hillside)					
AYERS, JAMES R.	Yes	120*	Yes*	Yes	
COWDERY, JOHN	Yes	90	Yes	Yes	
CARRIGUES, JAMES M.	No*	110-120	No	No*	
PESTINGER, SAM	Yes	90	Yes	Yes	
DISTRICT 9 (Sand Lake)					
HAYES, JOE L.	Yes	90	No*	Yes	
SIEGFRIED, MIKE	No	—	Yes*	No	
EVERSON, NORRIS			No Response		
FLOOD, JOE	Yes	120	No	Yes	
MCDONALD, KELLY			No Response		
McHENRY, MIKE			No Response		
DISTRICT 10 (Mid-Town)					
BUSSELL, CHARLIE	Yes	90	Yes	Yes	
NOWBRAY, JOHN			No Response		
MUNSON, JOYCE	Yes*	120	No	Yes	
BEIRNE, MIKE	Yes	90	Yes	Yes	
COLLINS, M. VIRGINIA	Yes	90	Yes	Yes	
LINDAUER, JOHN	Yes	90	Yes*	Yes	
DISTRICT 11 (West Side)					
ABOOD, MITCH	Yes	120	No	Yes	
CORBETT, PATRICIA	No	—	No	No	
DONLEY, DAVID ARTHUR	Yes	90*	Yes	Yes	
RADUEGE, FLOYD ALLEN			No Response		
BUCHHOLDT, THELMA	Yes	120	No	No*	
KUBITZ, JIM	Yes	120	No	Yes	
MATHIS, JOE	Yes	90	Yes	Yes	
TISCHER, MAE	Yes	90	Yes	Yes	
DISTRICT 12 (Downtown)					
BELTZ, MARK ALBERT	No	—	No	No	
DAL PIAZ, VIRGINIA	Yes	120*	No	Yes	
UEHLING, RICK	Yes	120	No*	Yes*	
ANDERSON, JOHN M.	Yes	90	Yes	Yes	
CASSITY, KRIS			No Response		
CLOCKSIN, DON			No Response		
DISTRICT 13 (Mt. View/University)					
CAMPBELL, BERT	No*	—	No*	No	
EDGAR, PAUL	Yes	90	Yes	Yes	
GARNER, MARVIN			No Response		
WARD, JERRY	Yes	90	Yes	Yes	
CARPENTER, MAKILYN			No Response		
MARTIN, TERRY	Yes	120	No*	No	
PLUNKETT, GEORGE REX			No Response		
DISTRICT 14 (Muldoon)					
BARNES, RAMONA L.	Yes	120*	No*	Yes*	
O'CONNELL, CHARLES L.	No	—	No	No	
COLLIER, GARNETT (SAM)			No Response		
FURNACE, WALT			No Response		
JOHNSON, RUDY L.	Yes	90	Yes	Yes	
STEWART, RALPH W.	Yes	90	Yes	Yes	
DISTRICT 15 (Chugiak/Eagle River/Bases)					
COTTEN, SAM			No Response		
LISKA, JOHN J.	Yes	105	Yes	Yes	
COOK, KEN H.			No Response		
PHILLIPS, RANDY	Yes	120	No	No	
WILLIS, CHARLIE	Yes	120	No	Yes*	
DISTRICT 16 (Matanuska/Susitna)					
CARNEY, PAT			No Response		
LACHER, BARBARA			No Response		
OLSON, A. MAX	Yes	100*	Yes	No	
DORTLAND, RICHARD	Yes	90	Yes*	Yes*	
LARSON, RONALD L.			No Response		
SANDVICK, ELDEN	Yes	110	No	No	
WELSH, DARRELL			No Response		
WOODS, NOEL W.			Declined with Comment*		

	Question Number	1	2	3	4
DISTRICT 17 (Interior Highways)					
BLACK, H. D.			No Response		
BREAN, ROBERT L.			No Response		
BRINKMAN, RONALD H.			No Response		
COLRUD, JERRY	No	—	No	Yes	
CRAIC, TOM			No Response		
GERRUE, ED			No Response		
LENG, ELIZABETH A.			No Response		
MURPHY, GARY D.			No Response		
PROBERT, BRUCE			No Response		
PROPERTY, GEORGE L.			No Response		
RYERSE, ALBERT H.			No Response		
RIVERA, A. J. TONY			No Response		
SHULTZ, DICK			No Response		
STOUT, LAURENE			No Response		
WIER, PAUL	Yes	90	Yes*	No	
DISTRICT 18 (S.E. Fairbanks/ North Star Borough)					
ALEXANDER, WALTER E.			No Response		
BERCH, RONALD	Yes	120	No	No	
CHASE, FRED E.			No Response		
LEWIS, BILL			No Response		
MILLER, MIKE			No Response		
DISTRICT 19 (Ft. Wainwright/ Outer Fairbanks)					
CLARK, LYNETTE M.	Yes	90*	Yes	Yes	
DAVIS MIKE			No Response		
HARTLE, JOHN			No Response		
KARELLA, ANDY	No*	—	Yes	No	
LEVENGOOD, LYNN E.	No	100	Yes*	No	
DISTRICT 20 (Fairbanks)					
ALLEE, RITA T.	No	—	Yes	No	
BETTISWORTH, ROBERT H.			No Response		
SHUROS, WALTER O.			No Response		
BROWN, FRED			No Response		
GILLAM, HAROLD			No Response		
RAHOI, URGAN E.			No Response		
RINGSTAD, JOHN	Yes	120	Yes	No	
RYDER, B. J. (HAP)			No Response		
DISTRICT 21 (West Fairbanks)					
CAIN, TRUDY M.	No	—	No	Yes	
FANNING, KENNETH J.	Yes	90	Yes	Yes	
KOPONEN, NIILLO E.	No	—	?	?	
DISTRICT 22 (North Slope/Kotzebue)					
ADAMS, AL; NELSON, JUNE			No Response		
DISTRICT 23 (Norton Sound)					
FONDELL, DANIEL RALPH	Yes	90	Yes	No	
FOTTE, ROBERT R.			No Response		
FULLER, JOHN G.			No Response		
HEMNES, DIANE TWEET			No Response		
DISTRICT 24 (Interior Rivers)					
ALBERTSON, LAMONT E.			No Response		
HURLBERT, VERN; JUETTNER, BOB; PETERSEN, LARRY; TITUS, JOHN; WILLIS, F. KAY			No Response		
DISTRICT 25 (Lower Kuskokwim)					
HAWK, JOHNNY T.			No Response		
PETER, JOHN GEORGE			No Response		
VASKA, TONY	No	—	No	Yes	
DISTRICT 26 (Bristol Bay/Aleutians)					
CRANDALL, THOMAS L.			No Response		
HERRMANN, ADELHEID			No Response		
SUTCLIFFE, ERIC			No Response		
DISTRICT 27 (Kodiak/ E. Alaska Peninsula)					
ZHAROFF, FRED F.			No Response		

*The candidate's specific response to this question was too lengthy to print in full. For further information, please call the Common Sense Office at 276-7648.
?The candidate indicated he/she was undecided on this question.

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CHAIRMAN
HOUSE JUDICIARY COMMITTEE
MEMBER
HOUSE RESOURCES COMMITTEE

Representative Charlie Bussell

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

February 21, 1983

Ms. Denise Knapp
P. O. Box No. 4787
Anchorage, Alaska 99509

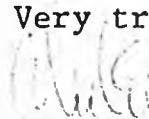
Dear Ms. Knapp:

Thank you for your telegram of February 15, 1983, supporting HJR 12, limiting legislators' terms.

This bill was heard in the House Judiciary Committee today and there were some modifications. Enclosed is a copy of the substitute bill for your convenience in pursuing these changes.

Again, thank you for your time.

Very truly yours,


Representative Charlie Bussell
Chairman, Committee on Judiciary

CB:lyn

Dankworth urges limited terms for state lawmakers

Our Juneau bureau

JUNEAU — If Sen. Ed Dankworth had his way, nearly half the state's 80 legislators would be disqualified from holding office.

A constitutional amendment proposed by the Anchorage Republican would limit state senators to two consecutive terms in office and representatives three terms.

As it stands, 17 members of the House and 10 members of the Senate now are at or beyond Dankworth's proposed limits. One of them, Sen. Rob-

ert Ziegler, D-Ketchikan, is chairman of the Senate Judiciary Committee, which was assigned the task of studying Dankworth's bill.

For that reason, among others, most observers here weren't giving the bill much chance of passage.

However, Dankworth, serving his first term in the Senate, attempted to meet his more senior colleagues half way by including a "grandfather" clause in the bill.

So, if it should win a two-thirds majority of both houses,

qualify for the 1980 election ballot and pass, the limitation would apply only to those terms of office to follow.

A limit on service

2/16/85 Times
ALASKA HAS HAD, over the years, a number of men and women who have served well for long periods of time as members of the legislature. That has been a plus for the territory and the state. But there are some offsetting minuses connected with long tenure in the legislature. And there is mounting evidence that the negative is beginning to far outweigh the positive.

Recognizing that legislative seniority also can lead to legislative abuses, one member of the Alaska Senate has proposed to put a lid on the number of consecutive terms a person could serve. The proposal has merit and deserves thoughtful consideration.

Sen. Ed Dankworth, the Anchorage Republican who two weeks ago was kicked off the Senate Finance Committee when he refused to play ball with some senior members of the club, proposed this the other day in a resolution calling for a constitutional amendment.

IF APPROVED by the legislature — and that's a big "if" — the resolution would go on the ballot for action by the voters of the state. It calls for the imposition of a constitutional limit restricting a person to two consecutive terms in the Senate or three consecutive terms in the House.

The net effect would be to allow a person six years of continuous House service or eight straight years of service in the Senate.

To make the proposal more palat-

able and to give it at least a chance of passage by the current crop of legislators, Sen. Dankworth included a grandfather clause. Under its provisions, the counting of terms would begin with approval of the constitutional amendment. Incumbent senators and representatives with long tenure — including such luminaries as Sens. Bill Ray of Juneau, Bob Ziegler of Ketchikan, George Hohman of Bethel, John Sackett of Galena and Clem Tillion of Halibut Cove — would not be immediately affected.

THE RESOLUTION has drawn some initial support. Signing on as co-sponsors were Republicans Arliss Sturgulewski and W.E. Bradley and Democrats Pat Rodey and Terry Stimson, all of Anchorage.

That's a good start. But clearly it is not enough. To succeed, the proposal must have widespread support, even from districts that have long placed their legislative affairs in the hands of one or two individuals.

A constitutional amendment limiting tenure would bring two significant changes. It would guarantee that a fresh flow of ideas, personalities and backgrounds would be injected into the legislative process. And it would be a barrier to the creation of legislative dynasties and would prevent any single legislator from assuming, on the basis of seniority, a seat of power that could impair good government for all the people of Alaska.

STR 42

Tillion cracks down on Senate travel

JUNEAU (AP)—An angry Senate president has announced that senators traveling out of Juneau during the week will be on their own tab and not the state's, unless the travel is absolutely necessary.

Senate President Clem Tillion made the statement today after the Senate was one short of the necessary 11 members for a quorum.

The House took the day off, and for the last two weeks members of the Senate have received permission to be formally excused. But Tillion refused to give the entire body the day off.

The Senate had no business on its calendar and there were no committee

meetings scheduled in Juneau. But Tillion said he wanted some committee reports, such as recommendations for "sunset" legislation to be officially received.

Ten members showed up when Tillion convened the Senate shortly after 10 a.m. Eight members had been officially excused previously, and two who were absent—Pat Rodey and Ed Dankworth—did not appear.

Tillion has long been an opponent of three-day weekends for the Legislature. When the House took Feb. 15 off, he refused to allow the Senate to take a holiday, saying if members knew they did not have to be in Juneau that Friday, they wouldn't have any committee work on Thursday.

After failing to get a quorum, Tillion expressed his anger at some members of the Senate who were holding a hearing in Anchorage on the Alaska Renewable Resources Corp.

"This is the capital of Alaska and this is where people should come to be heard by the Legislature," he said. Then he announced he was cutting off the travel expense reimbursements for senators who leave Juneau during the week.

"I'm not going to sign any more travel requests during the week," he said. "From now on, they are on their own money. There's no reason to go trucking off somewhere. They've had their fun and games."

Tillion said the Senate has two weeks of work left to do this year, and that the members were trying to extend that over another two months.

He said that perhaps it was time for the voters to force the Legislature into a time limit on its sessions.

"This is absolutely uncalled for," he said.

Limit proposed

Associated Press

Juneau — State senators would be limited to two terms and representatives to three under a constitutional amendment proposed in the Alaska Senate.

Sen. Ed Dankworth, R-Anchorage, filed the measure.

The amendment would disqualify nearly half the state's 60 legislators from office. At present, 17 members of the House and 10 members of the Senate are beyond Dankworth's proposed limits.

Wildlife board stipend rises

Associated Press

Juneau — Members of the state Board of Fisheries and Board of Game would receive \$150 per day in per diem for attendance at board meetings under a bill approved by the Senate today.

The bill (SB358) was passed 19-1, and now goes to the House.

Currently board members receive travel expenses plus \$100 for each day going to and from board meetings and for each day of meetings. The bill would increase the per diem to \$150 per day.

Sen. Ed Dankworth, R-Anchorage, cast the lone "no" vote.



DANKWORTH

Tillion apologizes to two senators

JUNEAU (AP)—Senate President Clem Tillion today apologized to two senators who were absent without formal excuses Friday.

The absence of Sens. Pat Rodey and Ed Dankworth left the Senate without a quorum, meaning it could not convene and conduct business.

The House took Friday off and eight members of the Senate got formally excused from the session that Tillion planned to hold on Friday, despite the lack of a calendar of business.

Tillion, angered when he was one member short of the 11 needed for a quorum, announced that he would no longer sign expense forms for senators

week unless the trips were absolutely necessary.

Many of the senators who were absent had gone to Anchorage for a hearing, which Tillion said should have been held in Juneau or on the weekend.

Rodey and Dankworth criticized Tillion on the Senate floor, saying he apparently wanted the Senate in session while the House was off "for appearances."

Rodey added that he did not call the hearing in Anchorage, which he attended. "The leadership did," he said.

Dankworth also licked off the list of Senate leaders who had been excused and asked why those not in key committee posts should have not been ex-

Further, both senators told Tillion that they had informed him they would be gone and Rodey said Tillion had even signed his travel request form.

"You were aware I wasn't going to be here," Dankworth said.

"I feel sandbagged," added Rodey who said Tillion signed his travel request a week ago, but asked him to formally request to be excused.

Tillion apologized to the two. "My anger was partly my own fault. I conceded. It probably was an illogical thing."

But he refused to back down from his warning that he will not approve any more committee hearings unless American during the week unless they are

S&P 42

3/1
MWA

Anchorage Times
10/19/80

Safety valve

GOV. JAY HAMMOND has proposed several times that Alaska's governor should serve only a single, six-year term. He hasn't detonated much of a public explosion in support of the concept.

But there appears to be growing support, even among legislators, for a constitutional limit to the number of consecutive terms that can be served by members of the state's House and Senate.

Sen. Ed Dankworth, an Anchorage Republican, is a leader in this movement and he vows to press hard in the next session to win converts to his cause.

His idea is to avoid the buildup of legislative power in the hands of a few senators or representatives who now — by virtue of long years in office — pretty much rule the roost when it comes to influencing activities in Juneau.

ONE PROPOSAL is that members of the House serve no more than three consecutive two-year terms and members of the Senate be limited

to no more than two consecutive four-year terms.

Such a limitation would help insure a turnover in office and guarantee that, periodically, new faces, new ideas and new personalities would flavor the legislative pot.

Under normal circumstances, there might be no attraction to the concept of limiting legislative service. But these are not normal times in Alaska.

THE STATE IS facing many years when enormous sums of money will be available for appropriation. It can be handed out wisely and used well. Or it can become a treasure to be plundered.

The fear is that the temptation to misuse this wealth might increase with the length of time a person serves in the legislature and thus assumes more and more power.

Signs already are blowing in the wind, indicating the danger is real. Sen. Dankworth's ideas on the subject merit serious consideration in the 1981 legislative session.

2/12/58 Times

A limit on service

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STR 42

WILLIAM J. TOBIN
Associate Editor
And General Manager

FRED DICKEY
Executive Editor

Page A-6

Thursday, October 9, 1968

Legislative terms

WITH THE growing interest in setting a constitutional or statutory limit on the amount of money Alaska's state government can spend on operating expenses, the time might also be ripe to consider another limitation.

What about putting a lid on how many terms a person can serve in the legislature?

Alaska's governor is restricted to two consecutive terms. If such a limit makes good sense for the state's chief executive, it might make equally good sense to bar people from building up legislative empires.

The two-term limit on the office of governor is to prevent the prospect of having a Huey Long seize control of the most powerful gubernatorial office in all America. When Alaska's constitution was drafted back in 1956-57, such a prospect was very much in the mind of the constitutional delegates.

HOWEVER, they saw no similar danger in the legislative branch. That's understandable. No one could have envisioned the immense power Alaska's lawmakers have today.

The subject did arise, says Steve McCutcheon, the delegate whose subcommittee dealt with the matter of legislative terms. It was discarded, he says, after only cursory consideration — but, in retrospect, it appears such a limit would have been wise.

Insofar as we have been able to determine, no other state imposes a constitutional limit on consecutive years of service in the legislature.

But several states do achieve something of the same result by requiring, either through custom or rule, that a legislator bow out after serving in a major leadership

A man who has been speaker of the House, for example, would not seek re-election after serving in that position. Another might cap his or her career as president of the Senate. The same limitation could apply to those who enjoy special authority as majority or minority leaders or as chairmen of principal legislative committees, such as Finance or Rules.

The reasons for such limitation are obvious.

For one thing, mandatory transfer of legislative power — by upward movement through the chairs, as it were — would avoid the possibility that one legislator, or group of legislators, could carve out a fiefdom within the legislative structure.

For another, it would guarantee an infusion of fresh blood, fresh energy and fresh ideas into the legislative process. Certain House and Senate seats have become virtually the personal possession of legislators who run time after time with no opposition or only a token show by a challenger.

THE POSSIBILITY of legislative abuse of power, never before a worry in Alaska, has become more and more alarming as the state's income and wealth soars. In recent months, examples have begun to become evident.

A legislator armed with a seat that is awarded to him election after election can hardly resist the temptation to become arrogant. And there are other temptations, far worse, that come with excessive legislative power.

For the benefit of all concerned, including legislators, consideration should be given to limiting terms of office — as well as government spending.

3/24 Daily

Juneau's rites of spring: What about re-election?

JUNEAU — With the coming of spring, most people's thoughts turn to such down-to-earth things as vegetable gardens and love. But for the politicians in our midst, spring invariably sprouts a different kind of basic question — what to do about re-election.

Leo Schaeffer, Ed Dankworth and Hugh Malone are approaching this biennial rite of spring in different ways.

Last week, Rep. Schaeffer, D-Kotzebue, looked ahead to the June 1 deadline for filing for office and decided he'd had enough of the legislature. So Schaeffer became the first of several legislators likely to call it quits.

By all accounts, Schaeffer would have won re-election to a third term this fall. The former city manager of Kotzebue is popular, hard-working and effective. He also comes from a respected family that wields a lot of power in Northwest Alaska.

But, Schaeffer also has a wife and four kids. When asked why he wasn't running again, he mentioned his kids first. Then he said, "I guess I'm just tired of the legislature."

Schaeffer's choice, between his kids and his political career, is one that confronts all citizen-legislators. And, despite what might be prevailing myth these days, there are still quite a few citizen-legislators (in that order) serving Alaska.

But, for Sen. Dankworth, R-Anchorage, there aren't enough. Midway through his first term in the Senate, Dankworth — though as popular in his district as Schaeffer is in his — isn't particularly hardworking or effective. This is because he's on the outs with the veteran power-brokers in the Senate.

Due to this feud, plus the fact he's retired and his children are grown, Dankworth doesn't have much else to do these days except to upset the establishment here. One part of this effort is a bill he's sponsored to limit senators to two terms in office and representatives to three.

This bill has no chance of passing, but it has a good point — Alaska does not need politicians who are concerned chiefly with homesteading their office instead of their land. And the longer they stay in office,



john greely

Dankworth reasons, the more likely politicians are to lose touch with reality, their family, or both.

There are some notable exceptions to Dankworth's theory. The best is former Sen. John Butrovich, R-Fairbanks, who served here for 30 years with integrity, honesty and his family intact.

A more current exception to Dankworth's theory is Rep. Malone, D-Kenai, now in his eighth year of legislative service and hoping for more, possibly as a senator.

A land surveyor and father of three children, Malone went home a few weeks ago to do a very unpopular thing — appear before his local Chamber of Commerce and explain why he thinks it's a bad idea to repeal state income taxes.

Still, Malone is a popular, if sometimes controversial, man in his district. This is because he's honest and hardworking. This past weekend, for example, he and a handful of other legislators could have gone out and played in the warmth of a fine spring day here. Instead, they spent six or seven hours laboring over a bill on the Alaska Permanent Fund.

Malone did take a short break for lunch. And with literally billions of dollars at stake, he might have forgotten to leave a note for the legislature's cook, but he didn't.

"Tony," the note read, "please bill me for the extra sandwich and coke. Thanks, Hugh Malone."