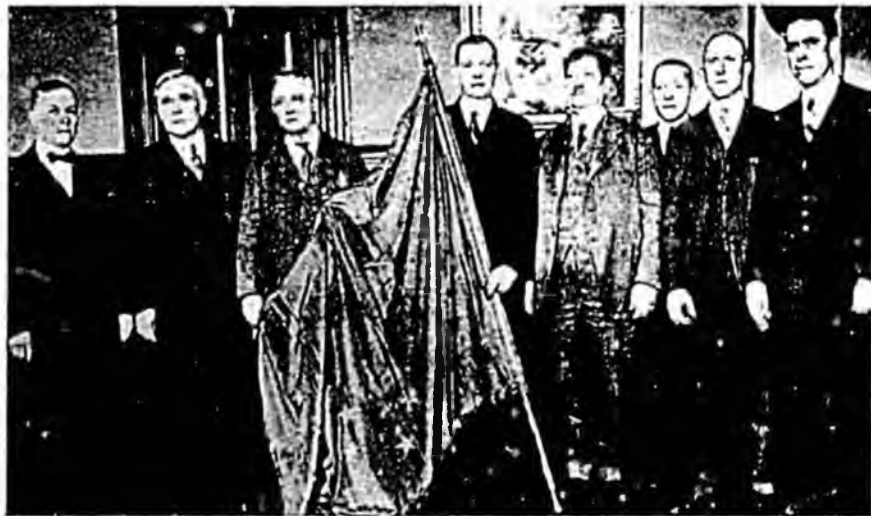


ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5558 SSTA HB 117 - HB 146

In color and design, Alaska's flag blends well with and complements the Stars and Stripes, when the two flags are used together. Sometime later, another Alaska flag was officially presented to Postmaster New and accepted by him to take its place among the other flags of the states and territories in the Post Office Building in Washington, D.C. Present at this occasion, besides the Postmaster General and George Parks, who made the presentation, were; Hon. Dan Sutherland, then Congressional Delegate from Alaska; E. K. Burley, then Administration Assistant to the Secretary of the Interior; Colonel Malcolm Elliott, then Chief Engineer of the Alaska Road Commission; Charles Flory, then Regional Forester of the Alaska Forest Service; Dr. Charles Bunnell, President of the University and General Richardson, General U.S. Army Engineers.



Presentation of the Alaska Flag to Postmaster New. Left to right: Chas. Bunnell, Dan Sutherland, Postmaster New, Gov. Parks, Gen. Richardson, E. K. Burley, Chas Flory and Maj. Elliot.

The office of the Territorial Commissioner of Education wished to acquaint the school children of Alaska with the new flag and prepared to send each child a small flag with a copy of the Act which authorized the adoption. But Marie Drake, the intuitive Secretary to the Commissioner, felt something else was necessary. The Act was simply over their heads.

"It ought to be a jingle, which the children can easily read and understand, or they won't remember what it's all about," she contended.

"All right, go ahead and write one!" the Commissioner challenged.

"I will!" she declared stoutly, for already the lines had been forming themselves in her mind, as she worked at her mimeograph throughout the flag's initiation.

And so these lovely words of her poem fairly sprang from the pen of Marie Drake:

### ALASKA'S FLAG

*Eight Stars of Gold on a Field of Blue—  
Alaska's Flag. May it Mean to You  
The Blue of the Sea, the Evening Sky,  
The Mountain Lakes, and the Flow'rs Nearby;  
The Gold of the Early Sourdough's Dreams,  
The Precious Gold of the Hills and Streams;  
The Brilliant Stars in the Northern Sky,  
The "Bear"—the "Dipper"—and, Shining High,  
The Great North Star with its Steady Light,  
Over Land and Sea a Beacon Bright.  
Alaska's Flag—to Alaskan's Dear,  
The Simple Flag of a Last Frontier.*

—MARIE DRAKE

Alaska school children have come to love those words.

Born and raised in Van Wert, Ohio, Marie Drake and her husband, Jim, arrived in Seattle, during World War I, headed for Overseas duty in Red Cross work, in which they had been trained. Soon after their arrival in Seattle, however, the war ended. "We had said our 'goodbyes' in the East, so we decided to come on to Alaska which had always been our dream. . . . So Jim came to work in the Post Office and I, for the Commissioner of Education," laughed Marie. They remained for life, which for Marie lasted until March 5, 1963, when she passed away at St. Ann's Hospital in Juneau.



Marie Drake, author of the words ALASKA'S FLAG. She was Secretary to the Commissioner of Education, Lester D. Handerson.



Elinor Dusenbury, composer of ALASKA'S FLAG, taken at the time she was working on the accompaniment.

Recognizing the song possibilities of the poem, Elinor Dusenbury was stirred to write music for the words. She was the wife of the Commanding Officer at Chilkoot Barracks at Haines, Alaska, where they resided for three and a half years. She was a public school choral director and singer, herself, and was well qualified to compose the pleasing melody and hymn-like accompaniment so fitting for a State song.

In her own words: "I wrote the music for Marie's beautiful poetry from pure, unadulterated homesickness for Alaska! I shed more tears on the boat going out than I ever have, before or since. I had a book on Alaska with the picture of the flag and Marie's poem. That did it!" When she reached her new home in Omaha, Nebraska, she wrote the melody, but struggled with the harmony in her accompaniment of ALASKA'S FLAG for several months.

"Marie and I had no arrangements about the song until I got to Juneau the next summer—1938. She met me in the Baranof Hotel and we went to the piano and I played it for her. When I finished there were tears on her face. Fortunately for me, she loved it." She continued: "I was lucky to secure a publisher in the fall. Soon after publication, the NBC radio station, WOW in Omaha, sent the music to Fred Waring. Two weeks later, his Glee Club sang it on the Chesterfield Hour. It was a surprise to us both, though, when the Legislature passed its adoption as the official song of the Territory in 1955."

ALASKA'S FLAG immediately caught fire in the schools of Alaska and at general public gatherings. The Alaska Railroad advertised it and the Alaska Steamship Company publicized it. Its popularity spread rapidly through different choral arrangements and recordings. The University of Alaska now has full ownership of the Alaska Flag Song and all proceeds derived from its sale are placed in a special scholarship fund at the University for a worthy student.

Wm. A. Egan, Alaska's first Governor, was one of the Alaska Senators on the "Tennessee Plan" residing in Washington, D.C. who participated in debates and arguments on the Alaska Statehood Bill, prior to its passage.

"I was in the gallery when the Alaska Statehood Bill passed both the House and the Senate. It was a tremendous thrill!" said Neva Egan, Bill's wife who soon after became

Alaska's First Lady. But in her modesty, this she did not tell. Immediately after passage of the Bill by the Senate, a group—among them about thirty Alaskans—withdraw into the little Chapel of the Senate. Ada Wien, of Fairbanks, offered a prayer of humility and gratitude, then Neva Egan sang the hymn-like "Alaska's Flag" song, unaccompanied. She has a lovely voice and she never sang better. It was so quiet that participants could hear their own breathing. The ceremony was short and extremely impressive. "It was the most touching experience I've ever had!" said Bernie Vaille, who was present.

The U.S. Congress voted statehood for Alaska on June 30, 1958. The people of the Territory voted approval of this on August 26th, 1958, and on January 3rd, 1959, President Eisenhower signed the Proclamation admitting Alaska as the 49th State. It was the climax of 50 years of perseverance on the part of Territory residents. Statehood was commemorated on July 4th in Juneau, Alaska's Capital.

On that day there were grand float displays of Alaska's flag in innumerable flowers. Musical renditions of the "Flag Song" poured from the floats. Ben Benson rode as Grand Marshal of the huge parade, and both he and Marie Drake were introduced at the main exercises at the Juneau Memorial Library. After the new 49-star flag of Stars and Stripes had been raised, the audience stood in silence while a 49-shot aerial bomb volley saluted the new flag. The hush was broken by the beautiful strain "Eight stars of gold in a field of blue—" of the ALASKA FLAG song, hauntingly rendered by the unaccompanied voices of the Harmonette Trio. In this very impressive moment, the Alaska flag rose above the spellbound crowd, while the Fourth of July Queen and her attendants saluted.

So, at long last, the flag and the song and the unforgettable poem have helped Benny Benson achieve his vision of Statehood for Alaska—"The North Star is for the future State of Alaska, the most northerly of the Union."

The winter of 1962-63 Benny Benson was quite ill in a Seattle hospital. During the 1963 session the Alaska State Legislature, it was voted to award him \$2,500 to help defray his expenses.

Chapter 68 — SLA 1963:

Appropriating \$2,500 to Benny Benson as an award for designing the Alaska flag; and providing for an effective date.

Section 1. The sum of \$2,500 is appropriated from the general fund to Benny Benson, designer of Alaska's flag, as an award for designing the flag.

Section 2. The amount appropriated by this act shall be paid on vouchers certified by the governor.

Section 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 15, 1963.

En route to his home in Kodiak, Benny Benson presented his historical watch to Mr. Ed Keithahn, curator of the Museum in Juneau for safekeeping for posterity. Several times his watch was stolen, but always recovered and Benny Benson prized it above everything.

The watch is inscribed "Awarded in 1927 to Bennie Benson, Seward, Alaska, as first prize in the American Legion Flag contest, whose design was adopted by Alaska as its official flag."



Governor William A. Egan looks on as Benny Benson hands to E. L. Keithahn, curator of the Alaska State Historical Museum, the watch which the American Legion presented Benny in 1927 in recognition of his winning the contest for an official Alaska flag design. Benson, who lives in Kodiak, made a special trip to Juneau to present the watch to the State so that it may become part of the historic record of Alaska, available for public display to the thousands who each year visit the State Museum in the Capitol building. Benny's original flag design is already on display there.

Benny Benson, recognized as one of the finest airplane mechanics in the whole state, now lives in Kodiak, Alaska, alone, as his two daughters, Anna Mae and Charlotte, reside in the lower states.

May "*the simple flag of the last frontier*" fulfill its destiny with honor to the meaning it embodies.



Thanks to Alaskans United and Bob DeArmond for the use of the picture of the two flags—"The wedding of the United States and Alaska's Flags.

# Sour notes sound about Flag Song flap

## Pioneers upheld racial stupidity

In regard to the article printed on May 27 about a second verse pertaining to the Alaska flag song, I would like to clarify for "Pioneer" Dalton and members of auxiliary #8 of Fairbanks the difference between Sourdoughs and Pioneers.

Both groups came to this great land long before statehood. The Sourdoughs trapped and mined and lived among the Natives, most of whom married into various families and raised lots of kids, of whom I'm one. Whereas the ones who call themselves Pioneers came and opened up their business establishments. They put up signs saying "No Natives Allowed" — that was here in this city. I understand it was worse in Fairbanks.

If "Pioneer" Dalton remembers, the signs there read "No Eskimos or dogs allowed." So if anyone brings up this racial stupidity, it's Pioneer Dalton and the members of the Fairbanks auxiliary #8 who so thoughtfully wrote to our legislators about this trivial matter.

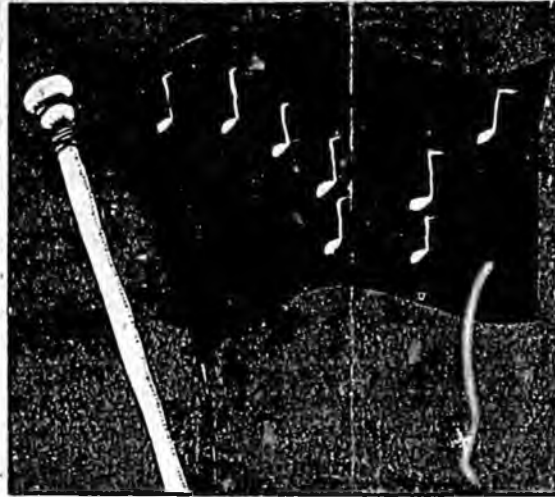
I bet my old friend Benny Benson is turning over in his grave.

— C.E. Johnson

## Vigilance stops social progress

The Fairbanks Pioneers have spoken up in defense of the alpha-numeric integrity of the Alaska Flag Song. They should be complimented. It is only by such ceaseless vigilance that social progress can be stopped.

Who knows what might be next? The rumors we hear in Juneau are terrible. Some say that after rewriting the flag song, the legislators started thinking about changing



the state fossil from the mastodon to Bucky the Moose. Is nothing sacred anymore?

— Dick Monkman  
Juneau

## Natives get sentimental, too

I am a proud Alaska Native, and I believe the proposed second verse to our state song should be added. I believe we are the true Alaskans. Why shouldn't we be mentioned in our own state song?

Mike Dalton said that people get sentimental about things that are important to them. Fact is Natives are people too. We get sentimental just like everybody else. I believe our state song is important. I agree with Richard Stitt, there may be a bit of racial prejudice involved.

— Marlene Bartlam

## A Native child designed our flag

In regards to the article headed "Second verse to flag song draws opposition" (May 27), there is something indeed ironic about the protestations of Mike Dalton (female of species Mike) about "sanctity" etc. The local poet emeritus, Carol Beery Davis, is aware that the designer of that flag was a Native Alaskan by the name of Benny Benson.

The flag he designed was chosen in a contest sponsored by the American Legion (which has no racial barriers). He was an orphan who later worked for a number of years as a mechanic for a "pioneer" airline.

If I remember correctly, Benny Benson was only 13 when he won the contest and was awarded a watch by then Gov. George Parks.

I would also remind Mike Dalton that she can join the Alaska Native Sisterhood since they don't require a blood quantum for enlistment. I know that because, in addition to being a member of Igloo Six, I'm also a member of Camp No. 2 of the Alaska Native Brotherhood. And that our flag song will be even more "precious and beautiful" with the addition of a second verse.

Incidentally, I think Mike Dalton should be reminded that a real hero of hers once offended the Daughters of the American Revolution when he opened his remarks to their national convention (circa 1937) by saying, "Fellow Immigrants." That was Franklin D. Roosevelt, Mike. Mike? Or as Will Rogers (a Native American in part) once replied when asked if his ancestors arrived on the Mayflower: "Nope, they met it."

— Vern Metcalfe

Juneau

# New verse for the Alaska Flag Song creates controversy

Carol Berry Davis, 96, is as sour a dough as you will find. She came to Alaska for three months "to relieve a man at the theater playing silent pictures."

That was in 1920 and she hasn't gone back to Washington yet.

These days, Davis is still providing music for Southeast dramas; she wrote what has become the controversial proposed second stanza of the Alaska Flag Song:

*A Native lad chose the dipper's stars  
for Alaska's Flag that there be no bars  
among our cultures. Be it known  
through years the Natives' past has grown  
to share life's treasures, hand in hand,  
to keep Alaska our Great Land;  
we love the northern, midnight sky,  
the mountains, lakes, and streams nearby.  
The great North Star with its steady light  
will guide all cultures, clear and bright,  
With nature's flag to Alaskans dear,  
the simple flag of the last frontier.*

It's as unabashedly sentimental as the first verse written by Davis' friend, Marie Drake, all those years ago. But in conversation, Davis is no sentimentalist — as you'll find if you ask her about the controversy brewing over her lyrics, written at the suggestion of a committee from the Alaska Native Brotherhood. Some people don't want the song expanded at all, and some object to singling out a particular ethnic group — Natives — for mention.

"I hate to see it used as a political football in the legislature," says Davis. "I think the



**suzan nightingale**

whole situation boils down to the fact that the Pioneers (of Alaska) as a society would never have any Natives in it — and I'm a strong Pioneer myself, I've been president and everything. So the Pioneers wrote in that they didn't want anyone tampering with the first verse."

For the record, Auxiliary No. 8 of the Pioneers of Alaska in Fairbanks, which says racism doesn't enter into it, has sent a letter to every legislator that reads in part: "Why tamper with an already beautiful composition that is held in such respect? To alter the official state song by adding another verse (which salutes only one ethnic group out of many ethnic groups in our great state) violates the song's serenity."

"When Marie wrote it, she didn't mention anyone but the Sourdoughs," counters Davis. "We have a lot of other cultures mixed up

with ours — you know there is a lot of Russian heritage in Wrangell, and Norwegians in Petersburg, and we have a lot of Filipinos here in Juneau — I tried to make it for everybody. That's why I used the word, 'cultures,' plural."

Davis thinks Drake would be "very happy" with her new verse, "so would Elinor" Dusenbury, who wrote the music. "It's really quite a historic thing, and I think I feel closer to that flag than any other Pioneer could possibly feel."

Davis' husband, Trevor, 93, is the last surviving member of the seven-member committee that selected Alaska's flag.

"Gov. Parks was territorial governor and he came back from a big festival in Washington where all the states' flags were flying," she recalls. "He said the only reason Alaska didn't have one up was because we didn't have a flag. There were only a couple or three working organizations then and he thought the American Legion was the logical one to run the contest."

"They had 143 designs sent in. On the first vote, a polar bear on an iceberg won. My husband got up and said it wouldn't be consistent with all of Alaska, and several people agreed and said the same. So they decided to vote over, and on the second vote they were unanimous for the great dipper. I think that's the amazing part."

"When Trevor told Marie they had selected a flag," she said, "Someone should write a

jingle.' Like so many things in the olden days, it just happened like that.

"The song became part of the law that same spring. They kind of hurried it so it would be ready for the legislature, because they only met every two years. There was no controversy at all about it — everybody was thrilled with it. I thought it turned out very nicely."

Davis, who told the story in her book, "Alaska's Flag," says she's surprised at the contrasting reception her verse has received — especially in light of its easy 35-5 passage by the House this session. "I thought it would all be over in two weeks."

Instead, the proposed second verse of the Alaska Flag Song is now in the Senate State Affairs Committee chaired by Sen. Mitch Abood, who has said he will hold a hearing on it. Because the Alaska Flag Song's lyrics were included in the statute making it official, any official change in the lyrics means an amendment to the statute.

Still, the University of Alaska — not the Senate — owns the copyright on the song, and Davis has already copyrighted her stanza and sent it on to the university.

"Even if the Senate should turn it down, I think it still belongs to the university. And even with all the ifs and ands, I think it's the best flag of the 50 — and the best music of the 50."

Suzan Nightingale is a Daily News columnist.

# Alaska State Legislature

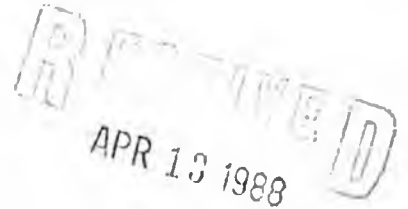
## Committees:

Chair-State Affairs  
V. Chair-Judiciary  
Telecommunications  
Special Ethics  
Legislative Council  
Finance Subcommittee  
for the University of Alaska  
Joint Committee  
on Economic Recovery



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

**REPRESENTATIVE FRAN ULMER**



**TO:** Senator Mitch Abood, Chair  
Senate State Affairs Committee

**FROM:** Representative Fran Ulmer

**RE:** House Bill 117, 2nd Verse of "Alaska's Flag"

**DATE:** April 13, 1988

---

Attached is a copy of a letter from Richard Stitt, Grand President of the Grand Camp of the Alaska Native Brotherhood, and Resolution #51 of the Grand Camp which urges the Governor, the State Legislature and the University of Alaska to adopt the second verse of the Alaska Flag Song.

Last year I introduced House Bill 117, which would officially add a second verse to the Alaska Flag Song. This second verse, written by Past Poet Laureate Carol Beery Davis, gives long overdue recognition to the role of Alaska's Natives in our heritage. Special recognition is given to Benny Benson, the designer of our state flag. What is more fitting than having the creator of our flag be recognized in the song which celebrates that flag?

House Bill 117 has been in the Senate State Affairs Committee since February 1987. I would appreciate a hearing at an early date on this bill. Thank you.



*Grand Camp  
Alaska Native Brotherhood*

April 6, 1988

Representative Fran Ulmer  
Alaska State Legislature  
P O Box V  
Juneau AK 99811


Dear Representative Ulmer:

Enclosed is the ANB Grand Camp Resolution #51 Titled: "Alaska Flag Song Second Verse Adoption".

This resolution supports the intent to expand the Alaska Flag Anthem to include the proposed second verse.

Sincerely,

GRAND CAMP ANB

  
Richard Stitt  
Grand President

encl.

RS:cne



*Grand Camp*  
*Alaska Native Brotherhood*

RESOLUTION # 51

**TITLE:** ALASKA FLAG SONG SECOND VERSE ADOPTION

**WHEREAS:** the Alaska Flag Song is presented as a State of Alaska song,  
and

**WHEREAS:** the Alaska Flag Song only addresses Sourdoughs as its  
people, and

**WHEREAS:** a new second verse has been requested and written by  
long term resident and member of the original Alaska song  
ceremony in Juneau, Alaska, Carol Barry Davis to honor  
the first Alaskans, Alaska Natives and all of the people of  
Alaska, and

**WHEREAS:** Dorothy Wallace, Alaska Native Sisterhood, Camp #2  
member testified at the Alaska State House Committee  
hearings on the support of the second verse of the Alaska  
Flag Song, and

**WHEREAS:** Camp #2 voted and passed support of the adoption of the  
second verse of the Alaska Flag Song, written by Carol  
Barry Davis, Juneau, Alaska, and

**WHEREAS:** the second verse reads: A native lad chose the Dipper's  
stars for Alaska's flag that there  
be no bars among our cultures.  
Be it know through years the  
natives' past has grown to share  
our treasures, hand in hand, to  
keep Alaska our Great Land... We  
love the northern, midnight sky,  
the mountains, lakes, and streams  
nearby. The great North star with  
steady light will guide all cultures,  
clear and bright, With Nature's  
flag to Alaskans dear, the simple  
flag of the last frontier.

# PIONEER WOMEN OF ALASKA

AUXILIARY NO. 1  
NOME, ALASKA

Box 1175  
May 11, 1987

Senator Mitch Abood  
Chairman, State Affairs Committee  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Abood,

Pioneer Igloo No. 1 and Pioneer Auxiliary No. 1, Nome, are opposed to the adoption of House Bill No. 117, "An Act Relating to the State Song".

We believe that the "Alaska's Flag" song should remain as it presently is written and sung. The words and song are beautiful as is and represent all Alaskans.

Thank you for your consideration.

Sincerely yours,

Pioneer Igloo No. 1  
Pioneer Auxiliary No. 1

*Linda E. Conley*

Linda E. Conley  
Secretary, Aux. #1

RECEIVED  
MAY 13 1987

PUBLIC OPINION MESSAGE

DEAR: SENATOR ABOOD

*Handwritten signature*

NAME: JAMES 'HOTAI' WILLIAMS  
TITLE:  
ADDRESS: BOX 1289  
CITY: VALDEZ  
PHONE: 835-4508  
BILL NO: SB 3

ZIP: 99686

SUBJECT: MESSAGE: MR. ABOOD: IT IS FAR BETTER TO BE THOUGHT A FOOL THAN TRY TO REMOVE ALL DOUBT BY SUPPORTING SUCH RIDICULOUS CLAPTRAP. GROW UP!

POMID: 17165434  
DATE: 04/14/87  
TIME: 16:54:34

LOCATION: VALDEZ INFORMATION OFFICE

COPIES: REPRESENTATIVES SENATORS

ADAMS	KERTTULA
CATO	FAIKS
	HENSLEY
	JOSEPHSON
	UEHLING

RECEIVED  
APR 28 1987

*Mr. Williams  
If you sent that ridiculous POM to me on SB 3,  
I can accept that, but if you didn't I'd  
sure try to find the damn fool that used  
your name.*

*(Small news feed)  
m*

PUBLIC OPINION MESSAGE

DEAR: SENATOR ABOOD

HB 117

NAME: DOROTHY I. CLIFTON (ON BEHALF OF)  
TITLE: PIONEERS OF ALASKA, AUX. #2  
ADDRESS: P. O. BOX 6  
CITY: VALDEZ  
PHONE: 835-4367  
BILL NO: HB 117

ZIP: 99686

SUBJECT: STATE SONG; 2ND VERSE OF "ALASKA'S FLAG"  
MESSAGE: WE, THE PIONEERS OF ALASKA AUXILIARY NO. 2-VALDEZ, ALASKA, SUPPORT LEAVING THE OFFICIAL ALASKA FLAG SONG AS IT HAS BEEN PRIOR TO HB 117. THE ALASKA FLAG SONG AS FIRSTLY WRITTEN COVERS THE SUBJECT WITHOUT NEED FOR ANY CHANGE OR ADDITION.

POMID: 17170505  
DATE: 04/14/87  
TIME: 17:05:05

LOCATION: VALDEZ INFORMATION OFFICE

COPIES: REPRESENTATIVES SENATORS

BOUCHER	KERTTULA
BROWN	SZYMANSKI
CATO	COGHILL
COLLINS	DURCAN
COTTEN	ELIASCH
DAVIDSON	FISCHER
DAVIS	JONES
ELLIS	STURGULEWSKI
GRUEBERG	ZHAROFF
HUDSON	FAIKS
MENARD	HENSLEY
NAVARRE	JOSEPHSON
SPRINGER	UEHLING
SWACKHAMMER	
ULMER	
WALLIS	

NO RESPONSE REQUIRED

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**



*Grand Camp*  
*Alaska Native Brotherhood*

RESOLUTION # 51

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**WHEREAS:** Dorothy Wallace, Alaska Native Sisterhood, Camp #2  
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**WHEREAS:** Camp #2 voted and passed support of the adoption of the  
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Barry Davis, Juneau, Alaska, and

**WHEREAS:** the second verse reads: A native lad chose the Dipper's  
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*Grand Camp*  
*Alaska Native Brotherhood*

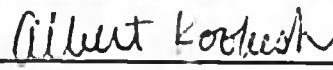
**BE IT RESOLVED:** by the Alaska Native Brotherhood and Alaska Native Sisterhood in Convention, Sitka, Alaska, November 9, 1987 urge the Governor of Alaska and the State Legislature, and the University of Alaska, owner of the

donated song by Carol Barry Davis to adopt the second verse of the Alaska Flag Song.

**ATTEST:**

I certify that this resolution was adopted by the ANB-ANS Grand Camp in convention at Sitka, Alaska, during the week of November 9-12, 1987.

  
Richard Stitt, Grand President

  
Albert Kookesh, Grand Secretary

# PIONEER WOMEN OF ALASKA

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NOME, ALASKA

Box 1175  
May 11, 1987

Senator Mitch Abood  
Chairman, State Affairs Committee  
P.O. Box V  
Juneau, Alaska 99811

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Pioneer Auxiliary No. 1

*Linda E. Conley*

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TITLE:  
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BILL NO: SB 3  
SUBJECT:

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ZIP: 99686

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RECEIVED  
APR 28 1987

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BOUCHER  
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COLLINS  
COTTEN  
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DAVIS  
ELLIS  
GRUENBERG  
HUDSON  
HENARD  
HAVARRE  
SPRINGER  
SWACKHAMMER  
ULMER  
WALLIS  
KERTTULA  
SZYMANSKI  
COGHILL  
DUNCAN  
ELIASON  
FISCHER  
JONES  
STURGULEWSKI  
ZHAROFF  
FAIKS  
HENSLEY  
JOSEPHSON  
UEHLING

NO RESPONSE REQUIRED



*Pioneers of Alaska*

IGLOO NO. 4

*Fairbanks, Alaska 99707*



April 21, 1987

Senator Mitch Abood  
Alaska State Legislature  
Box V  
Juneau, AK 99811

Dear Senator Abood:


At our regular meeting last night, Igloo No. 4, Pioneers of Alaska, considered House Bill 117 and passed a motion, without a single dissenting vote, opposing the addition of a second verse to the Alaska Flag Song.

One reason that the Alaska Flag Song is so moving and appealing to us is because of its brevity. And, if we add a second verse today, who is to say that verses three, four and five will not eventually follow?

We have great admiration and respect for Carol Beery Davis and her husband, Trevor. Some of our members are long time friends of theirs'. We, therefore, want to clarify that the action we took at last night's meeting is not a reflection of our feelings toward Carol but that we simply oppose any addition to our beautiful state song.

We urge you to vote "No" on this legislation.

Sincerely,

  
Gerald Bohms, President

RECEIVED  
APR 28 1987

# PIONEERS OF ALASKA

IGLOO NO. 31 - INSTITUTED MARCH 11, 1962  
PALMER, ALASKA



C  
HB 117

April 10, 1987

Mitch Abood  
Box V  
Juneau, AK 99811

Dear Sen. Abood:

We are writing to advise you that at the most recent meeting of Pioneers of Alaska, Igloo #31, of Palmer, our Igloo voted unanimously to vigorously oppose any change in our Alaska State Flag Song, as mandated by HB117.

Any violation of the sanctity of this State Song will also receive future vigorous opposition.

Sincerely,

Michael A. Carson, Secretary  
Pioneers of Alaska, Igloo #31  
Box 870303  
Wasilla, Alaska 99687

RECEIVED  
APR 13 1987

# PIONEERS OF ALASKA

IGLOO NO. 31 - INSTITUTED MARCH 11, 1962  
PALMER, ALASKA



April 10, 1987

James E. (Jim) Zawacki  
Box V  
Juneau, AK 99811

Dear Rep. Zawacki:

We are writing to advise you that at the most recent meeting of Pioneers of Alaska, Igloo #31, of Palmer, our Igloo voted unanimously to vigorously oppose any change in our Alaska State Flag Song, as mandated by HB117.

Any violation of the sanctity of this State Song will also receive future vigorous opposition.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Carson".

Michael A. Carson, Secretary  
Pioneers of Alaska, Igloo #31  
Box 870303  
Wasilla, Alaska 99687

8832 Gail Ave.  
Juneau, Alaska 99801  
March 2, 1987

Dear Senator Abood,

The history of the creation of the flag of Alaska and of the song, "Alaska's Flag," is steeped in the tradition of children as a source of inspiration for the growth of our state. Winning a contest sponsored by the American Legion in 1927, student Benny Benson designed our symbolic flag. When Territorial Commissioner of Education, Lester D. Henderson, wanted to acquaint school children with the new flag, Marie Drake wrote the poem, "Alaska's Flag," with children in mind. Elinor Dusenbury, composer of the melody for Marie Drake's words, served as a public school teacher.

If a second verse is added to "Alaska's Flag," children should be at the center of the process, sustaining the tradition. An alternative to the passage of **HB. 117** lies in the minds and pens of today's children. Please allow them the chance to submit suggestions for a second verse. I would be pleased to offer suggestions for a contest to you and your committee.

Sincerely,



Sue Zimmerman

• Sue Cairncross

Home 789-5851

Work 586-3911

notify when bill is scheduled

PRESIDENT

SECRET '7

Auxiliary

Number 8

PIONEERS OF ALASKA

P.O. Box 656  
Fairbanks, Alaska 99707

HB 117

27

March 27, 1987

Senator Mitch Abood  
Alaska State Legislature  
Box V  
Juneau, AK 99811

Dear Senator Abood:

Our Alaska Flag Song is precious and beautiful in its current form.

It is now so moving and so touchingly Alaskan that some of us believe it approaches "sanctity."

We ask, why tamper with an already beautiful composition that is held in such respect?

To alter the official state song by adding another verse (which salutes only one ethnic group out of many ethnic groups in our great state) violates this song's serenity. Such a proposal causes us to wonder why any legislator would want to single out one group of Alaskans over other citizens of this land.

Auxiliary No. 8, Pioneers of Alaska, in Fairbanks, expressed the above sentiments at its meeting earlier this month, and the Auxiliary asked that these sentiments be passed on to our 60 lawmakers in Juneau. Our organization opposes House Bill 117 and asks you to vote against the measure.

Sincerely yours,

RECEIVED  
MAR 30 1987

Betty Kjera

Betty Kjera, Secretary  
Auxiliary No. 8  
Pioneers of Alaska

Betty:

Igloo No. 9  
PIONEERS of ALASKA



Seward, Alaska

RECEIVED  
APR 15 1987

April 5, 1987

HB 117  
M

Legislators, State Of Alaska

Dear Members:

The Pioneers of Alaska, Igloo No. 9, are unanimously opposed, by vote at our last meeting, to the addition of another verse to our Alaska Flag Song.

The citizens of Alaska are composed of many Ethnic groups and this added verse, as proposed in the Legislature (House Bill 117) is directed at one only Ethnic group.

Our Alaska Flag Song, in its present form, has been memorized by a large number of Alaskans and to add another verse makes the song Too long.

We ask that you please kill (House Bill 117)

Sincerely yours,

Harold W. Davis  
Secretary

PIONEERS OF ALASKA

AUXILIARY NO. 11  
PALMER, ALASKA

HB 117  
74

April 13, 1987

Mitch Abood  
Box V  
Juneau, AK 99811

Dear Sen. Abood:

During our monthly business meeting of April 6, 1987 members of Auxiliary #11, Pioneers of Alaska, discussed the subject of adopting a second verse for the Alaska State Song, as proposed by House Bill 117. The members present, representing a total membership of 270, voted unanimously to oppose the legislation.

We feel that the original composition, as created by Marie Drake and Elinor Dusenbury, is, in itself, a complete and compatible work of art. For years the familiar and unique combination of words and music have generated a very personal emotional response to the mind and heart of every Alaska resident, no where in the world he heard it. To tamper with that now by adding the words of another, no matter how well-meaning her intentions, would constitute an unnecessary and unethical violation of the touching beauty of the original pasage.

In addition, this group opposes the selection of words in the proposed verse which draw attention to one culture or ethnic group to the exclusion of others, and finds no reason to intrude upon the dignity of the original text which includes all members of our Great Land.

Please consider the desires of this membership, to oppose any and all changes to the Alaska Flag Song, when you cast your vote on this measure.

Sincerely yours,

*Sally V. Harris*

Sally V. Harris, Secretary  
Pioneers of Alaska, Auxiliary #11  
P.O. Box 3362  
Palmer, Alaska 99645

RECEIVED  
APR 15 1987

Alaska State Legislature  
House of Representatives

PO BOX 783  
GIRDWOOD, ALASKA 99587  
(907) 783-2905

WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-2693/2719

RECEIVED  
APR 15 1987

REPRESENTATIVE  
JIM ZAWACKI  
DISTRICT 7

MEMBER  
COMMUNITY & REGIONAL  
AFFAIRS COMMITTEE  
LEGISLATIVE BUDGET &  
AUDIT COMMITTEE  
FINANCE SUBCOMMITTEE

Dear Mitch,  
I'm told this is in your  
committee. HB 117

Maybe we should have asked all  
our pioneers their opinions before we  
made our "Flag song" a specific song  
singling out specific class of people.

What happened to all of us being  
Alaskans.

You may quote my displeasure  
at this bill if you wish.

Thanks  
Jim

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

No. 1

REQUEST: \_\_\_\_\_  
Revision Date: \_\_\_\_\_  
Title: An Act relating to the state  
song  
Sponsor: Ulmer  
Requestor: \_\_\_\_\_

Bill Version: HB 117  
Publish Date: HOUSE 2/18/87

Agency Affected: N/A  
BRJ: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Fran Ulmer, Chair  
Division: House State Affairs Committee

Phone: 465-4963  
Date: February 16, 1987

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)  
Senate Secretary



Official Business

# Alaska State Legislature

## House

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

### MEMORANDUM

March 2, 1987

TO: Senator Mitch Alcod  
Chairman of Senate State Affairs Committee

FROM: Representative Fran Oimer

SUBJECT: State Song/Second Verse

House Bill 117, "An Act relating to the State song," has been referred to the Senate State Affairs Committee. I would sincerely appreciate it if you could schedule a hearing on this bill in the near future. I have attached a brief memo which I shared with House members explaining the background of the bill.

I am available to testify at your convenience. Thank you very much.

Attachment

RECEIVED  
MAR 03 1987



Official Business

# Alaska State Legislature

## House

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

February 20, 1987

To: Representative !name!  
From: Representative Fran Ulmer  
Re: State Song/Second Verse Bill

This bill adds an additional verse to the State Song in AS 44.09.040. The addition of a second verse has been discussed for many years to give recognition to the Native peoples of Alaska.

Carol Beery Davis, a renowned poet and musician of Juneau, has written this second verse to Alaska's Flag Song. Mrs. Davis was a personal friend of both Marie Drake and Elinor Dusenbury, the original writer and composer of this song. Her husband, Trevor, was a member of the Selection Committee for the contest to design Alaska's flag.

The Alaska Flag Song is owned by the University of Alaska. Mrs. Davis would like to give this verse and the copyright for it to the Univeristy as a gift. The University has indicated their acceptance.

I have attached a copy of the booklet, "Alaska's Flag", for further information. I would appreciate your support for House Bill 117 today.

Attachment

HB

137

# STATE OF ALASKA

STEVE COWPER, GOVERNOR

## ALASKA PUBLIC OFFICES COMMISSION

REPLY TO:

- 2221 E. Northern Lights, Room 128  
Anchorage, AK 99508  
(907) 276-4176
- Juneau Branch Office  
Box CO  
Juneau, AK 99811-0222  
(907) 465-4864


CSHB 137 (Judiciary)  
Position Paper  
March 10, 1988

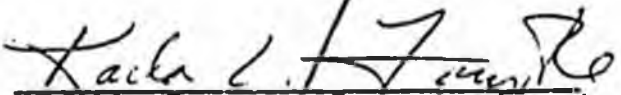
This position paper is submitted at the request of the House Finance Committee.

The Alaska Public Offices Commission supports language in this measure which addresses procedures for appointment of commission members (sections 1 and 2). This language would resolve constitutional issues about the appointment process.

The Commission also supports language contained in section 4 prohibiting the use of campaign contributions as personal income.

Although the Commission supports the broad goal of defining and shortening campaigns, particularly through a clearly established closing date, and the goal of emphasizing contributions from individuals, the Commission does not take a position on the approach outlined in this measure for meeting these goals. Because this approach requires new commission procedures, forms, manuals, and regulations, the Commission has submitted a fiscal note reflecting the costs of implementation.

  
Daniel Patrick O'Tierney, Chairman 3/10/88

  
Karla L. Forsythe, Executive Director

# Kay Brown

## Alaska State Legislature House of Representatives

### MEMORANDUM

TO: Senator Mitch Abood, Chairman  
Senate State Affairs Committee

FROM: Rep. Kay Brown

DATE: May 2, 1988 *Kay*

RE: CS HB 137 (Finance)

Thank you for scheduling CS HB 137 (Finance) for a hearing May 4 in the State Affairs Committee.

The intent of this measure is to increase the influence of individual citizens relative to special interest groups, and to help restore public confidence in the political process.

The bill is **comprehensive in scope**, and it covers:

- Governor/Lieutenant Governor (statewide).
- House/Senate, and
- Municipal campaigns.

The bill would: • **shorten the duration of campaigns** for statewide, legislative, and local races:

- **Governor/Lt. Governor:** Could begin September 1 two years before the election;
- **House/Senate:** Could begin September 1 of the year before the election, but excluding the legislative session for incumbents;
- **Municipal:** Could begin 90 days before the election.

- **set cumulative limits** for contributions from:
  - labor unions, corporations, PACs, and political parties.
- **limit contributions by individuals, labor unions, corporations, and PACs to \$1,000 per campaign (instead of per year).**
- **prohibit members of the legislature from accepting contributions during the session.**
- **prohibit use of contributions as personal income.**
- **limit post-election fundraising** to the year of the election for statewide and legislative candidates, and to the 60 days following the election for local office candidates.
- **establish civil penalties** for accepting an illegal contribution.
- **establish quarterly contribution and expenditure reporting requirements** for political parties.
- **not apply to existing campaign debt.**

I look forward to discussing the issue with the Committee. If you have any questions, please contact me or Roxanne Turner on my staff at 465-4998.

cc: Members, Senate State Affairs

FISCAL NOTE

REQUEST:

Revision Date: 1/19/89  
 Title: "An Act relating to the duration  
 & financing of election campaigns"  
 Sponsor: Rep. Brown et al  
 Requestor: House State Affairs

Agency Affected: AK Public Offices Commission  
 BRU: \_\_\_\_\_  
 Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		20.7	20.7	20.7	20.7	20.7
TRAVEL		0	0	0	0	0
CONTRACTUAL		12.0	12.0	12.0	12.0	12.0
SUPPLIES		0	0	0	0	0
EQUIPMENT		0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING	0	32.7	32.7	32.7	32.7	32.7
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND		32.7	32.7	32.7	32.7	32.7
FEDERAL FUNDS		0	0	0	0	0
OTHER		0	0	0	0	0
TOTAL	0	32.7	32.7	32.7	32.7	32.7

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

see attached page

Prepared by: *Karl E. Jensen* Executive Director Phone: 276 4176  
 Division: AK Public Offices Commission Date: 1/29/89  
 Approved by Commissioner: *Daniel Patrick Traynor* Date: 1/29/89  
 Agency: AK Public Offices Commission

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CS SS HB 137

Fiscal Detail:

1. Personal Services

Permanent, part-time, Paralegal Assistant I, Range 13A,  
to assist filers during election season and pursue  
investigations of contribution violations during the  
remainder of the year.

20.7

2. Contractual Services

4 hearings/year on contribution violations; hearing officer  
and transcription costs

12.0

CSSSHB 137

Fiscal Analysis

This bill replaces the limitations on sources of contributions outlined in SSHB 137 with a limitation on the period during which campaign contributions can be accepted. A candidate who accepts contributions outside the prescribed period could be subject to a penalty of up to five times the amount of the contribution.

The previous APOC fiscal note for the sponsor substitute assumed that the primary impact on the agency would be reflected in the need for both new and substantially revised forms, manuals, regulations and procedures. Staff would spend considerable time monitoring campaigns, processing reports, and advising candidates. This implementation activity would focus on disclosure of contributions. Complaints alleging violations would be prioritized and pursued in accordance with resources currently available to the commission.

The committee substitute will primarily impact enforcement. In addition to complaints about violations of current provisions of the campaign disclosure law, complaints also will be filed against candidates who allegedly accept contributions outside the prescribed time, and those who allegedly use surplus funds for purposes other than those specifically allowed by law. As in the sponsor substitute, fines for these violations will be sizeable -- up to five times the amount of the contribution.

It is anticipated that three relatively simple and one complex complaint alleging violations will be filed with APOC for investigation. The position within the agency to whom investigatory duties currently are assigned will not be able to undertake these investigations given ongoing caseload, so a new half-time position with paralegal skills will be required. With a shortened time for candidates to raise funds and file reports, the agency will receive a higher volume of requests for staff assistance within a compressed time period. The new position would also be needed during the election cycle to provide advice to candidates. When the cycle is completed, the position would still be required to complete summaries of activity, update data entry, and audit filed reports, which are given a lower priority during times of high demand for compliance assistance.

Fine assessments will be sufficiently large to generate appeals. To comport with due process requirements in light of the substantial penalty, these matters will be assigned to hearing officers for formal administrative hearings, with final decisions rendered by the commission based on a review of the hearing officers' recommendations. The costs of these additional hearings are based upon the costs of retaining attorneys to serve as hearing officers and transcription expenses.

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: CSSSHB 137(JUD)  
PUBLISH DATE: HOUSE 2/26/88

FISCAL NOTE

REQUEST:

Revision Date: 2/24/88  
Title: "An act relating to the duration & financing of election campaigns"  
Sponsor: Brown, et. al.  
Requestor: House Judiciary

Agency Affected: AK Public Offices Commission  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		98.7	80.5	80.5	80.5	80.5
TRAVEL			.4	.4	.4	.4
CONTRACTUAL		9.2	.8	.8	.8	.8
SUPPLIES		1.2	.8	.8	.8	.8
EQUIPMENT		4.6	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		113.7	82.5	82.5	82.5	82.5

CAPITAL		0	0	0	0	0
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REVENUE		0	0	0	0	0
---------	--	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND		113.7	82.5	82.5	82.5	82.5
FEDERAL FUNDS						
OTHER						
TOTAL		113.7	82.5	82.5	82.5	82.5

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY		1	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Please see attached pages:

Prepared by: Karla L. Forsythe, Executive Director  
Division: Alaska Public Offices Commission

Phone: (907) 276-4176  
Date: 2/24/88

Approved by Commissioner: Daniel Patrick O'Tierney \*  
Agency: Alaska Public Offices Commission

Date: 2/24/88

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

\*Although the Commission chair is not available to sign this fiscal note, his signature appears on an identical fiscal note on SS HB 137, dated 1/12/88.

CS SS HB 137 (Judiciary)  
Fiscal Detail

1. Personal Services

Permanent Full-time:

Range 12A, Administrative Assistant I, to  
monitor and render specific disclosure advice  
to those who file reports 35.5

Range 16A, Paralegal II, to assist in investigations  
of violations; to present affidavits appealing fines  
for failure to comply; to pursue collection of fines 45.0

First year, Temporary, 6 months:

Range 16A, Research Analyst II, to prepare initial  
forms, manuals, revise regulations, develop public  
information 18.2

2. Travel

1 trip, annually, for paralegal to pursue investigations  
or fine collections in either Fairbanks or Juneau .4

3. Contractual Services

Ongoing costs:  
telephone, postage, xeroxing @ .4/position .8

First year costs:  
initial, additional costs to redesign manuals 3.0  
modification of computer program to prepare  
required summaries 5.0  
telephone, postage, xeroxing support for Res. Anal. .4

4. Supplies

.4/position annually .8  
.4/temporary, first year only .4

5. Equipment

One time costs:  
2 double floppy computers, with monochrome monitors,  
dot matrix printers 3.2  
2 desks and office chairs 1.6

CS SS HB 137 (Judiciary)  
Fiscal Note Analysis

Enactment of this measure would require substantial revision and expansion of the Alaska Public Office Commission's recordkeeping and tracking systems, as well as greater demand for compliance assistance from staff.

Under current law, candidates in all races are subject to the same contribution limits, with unlimited contributions allowed from political parties. Forms, manuals, monitoring systems, and staff assignments to help candidates with compliance questions are based on a division of campaign disclosure work into two functional areas: candidates and groups.

Although the \$1000 contribution limit for individuals, nonparty groups, corporations and unions would be retained under this bill, the measure would establish new provisions for cumulative limits on contributions, with amounts depending on the race and the source of the contribution. This means that new forms, manuals, recordkeeping procedures, policy guidelines and regulations would have to be developed, broken down by the type of candidate, type of group and type of contributor. Staff would still be required to administer provisions of the law relating to \$1000 contribution limits.

Staff administers the present law by processing campaign disclosure paperwork and by answering questions to assist candidates and groups in complying with the law. Under this bill, requests for advice will also come from contributors, inquiring about the status of candidates' cumulative contribution limits. Additional functional categories based on the type of race and contribution level would require even further specialization among staff, and the addition of another staff member to assist with this work.

Existing manuals and forms would need comprehensive revisions. Assuming this measure became effective in midsummer of 1988, implementation activity would be added to the ongoing workload of the office at the beginning of its busiest time of year. Existing staff could not absorb the work needed to implement the law while continuing to perform ongoing functions. To ensure timely implementation, the office would contract for six months with a position funded at the Range 16 level to redraft forms and manuals, to develop new internal processing procedures, and to review existing regulations for proposed revisions and additions to comport with the new law. Additionally, the new categories which the office would monitor would result in an overall increase in the volume of manuals and forms which the office must print and distribute. The campaign disclosure law also requires summaries of candidate activity. Existing computer programs would be revised to permit data entry and compilation in accordance with these categories, for a contractual services cost of \$5000.

It is anticipated that many more complaints alleging violations of the law would be filed with the commission. An additional staff member with paralegal skills will be needed to carry out the additional investigations, and also to help answer complicated compliance questions (such as those dealing with good faith expenditures by candidates refiling in a race with a lower contribution ceiling).

Rep. Kay Brown  
April 28, 1988

### **Campaign Finance Reform: CS SS HB 137 (Finance)**

The Committee Substitute is **comprehensive in scope**, and it covers:

- Governor/Lieutenant Governor (statewide),
- House/Senate, and
- Municipal campaigns.

The bill would:

- **shorten the duration of campaigns** for statewide, legislative, and local races:
  - **Governor/Lt. Governor:** Could begin September 1 two years before the election;
  - **House/Senate:** Could begin September 1 of the year before the election, but excluding the legislative session for incumbents;
  - **Municipal:** Could begin 90 days before the election.
- **set cumulative limits** for contributions from:
  - labor unions, corporations, PACs, and political parties.
- **limit contributions by individuals, labor unions, corporations, and PACs to \$1,000 per campaign (instead of per year).**
- **prohibit members of the legislature from accepting contributions during the session.**
- **prohibit use of contributions as personal income.**
- **limit post-election fundraising** to the year of the election for statewide and legislative candidates, and to the 60 days following the election for local office candidates.
- **establish civil penalties** for accepting an illegal contribution.
- **establish quarterly contribution and expenditure reporting requirements** for political parties.
- **not apply to existing campaign debt.**

Notes on campaign finance reform, Feb. 1, 1988  
by Rep. Kay Brown

### **Why reform campaign finance laws?**

- Skyrocketing costs for media advertising and other modern campaign techniques have raised the costs of running for public office to unacceptably high levels, and have caused candidates for public office to seek and accept campaign funds from special interests.
- Candidates' reliance on special interest funds contributes to public cynicism about our political process.
- The current system of financing campaigns has a deleterious effect on women and minorities seeking public office because these groups have been excluded from the "old boys" networks that have traditionally raised campaign funds.
- The vast majority of PAC money goes to incumbents, thereby further discriminating against women and minorities.
- Reform is needed to restore public confidence and to reduce the influence of money and special interests on the political process, thereby improving the quality of decision making.

### **Possible partial solutions:**

- Limit the length of campaigns.
- Limit (or prohibit) contributions by corporations, PACs, unions, and parties.

### **Benefits of a shorter campaign:**

- Elimination of post-election fundraising would remove opportunities for conflicts of interest and discourage accumulation of personal debt.
- Elimination of fundraising during session would remove the conflicts and apparent conflicts of interest.
- Less money would be raised and spent during a shorter campaign.
- The amount that could be contributed by an individual, corporation, union, or PAC would be reduced by at least half by allowing contributions only during the year of the campaign, rather than in multiple years.

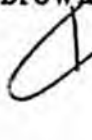
- More emphasis would be placed on issues and ideas and less on a candidate's ability to raise money.
- The public would get a breather from constant campaigning and solicitations for contributions.
- Public officials would have more time and energy to spend on public business without the distraction of constant fundraising.
- Regarding concerns that shorter campaigns would give an even greater advantage to incumbents, nothing in the proposed bill precludes challengers from planning the campaign, attending community council meetings, participating in community organizations and events, organizing volunteers, even going door-to-door. Money could be spent for polling and travel at any time, and personal funds loaned for this purpose could be recouped from campaign funds.

# Kay Brown

Alaska State Legislature  
House of Representatives

## MEMORANDUM

TO: All Members of the House

FROM: Representative Kay Brown 

DATE: March 22, 1988

RE: Campaign Finance Reform

Attached for your review is background material and a copy of CS SS HB 137 (Finance), relating to the Public Offices Commission and the duration and financing of election campaigns. The bill was introduced early last session and has had extensive hearings in three standing committees.

The intent of this measure is to lower the cost of election campaigns so that common citizens, women, and minorities have a fair opportunity to compete for elective office. The bill also seeks to increase the influence of individual citizens relative to special interest groups, and to help restore public confidence in the political process.

The bill would achieve these reforms by establishing a limited period during which contributions may be accepted, and by limiting the amount of contributions a candidate may receive from corporations, labor unions, political action committees, and political parties. An unlimited amount of contributions could be received from individuals, but each individual (as well as corporations, labor unions, and Political Action Committees) would be limited to a contribution of \$1,000 per candidate per campaign, rather than \$1,000 per year as provided in current law.

The bill also would limit post-election fundraising, and would prohibit acceptance of contributions during a legislative session.

The reforms proposed in the bill would help free candidates and elected officials to vote and speak their consciences. The bill would allow elected officials to devote more of their energy and attention to public service without the distraction of needing to perpetually raise campaign funds. The bill would help shift the emphasis of our system toward issues and ideas and away from image-making, campaign consulting, poll-taking, and media advertising as the basis for gaining elective office.

We are all aware that politicians generally are not held in high esteem by the public. Without question, the perception of special-interest influence through campaign donations contributes to this public cynicism. This bill is an opportunity to help restore public confidence in our political system.

I would appreciate your careful review and favorable consideration of CS SS HB 137 (Finance), and would welcome the opportunity to answer questions or discuss any concerns you may have. Thank you for your consideration.

Attachments

# Kay Brown

Alaska State Legislature  
House of Representatives

## MEMORANDUM

TO: House Finance Committee

FROM: Rep. Kay Brown *KCB*

DATE: March 17, 1988

RE: Proposed Committee Substitute  
CS SS HB 137 (Finance)

The subcommittee on campaign finance reform has met and proposes the following changes in the proposed Finance Committee Substitute.

Thank you for your consideration.

### SUMMARY OF PROPOSED CHANGES (FROM THE JUDICIARY VERSION):

1. Section 3 (Page 2, lines 2-29; Page 3, lines 6-17.) Combines contribution limits into a single category, including corporations, unions, PACs, and political parties, and doubles the cumulative contribution limits:

Statewide (Governor and Lt. Governor)	\$80,000
State Senate	\$40,000
State House	\$20,000
Municipal other than mayoral	\$20,000
Mayoral with one House District	\$20,000
Mayoral with more than one House District	\$80,000

For example, a candidate for the State House could accept a cumulative total of \$20,000 per campaign from any combination of corporations, unions, PACs and political parties, as well as an unlimited number of contributions from individuals.

**2. Section 3 (Page 3, lines 26-29; Page 4, lines 1-15) :** Limits post-election fundraising to the year of the election for statewide and legislative candidates, and to the 60 days following the election for local office candidates.

**3. Section 4 (Page 4, lines 19-21) :** Clarifies that recovery of a personal loan to the campaign must take place during the campaign period.

**4. Section 4 (Page 4, lines 25-26):** Deletes language that restricted to certain activities the use of surplus campaign funds transferred to an office account.

Rep. Kay Brown  
Feb. 29, 1988  
CS SS HB 137(Judiciary)  
Section 3(g)

**IMPACT OF CAP ON MAYORAL RACE CONTRIBUTIONS  
IN MUNICIPALITIES WITH ONE OR MORE HOUSE DISTRICTS**

<u>MUNICIPALITY</u>	<u>NUMBER OF HOUSE DISTRICTS*</u>	<u>POTENTIAL FROM CORPS. UNIONS. PACS</u>	<u>POTENTIAL FROM POLITICAL PARTIES</u>	<u>POTENTIAL FROM INDIVIDUALS</u>	<u>TOTAL POTENTIAL</u>
Anchorage	9 (17 seats)	\$ 40,000	\$ 40,000	Unlimited	\$ 80,000 +
Fairbanks	4 (5 seats)	\$ 40,000	\$ 40,000	Unlimited	\$ 80,000 +
Juneau	1 (2 seats)	\$ 10,000	\$ 10,000	Unlimited	\$ 20,000 +
Kenai Borough	1 (2 seats)	\$ 10,000	\$ 10,000	Unlimited	\$ 20,000 +
North Slope Borough	1 (1 seat)	\$ 10,000	\$ 10,000	Unlimited	\$ 20,000 +
Ketchikan	1 (2 seats)	\$ 10,000	\$ 10,000	Unlimited	\$ 20,000 +
Mat-Su Borough	1 (2 seats)	\$ 10,000	\$ 10,000	Unlimited	\$ 20,000 +

\*Does not include districts partially within municipal boundaries

Rep. Kay Brown  
 March 22, 1988

**CONTRIBUTION LIMITS PER CANDIDATE PER CAMPAIGN  
 CS SS HB 137 (Finance)**

	<u>HOUSE</u>	<u>SENATE</u>	<u>GOVERNOR AND LT. GOVERNOR</u>	<u>MAYORAL AND MUNICIPAL</u>	<u>MAYORAL with more than one House District</u>
<b>CONTRIBUTOR:</b>					
<u>INDIVIDUAL:</u>	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
<u>CORPORATION, UNION OR GROUP:</u>	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
<u>PARTY:</u>	\$20,000	\$40,000	\$80,000	\$20,000	\$20,000 x number of House Districts, not to exceed \$80,000
<u>CUMULATIVE TOTAL A CANDIDATE COULD ACCEPT FROM CORPORATIONS, UNIONS, GROUPS AND PARTIES:</u>	\$20,000	\$40,000	\$80,000	\$20,000	\$20,000 x number of House Districts, not to exceed \$80,000
<u>TOTAL A CANDIDATE COULD ACCEPT FROM INDIVIDUALS:</u>	UNLIMITED	UNLIMITED	UNLIMITED	UNLIMITED	UNLIMITED

Prepared by:  
Rep. Kay Brown  
April 22, 1988

## SECTIONAL ANALYSIS OF CS SS HB 137 (FINANCE)

"An Act relating to the Public Offices Commission and to the duration and financing of election campaigns; and providing for an effective date."

**Section 1** amends AS 15.13.020(a) to provide that the governor shall appoint all members of the Alaska Public Offices Commission in the manner prescribed in (b) and (c) of this section, subject to confirmation by a majority of the legislature meeting in joint session.

**Section 2** repeals and reenacts AS 15.13.020(c) to provide that the four commission members selected under (b) of this section shall nominate to the governor by majority vote the fifth member of the commission when a vacancy occurs in that position. The governor shall either appoint the nominee of the commission or request a new nominee from the commission.

**Section 3** amends AS 15.13 to provide that a candidate can only accept contributions during an election campaign, and limits contributions as follows:

(b) a candidate for governor or lieutenant governor may not accept more than

\$1,000 per campaign from a person, a corporation, a labor union, or group other than a political party;

\$80,000 cumulative total per campaign from corporations, unions, groups, and political parties and their subdivisions.

(c) a candidate for the Senate may not accept more than

\$1,000 per campaign from a person, corporation, labor union or group other than a political party or its subdivision;

**\$40,000 cumulative total per campaign from corporations, labor unions, groups, and political parties and their subdivisions.**

(d) a candidate for the House may not accept more than:

**\$1,000 per campaign from a person, labor union, corporation, or group other than a political party;**

**\$20,000 cumulative total per campaign from corporations, labor unions, groups, and political parties and their subdivisions.**

(e) a candidate for a municipal office other than mayor may not accept more than:

**\$1,000 per campaign from a person, labor union, corporation, or group other than a political party;**

**\$20,000 cumulative total per campaign from corporations, labor unions, groups, and political parties and their subdivisions.**

(f) a candidate for mayor, except as provided under (g) in this section, may not accept more than:

**\$1,000 per campaign from a person, labor union, corporation, or group other than a political party;**

**\$20,000 cumulative total per campaign from corporations, labor unions, groups, and political parties and their subdivisions.**

(g) notwithstanding (f) above, a candidate for mayor in a municipality with more than one house election district may accept contributions with a **\$20,000 cumulative total under (f)(2) of this section multiplied by the number of house election districts, except that the candidate may not accept**

**a cumulative total of more than \$80,000 from corporations, labor unions, groups, and political parties and their subdivisions.**

(h) states that a candidate who withdraws candidacy from one office and refiles for a different office is subject to the limitations only for the office for which the candidate most recently filed. A candidate who withdraws and refiles for an office with a lower limitation on campaign contributions shall return the amount of each contribution that exceeds the limitations of the current candidacy.

(i) defines election campaign as:

(1) September 1 of the year before the election through December 31 of the election year, for state House and Senate non-incumbent challengers;

(2) September 1 of the year before the election through December 31 of the election year, but excluding the legislative session, for incumbent state Senators and Representatives;

(3) September 1 of the year two years before the election through December 31 of the election year for Governor and Lieutenant Governor;

(4) Ninety days before the municipal election through the day sixty days after the election for municipal candidates;

(5) for municipal candidates involved in a run-off election, the period from the day after the election through the day sixty days after the run-off election.

**Section 4** adds a new subsection (i) covering the use and disposal of surplus campaign funds. Converting campaign funds to personal income is prohibited. Clarifies that recovery of a personal loan to the campaign must take place during the campaign period. A candidate shall dispose of campaign funds that were not spent or obligated during the campaign by:

(1) leaving the money in a campaign account for a future campaign;

(2) transferring the funds to an account for the office, in the

case of a successful candidate only;

- (3) donating the funds to a charitable organization;
- (4) donating the funds to the general fund of the state or of a municipality of the state;
- (5) returning the funds to contributors on a pro rata basis; or
- (6) making campaign contributions not in violation of AS 15.13.065 to another candidate or group or by making independent expenditures.

**Section 5** amends AS 15.13.110 to require quarterly reports of contributions and expenditures by political parties in odd (non-election) years, and adds a requirement of two quarterly reports in even (election) years.

**Section 6** establishes a civil penalty for accepting an illegal contribution. The commission could levy a fine of up to five times the amount of the illegal contribution accepted.

**Section 7** conforms the periods for filing of a declaration of candidacy for statewide and House and Senate elections to the changes in Section 3 of the bill.

**Section 8** conforms the periods for filing of a nominating petition for statewide and House and Senate elections to the changes in Section 3 of the bill.

**Section 9** amends AS 24.60.030(f) to make it a conflict of interest for a legislator to accept a campaign contribution during the session.

**Section 10** conforms the period for filing a nominating petition or a declaration of candidacy for municipal office to the changes in Section 3 of the bill.

**Section 11** provides that the prohibition on accepting contributions outside the defined campaign period does not apply to accepting contributions to retire existing campaign debt.

**Section 12** makes the bill's changes effective after the next general

election for statewide, House and Senate campaigns, and after the first municipal election after July 1, 1988.

**Section 13** repeals AS 15.13.070(a), which limits campaign contributions to \$1000 per year; and AS 24.60.030(g), Conflicts of Interest, which exempts Juneau legislators from the prohibition on accepting money from campaign fundraisers during a legislative session.

**Section 14** specifies an effective date of July 1, 1988.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

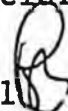
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 24, 1988

SUBJECT: Public Offices Commission and the duration  
and financing of election campaigns [CSSSHB  
137(Judiciary)]

TO: Representative John Sund  
Chair, House Judiciary Committee

FROM: Richard A. Bradley   
Legislative Counsel

John Hartle has asked that I comment on two questions that have arisen during hearings on the draft CSSSHB 137 (Judiciary).

First, does the limitation of contributions that may be accepted by a candidate from corporations, labor unions, and groups constitute a limitation on free speech or on equal protection rights? Second, do the limits that the bill establishes on the lengths of an election campaign constitute a limitation on free speech?

In my view, the bill violates none of the suggested constitutional rights.

Some examination of the contents of the bill should be made to put the two questions into focus. While the bill suggests in its title that there is a "duration" to the election campaign, this must be understood in context. The bill does establish times within which the director of elections may accept a declaration of candidacy or a nominating petition. The bill also provides that it is only after filing the declaration or petition through the day before the date of the election that the candidate may accept political contributions. While these are limitations of significance, I believe that it is clear that the rights of the candidate or of others to engage in free speech are not limited by the sections.

To that extent, it would be more accurate to describe the bill as limiting the time within which political contributions may be accepted. While the terminology used in the bill is accurate and proper, the bill does not actually address the separate subject of the limitation of the length of election campaigns; within the constraints established by the bill, the campaign may be as long as the candidates wish it to be.

The limitations established in the bill do not (and could not) limit free speech, have any effect on independent expenditures, or limit contributions from a candidate to the candidate's own campaign.

I. The limitation on contributions that may be accepted by a candidate from corporations, labor unions, and groups as a limitation on free speech or on equal protection rights.

The limitation on the acceptance of contributions from labor unions and corporations is valid because the legislature could, if it wished, prohibit all contributions from labor unions and corporations. The Congress has prohibited all contributions to a candidate for federal office from national banks, corporations, and labor unions and limited the breadth of those from whom "political action committees" established by the banks, unions, or corporations could seek contributions. 2 U.S.C., sec. 441b. [A "political action committee" under federal law is largely identical to a "group" under state law. See AS 15.13.130(4).] The laws have been upheld. Federal Election Committee v. National Right to Work Committee, 459 U.S. 197 (1982); International Ass'n. of Machinists and Aerospace Workers v. Federal Election Committee, 459 U.S. 983 (1982).

I believe that the legislature could enact similar legislation.

While there are limitations on contributions from labor unions, corporations, and groups, the law establishes no limitations on the amounts that a candidate may accept from individuals (beyond the existing \$1,000 that is carried into this bill). The candidate may accept an unlimited number of contributions from individuals.

Since the legislature could enact a total prohibition on the contributions directly and regulate the method by which the union or corporation seeks contributions to the controlled

Representative John Sund  
Page 3  
February 24, 1988

groups, I believe it could logically enact reasonable nondiscriminatory regulations and limitations on these contributions.

While I am familiar at this time with no legislation from other states that regulate the total amounts that a candidate may accept from unions or corporations, the Supreme Court in Buckley v. Valeo, 424 U.S. 1 (1976) indicated a willingness to accept regulations on outer limits. It accepted a annual limit on contributions from an individual of \$25,000. Sec. 608(b)(3), Federal Election Campaign Act. The Court characterized the limitation in this way:

The overall \$25,000 ceiling does impose an ultimate restriction upon the number of candidates and committees with which an individual may associate himself by means of financial support. But this quite modest restraint upon protected political activity serves to prevent evasion of the \$1,000 contribution limitation by a person who might otherwise contribute massive amounts of money to a particular candidate through the use of unearmarked contributions to political committees likely to contribute to that candidate, or huge contributions to the candidate's political party. The limited, additional restriction on associational freedom imposed by the overall ceiling is thus no more than a corollary of the basic individual contribution limitation that we have found to be constitutionally valid. Buckley v. Valeo, 424 U.S. 1, at \_\_\_; 44 USLW 4127, at 4138 (1976).

In my view, since individuals are the ultimate source of all the contributions, the outer limits on the threshold by which corporations, unions, and groups may make their contributions is nothing more than "a corollary of the basic individual contribution limitation" that the Court upheld. Like the \$25,000 total limitation on contributions in the Federal Election Campaign Act, the limitation on contributions from unions, corporations, and groups serves to limit the ways in which wealthier contributor may evade the policy established by the \$1,000 individual contribution limitation.

Representative John Sund

Page 4

February 24, 1988

II. The limits that the bill establishes on the lengths of an election campaign as a limitation on free speech?

In my comments on the bill earlier in this memorandum, I noted that the bill did not in fact address the question of the duration of the election campaign (but only of the time within which the contributions may be accepted). I also noted that the bill does not limit free speech (or independent expenditures) but only contributions. I do not believe that the bill establishes any limitations on constitutionally protected free speech.

If I may be of further assistance, please advise.

RAB:lmb  
L6/046

HB

144



# Alaska State Legislature

Representative Mike Davis

District 19

P.O. Box V  
Juneau, Alaska 99811  
(907) 456-4930/4941

Interim Office:  
P.O. Box 81435  
Fairbanks, Alaska 99708  
(907) 456-8161

## MEMORANDUM

TO: Sen. Mitch Abood, Chair, Senate State Affairs

FROM: Rep. Mike Davis *Mik*

DATE: May 6, 1988

RE: CSHB 144 (Fin) Relating to the Rural Alaska  
Television Network Council

During discussion of an intent language report on Telecommunications in the Department of Administration subcommittee of the House Finance Committee, members discovered that the Rural Alaska Television Network Council was created and continues to exist only in intent language.

The council was created in intent language in HB 50 in 1981 and modified in intent language in HB 500 in 1986 (copies of both attached).

Sheila Gottehrer, director of boards and commissions in the Office of the Governor, informed me that this is the only board or commission that is not established in statute and for which terms are not specified.

CSHB 144 (Fin) establishes the Rural Alaska Television Network Council in statute.

Section 1 of the bill designates the Council as the body that makes programming decisions for the satellite television project.

Section 2 describes the membership, appointing authority, terms and duties of the Council.

Section 3 establishes a sunset provision for the council and for the Alaska Public Broadcasting Commission, which has not been reviewed since 1981.

Section 4 establishes terms for the current members of the council.

Hb 50 cont'd

<u>Department</u>	<u>Amount</u>
Education, p. 10, line 26	\$ 719,600
University of Alaska, p. 19, line 16	6,028,100
Environmental Conservation, p. 47, line 26	825,200
Fish and Game, p. 45, line 8	1,495,300
Health & Social Services, p. 40, line 5	812,100
Labor, p. 31, line 17	656,300
Law, p. 50, line 16	6,685,700
Natural Resources, p. 41, line 23	1,033,200
Revenue, p. 81, line 18	1,089,400
Transportation, p. 66, line 18	895,100

Letter of Intent on FCCS SB 50 follows:

Letter of Intent

For

FCCS HB 50

The following policy applies to television services provided by the State of Alaska through the Division of Telecommunications Systems Operations:

A channel for instructional television and a channel for the state satellite television project may be provided to communities which want this service, with at least 25 year-round residents, including at least 8 students attending school there, or taking correspondence courses. This is not intended to prevent use of state funds for additional television channels.

Although the allocations in paragraphs (1) - (5) and (10) are based on the cost of purchasing and installing small earth stations, and one mini-transmitter per channel, it is intended that engineering designs be site specific to provide television signal at least as good as the specified equipment would provide, in the most cost effective manner.

Hb 50 cont'd

It is intended that a new rural Alaska television users network be formed to serve as the policy committee for programming the state satellite television project, with one consumer member selected by each regional nonprofit native association, in Alaska, and two members selected at large by the Governor.

The following distribution of funds shall guide the Department of Administration in allocating line 08 of the budget component Telecommunications Systems Operations:

Circle Hot Springs, Trapper Creek and Matanuska-Knik Area purchase, installation and maintenance of earth stations and transmitters, and the allocations below for equipment for Sitka, have priority within this appropriation.

The sum of \$7,465,050

appropriation to the Division of Telecommunications Systems Operations is to be distributed for the purposes and amounts listed in this intent:

(1) \$3,036,000 is funded for purchase and installation of equipment, extend Instructional Television and, if comparable commercial broadcast service is not available, extend the satellite television project to:

Anderson, Bettles, Birch Creek, Chignik Bay, Clarks Point, Ekuk, Eek, Elfin Cove, English Bay, Ernestine, Gakona, Girdwood, Goodnews Bay, Gustavus, Halibut Cove, Hope, Hyder, Kasigluk, Kasilof, Klawock, Kokhanok, Kvethluk, Levelock, Lower Kalakag, Manokotak, Metlakatla, Meyers Chuck, Moose Pass, Naknek, Napaskiak, Newhalen, Paxson, Pitkas Point, Port Moller, Port Protection, Portage Creek, Quinhagak, Scammon Bay, Sheldon Point, Tuluksak, Tuntutuliak, Wales, White Mountain, and Wiseman.

(2) \$715,000 is funded for purchase and installation of equipment to extend instructional television to Anchor Point, Big Lake Eagle River, Homer, Houston, Kenny Lake, Nanichik, Palmer, Seldivia, Sterling, Sutton, Wasilla, and Willow.

(3) \$636,000 is funded for purchase and installation of equipment to extend instructional television and, if comparable commercial broadcast service is not available, to extend the satellite television project to Adak, Alakanuk, Chefornek, Chignik Lagoon, Chignik Lake, Central, Circle, Ekwok, Igiugig, Ivanoff Bay, Kasaan, Kotlik, Koyukuk, Kvigillin-gok, Manley Hot Springs, Minchumina, Newtok, Nightmute, Pedro Bay, Point Baker, Fort Aleworth, Stevens Village, Starbuck, and Tununak.

1	DEPARTMENT OF ADMINISTRATION (CONT.)		APPROPRIATION	APPROPRIATION	FUND SOURCES	2
3		ALLOCATIONS	ITEMS	GENERAL FUND	OTHER FUNDS	3
4	TELECOMMUNICATIONS OPERATIONS					4
5	RURAL ALASKA TELEVISION NETWORK (4 POSITIONS)	3,550,000				5
6	IT IS THE INTENT OF THE LEGISLATURE THAT THE					6
7	STATE-PROVIDED TELEVISION SERVICES, RATHER AND					7
8	LEARN/ALASKA, BE COMBINED ON ONE STATEWIDE NETWORK					8
9	MANAGED BY THE DEPARTMENT OF ADMINISTRATION.					9
10	THE DIVISION OF TELECOMMUNICATIONS OPERATIONS WILL					10
11	BE RESPONSIBLE FOR NETWORK PROGRAMMING MANAGEMENT AND					11
12	ADMINISTRATION, THE NETWORK TECHNICAL OPERATIONS CENTER,					12
13	SYSTEM MAINTENANCE, TRANSMISSION AND DISTRIBUTION					13
14	CHARGES AND LICENSING.					14
15	ALL FUNDS ASSOCIATED WITH NETWORK TRANSMISSION,					15
16	DISTRIBUTION, MANAGEMENT AND ADMINISTRATION WILL BE IN A					16
17	SEPARATE COMPONENT OF THIS BILL. FUNDING FOR					17
18	TRANSMISSION AND DISTRIBUTION WILL INCLUDE UPLINKS FROM					18
19	ANCHORAGE, JUNEAU AND KOTZEBUE, ONE SATELLITE					19
20	TRANSMISSION AND STATEWIDE DOWNLINKS.					20
21	PROGRAMMING DECISIONS WILL BE MADE BY					21
22	REPRESENTATIVES OF EACH USER GROUP. THE RURAL ALASKA					22
23	TELEVISION NETWORK COUNCIL WILL BE EXPANDED FROM ITS					23
24	PRESENT COMPOSITION OF 12 REGIONAL, NON-PROFIT NATIVE					24
25	COMMUNITIES REPRESENTATIVES AND TWO GOVERNOR-APPOINTED					25
26	STATEWIDE REPRESENTATIVES TO INCLUDE ONE REPRESENTATIVE					26
27	FROM DEPARTMENT OF EDUCATION, ONE FROM THE UNIVERSITY OF					27
28	Chapter 129					28

1	DEPARTMENT OF ADMINISTRATION (CONT.)		APPROPRIATION	APPROPRIATION	FUND SOURCES	2
3		ALLOCATIONS	ITEMS	GENERAL FUND	OTHER FUNDS	3
4	ALASKA AND ONE FROM THE ALASKA PUBLIC BROADCASTING					4
5	COMMISSION. APBC REPRESENTATION WILL BE DELEGATED TO A					5
6	MEMBER OF THE PUBLIC TELEVISION NETWORK OF ALASKA.					6
7	THE EFFECTIVE DATE OF THE COMBINED TELEVISION					7
8	NETWORK WILL BE JULY 1, 1984.					8
9	TELECOMMUNICATIONS SERVICES (7 POSITIONS)	713,400				9
10	AS 49.21 STATES THAT THE DEPARTMENT OF ADMINISTRATION IS					10
11	STATUTORILY ACCOUNTABLE FOR STUDYING, DESIGNING,					11
12	IMPLEMENTING AND MANAGING THE TELECOMMUNICATIONS SYSTEMS					12
13	AND SERVICES OF THE STATE. IN ORDER TO INTELLIGENTLY					13
14	PLAN OUT TELECOMMUNICATIONS INFRASTRUCTURE, ESPECIALLY					14
15	IN A TIME OF DECLINING OIL REVENUES, IT IS REQUESTED THAT					15
16	THE DEPARTMENT DEVELOP A COMPREHENSIVE PLAN ON					16
17	INFORMATION RESOURCES MANAGEMENT WHICH INCORPORATES					17
18	STATEWIDE ACCESSIBILITY AND ACCOUNTABILITY TO THE USERS					18
19	OF THE TELECOMMUNICATION SYSTEMS AND SERVICES.					19
20	WITH THE RAPID CHANGE IN TECHNOLOGY AND THE					20
21	UPHEAVAL IN THE TELECOMMUNICATIONS INDUSTRY, IT IS					21
22	IMPERATIVE THAT THE STATE OF ALASKA DEVELOP A					22
23	COST-EFFECTIVE INFORMATION RESOURCE MANAGEMENT PLAN,					23
24	RATHER THAN REDEVELOPING AN EXISTANT TELECOMMUNICATIONS					24
25	INFRASTRUCTURE MERELY IN RESPONSE TO ECONOMIC SIGNALS.					25
26	THE STATE MUST CREATE AN EFFICIENT INFORMATION RESOURCE					26
27	MANAGEMENT PLAN. TECHNOLOGY, ABOVE ALL, SHOULD STRIVE					27
28	Chapter 129					28

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 144 (FIN)  
PUBLISH DATE: HOUSE 5/2/88

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Relating to Rural Alaska  
Television Network  
Sponsor: Rules  
Requestor: House Finance

Agency Affected: Administration  
BRU: Telecommunications  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The bill makes no changes in the number of members or meetings of the Rural Alaska Television Network Council and thus has no fiscal impact.

Prepared by: Al Adams  
Division: Chairman, House Finance Committee

Phone: 465-3706  
Date: April 27, 1988

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STEVE COWPER  
GOVERNOR

*ce*

91B144

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

February 18, 1987

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

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to program receipts of the state library and state museum.

Section 1 of the bill makes express the Department of Education's authority to establish and collect a broader range of fees connected with the use and operations of the state library.

Section 2 of the bill deletes the modifiers "publication and distribution," thus requiring that the commissioner of administration separately account for all fees collected under AS 14.56.030(10).

Section 3 of the bill makes express the department's authority to establish and collect fees connected with the use and operations of the state museum.

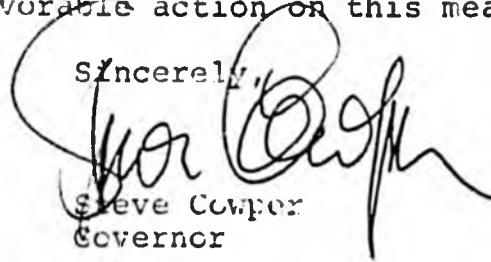
Section 4 of the bill amends AS 14.57.015 to reflect that these museum "program receipts" will be dealt with in the same manner as are "program receipts" from endowments, grants, and gifts received under AS 14.57.010(b)(4). By identifying the user fee program receipts in this manner, it is anticipated that that amount of money would be appropriated for use by the Department of Education in carrying out the programs, functions, and services of the state museum. A technical amendment is also made to AS 14.57.015 to correct an apparent oversight by adding a reference to the third type of "receipt" listed in AS 14.57.010(b)(4).

Hon. Ben Grussendorf

Page 2

This bill is supported by the directors of the Alaska state museum and the state library and the commissioner of education. I urge your favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the word "Sincerely,".

Steve Cowper  
Governor

HB

145

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: HB 145  
Publish Date: HOUSE 3/11/87

REQUEST: \_\_\_\_\_

Revision Date: 3/3/87

Agency Affected: \_\_\_\_\_

Title: Resident Employment on Natural Resources Projects on State Land

BRU: Mineral Management, Petroleum Management, Forest Management

Sponsor: Donley, Boyer, Brown, Cato, et. al.

Components: \_\_\_\_\_

Requestor: House Labor & Commerce Committee

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Carol Wilson

Phone: 465-2400

Division: Commissioner's Office

Date: 3/3/87

Approved by Commissioner: [Signature]

Date: 3/3/87

Agency: Natural Resources

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

No. 2

REQUEST: \_\_\_\_\_

Bill Version: HB 145  
Publish Date: HOUSE 3/11/87

Revision Date: \_\_\_\_\_  
Title: "An Act relating to resident  
employment preference on certain natural..."  
Sponsor: Donley, Boyer, et al  
Requestor: House Labor and Commerce

Agency Affected: Labor  
BRU: Labor Standards and Safety  
Components: Wage and Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		27.5	54.9	54.9	54.9	54.9
TRAVEL		11.5	16.0	16.5	17.0	17.5
CONTRACTUAL		3.4	7.0	7.2	7.4	7.6
SUPPLIES		.6	1.1	1.2	1.2	1.2
EQUIPMENT		3.2	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	46.2	79.0	79.8	80.5	81.2
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		46.2	79.0	79.8	80.5	81.2
FEDERAL FUNDS						
OTHER						
TOTAL	0	46.2	79.0	79.8	80.5	81.2

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME		1	1	1	1	1
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)  
(See attached)

Prepared by: Tom Stuart, Director *Stuart* Phone: 465-4870  
Division: Labor Standards and Safety Date: 3/5/87  
Approved by Commissioner: Jim Sampson *J. Sampson* Date: 3/5/87  
Agency: Labor

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

*Labor*

HPB

146

# Alaska State Legislature

REPRESENTATIVE  
MIKE W MILLER  
P.O. Box 55094  
North Pole, Alaska 99705  
(907) 488-2687

District 18  
North Pole  
Badger Road  
Eielson  
Moose Creek  
Salcha

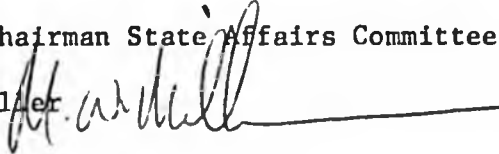


While in Juneau  
P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4976

## House of Representatives

RECEIVED  
MAY 01 1987

### MEMORANDUM

DATE: April 30, 1987  
TO: Senator Mitch Abood, Chairman State Affairs Committee  
FROM: Representative Mike Miller   
SUBJECT: HB 146

Attached please find information sent to me regarding a bill in your committee. I was requested to pass this information on for your consideration.

C  
Why do we have this bill in SA or done?  
my

# The Fairbanks Child Sexual Abuse Task Force

1550 Gillam Way  
Fairbanks, AK 99701

APR 21 1987

April 14, 1987

Members of the Alaska Interior Delegation  
Pouch V  
Juneau, AK 99811

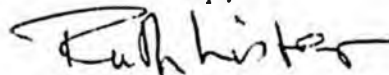
Dear Members of the Interior Delegation,

I am writing on behalf of the Fairbanks Child Sex Abuse Task Force, a coalition of agencies, counselors and attorneys in Fairbanks focussing on sexual abuse of children.

We'd like to offer the following comments on HB 146. The bill assists the authorities in utilizing before the Grand Jury hearsay evidence which would otherwise be inadmissible. Since it assists the authorities in bringing child sex abuse cases to light, it appears to us to be in the best interests of child sex abuse victims and we urge its enactment into law.

We would appreciate your conveying our views to the appropriate committee members.

Sincerely,



Ruth Lister  
Chair

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

No. 1

*oe*

**REQUEST:** \_\_\_\_\_

Bill Version : CSHB 146 (Jud)  
Publish Date : HOUSE 4/24/87

Revision Date: \_\_\_\_\_  
Title: "An Act relating to hearsay  
evidence in grand jury proceedings..."  
Sponsor: Representative Swackhammer  
Requestor: Representative Swackhammer

Agency Affected: Department of Law  
BRU: Prosecution  
Components: ALL

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

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

**ANALYSIS :** (Attach a separate page if necessary)

Please see attached analysis.

*Richard I. Pegues*

Prepared by: Richard I. Pegues, Director  
Division: Administrative Services

Phone: 465-3672  
Date: February 27, 1987

Approved by Commissioner: Grace Berg Schaible, Atty. Gen.  
Agency: Department of Law

Date: February 27, 1987

**Distribution (by preparer):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

CONTINUATION of FISCAL NOTE ANALYSIS

No. 1  
CSHB 146(Jud)  
4/24/87

For Bill/Resolution No. CSHB 146(Jud)

This bill amends Rule 6(r) of the Alaska Rules of Criminal Procedure by permitting the use of hearsay evidence in grand jury proceedings, if it is relevant, whether or not it would be admissible at trial. The current rule provides that hearsay evidence shall not be presented to a grand jury absent compelling justification. This change in the use of hearsay evidence, which is modeled after the federal rule, would substantially reduce the department's costs for conducting grand jury proceedings by reducing the number of witnesses who must physically appear and testify at such proceedings.

The department has estimated that about one-third of \$180,000 that it spends annually in grand jury witness expenses, or \$60,000, would be saved if this bill is approved. Likewise, a similar savings in staff resources would also occur, although we have no data available breaking out staff time by trial or grand jury activity. However, any savings that occurs as a result of this bill will be offset many times over by reductions in the department's budget that have already taken place in FY 87, and reductions that will take place in FY 88.

The criminal division's non-personal services funding will have been reduced by \$737,900 from FY 86 to FY 88. About one-half of this amount represents reductions in local district attorney office accounts, and from which witness expenses are paid. The staff of the Criminal Division will have been reduced from 164 full-time and 2 part-time positions to 107 full-time positions, over the same period of time. For these reasons the department is not showing a fiscal note savings.

MAR 13 '87 11:56 LIO - HCH 377-6112

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: CSHB 146 (Jud)  
Publish Date: HOUSE 4/24/87

REQUEST: \_\_\_\_\_

Revision Date: \_\_\_\_\_

Title: "An Act relating to  
hearsay evidence..."

Sponsor: Swackhammer & Hanley

Requestor: House Judiciary

Agency Affected: Administration  
BRU: Office of Public Advocacy

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Ernest McGee, Public Advocate  
Division: Office of Public Advocacy

Phone: 274-1684  
Date: 3/13/87

Approved by Commissioner: Garrey Peck  
Agency: Department of Administration

Date: 3/12/87

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)
  - Senate Secretary

POSITION PAPER

CSHB 146 (jw)

The Alaska Public Defender Agency and Office of Public Advocacy are totally reactive agencies which provide representation to indigent persons when appointed by the court. These agencies do not make policy nor do they initiate litigation. Only proposed legislation with fiscal or program ramifications for these agencies can be said to have a direct agency impact. Thus the Public Defender Agency and Office of Public Advocacy will submit position papers for legislation which will affect these agencies fiscally or programatically or will require these agencies to litigate constitutional issues raised by the legislation.

Fiscal impact: None.

Program impact: None.

Constitutional impact: See Analysis Below.

This bill would significantly change current law by allowing the presentation of hearsay evidence before Alaskan grand jury and further allow hearsay evidence to be presented regardless of whether it would be admissible at trial.

This bill will allow but a single witness, usually a police officer, to present all the evidence before the grand jury on a given case. A single witness could testify to all witness statements as reflected by police reports. The grand jury, unless they made a special request, would not have the opportunity to observe the demeanor and judge the credibility of the witnesses to a particular alleged offense.

The bill further would allow hearsay evidence that would not be admissible at trial. By eliminating the traditional restrictions on the admissibility of hearsay evidence, the bill will allow the grand jury to hear rumor, innuendo, and speculation and to base its decision on whether to indict an individual for a felony on evidence that the trial jury will never hear.

The Alaska Public Defender Agency and the Office of Public Advocacy oppose passage of the bill because it clearly undermines the protection afforded to citizens by Art. 1, §8 of the Alaska Constitution which mandates that a grand jury must review the evidence before a citizen is charged with a serious crime. The bill will render almost meaningless the role of the grand jury as an institution designed to ensure that the government has sufficient evidence before it charges citizens with serious crimes.

The bill presents formidable constitutional issues which would be exhaustively litigated in the appellate courts. If the state immediately implemented this legislation, the validity of indictments and subsequent trials would remain in question until the constitutional issues was finally determined by the Alaska Supreme Court. Immediate implementation of the bill thus would place hundreds of felony convictions in jeopardy of being overturned if this legislation was found to be unconstitutional.

*Brant McGee*  
Brant McGee  
Public Advocate

2/13/87  
Date

*Dana Fabe*  
Dana Fabe  
Public Defender

3/13/87  
Date

*Garroy Peska*  
Commissioner Garroy Peska  
Department of Administration

3/18/87  
Date