

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
5826 HOUSE JUDICIARY

230

Item 2

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
 Title: Uniform Rules Amendment
 relating to deadlines for session work BRU: _____
 Sponsor: Ellis Components: _____
 Requestor: Ellis

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
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-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact.

Prepared by: House State Affairs Committee Phone: 465-4931
 Division: _____ Date: Jan 23, 1989
 Approved by Commissioner: Rep. Boucher *W.B. Boucher* Date: Jan 23, 1989
 Agency: _____

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

Item 3
Aug.

By Brown, Ellis, Boucher, Cotten
Donley, Ulmer, M. Davis, Koponen
and Navarre

Prepared by:
Rep. Kay Brown
January 19, 1989

HJR 1: Proposing an amendment to the Constitution of the State of Alaska relating to open meetings.

HJR 1 proposes to amend the State Constitution by:

- mandating legislative adherence to the Open Meetings Act
- providing for court enforcement in the instance of a violation
- requiring that the discussions and debates of the legislature or a committee of the legislature be open unless the house of the legislature or a committee is meeting in executive session to consider matters authorized by law
- prohibiting a quorum of a house of the legislature or a committee of the legislature from engaging in private and substantive discussions and debates on legislation under its jurisdiction
- providing for a civil fine for a wilful violation, and other sanctions authorized by law.

HJR 1 includes intent language making it clear that this amendment is not intended to prevent the free flow of ideas among legislators or their participation in public forums, community events, site visitations, or social events. It intends to make openness in government the rule and secrecy the exception, and ensures that the public is not excluded during the substantive deliberative and decision-making stages of the budgetary and lawmaking process.

Item 4
Aug

2 lawmakers argue case for open meetings amendment

Amendment would protect the public's right to know

By SEN. ARLISS STURGULEWSKI

Alaska's Open Meeting Act states "All meetings of a legislative body ... are open to the public ..." If members of the Anchorage Assembly, the Bristol Bay Borough Assembly, or the Ketchikan City Council meet to discuss legislative matters the meeting has to be public.

The law clearly applies to the legislature also, but the way Alaska's Constitution is constructed there can be no enforcement against the legislature. The legislature says, "Do as we say, not as we do." Hypocritical? You bet, but also very comfortable for some.

The legislation which Rep. Brown introduced in the House and I introduced in the Senate last year would amend the Constitution to prohibit private and substantive debate on legislation by a quorum of either house or a committee of the legislature. Legislators could be personally subject to civil fine for violations, but legislation could not be invalidated.

The amendment makes a proper exception for executive sessions for consideration of confidential material. It also specifies that

the courts may not prescribe rules or procedures for the conduct of legislative business.

Certainly any change to a Constitution should be made with great thought and care, yet one of the beauties and strengths of our form of government is that our constitutions are living, growing documents. Since statehood, the Alaska Constitution has been amended 18 times to clarify and protect our rights. The public should be guaranteed the right to know what their representatives and senators are doing when a quorum of them meet to work on legislation.

I have no problem with making my stands in public. This is the least that people deserve from their legislators.

For next session I have already prefilled Senate Joint Resolution No. 1 — "Proposing an amendment to the Constitution of the State of Alaska relating to open meetings."

This is an issue of fundamental importance to Alaska, and with your support we can amend our state Constitution and ensure the public's right to participate in their own government.

Sen. Arliss Sturgulewski represents midtown and South Anchorage in the state Senate.

Public need for access has never been more critical

By REP. KAY BROWN

When the Alaska Supreme Court ruled last year on the open meetings lawsuit brought against the legislature by the League of Women Voters and two newspapers, the court decision highlighted a crucial flaw in our state Constitution. While there was no dispute that violations had occurred, the Supreme Court ruled that it was powerless under the Constitution to enforce the state's Open Meetings Act against the legislature.

In the *League vs. the Alaska Legislature* case, there was no argument that secret closed-door meetings were held during the 1986 legislative session in violation of the Open Meetings Act. However, because the Alaska Constitution currently does not expressly provide the court jurisdiction to enforce the law with regard to the legislature, the court ruled that it could not require the legislature to obey the law.

Openness is the foundation of effective democratic representation — without access to legislative meetings there can be no accountability. It is essential for the public

and press to be able to follow and understand the issues debated and decided by the legislature — not only to know what happens, but also how and why specific decisions are made.

That's why Sen. Arliss Sturgulewski and I sponsored constitutional amendments last legislative session that would guarantee the public's right of access to the legislative deliberations. House Joint Resolution 44 passed the House with overwhelming support. Although HJR 44 cleared three of its Senate committee referrals, the resolution died in the Senate Rules Committee without a vote of the full Senate.

Decisions made in Juneau are of vital interest to all Alaskans as the case comes to terms with declining revenues. I will continue working to secure passage of an amendment to guarantee the public's right of access to legislative debate. Until such an amendment is adopted, the legislature will be free to meet at will behind closed doors in violation of the Open Meetings Act, but beyond the reach of the courts.

Rep. Kay Brown represents downtown Anchorage in the state House.

Item 5
orig



January 19, 1989

Representative Kay Brown
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Representative Brown:

The Alaska League of Women Voters strongly support HJR 1, proposing an amendment to the Constitution of the State of Alaska relating to open meetings. As you must know, our belief is strong that the deliberations and the decision making of the Legislature and its constituent groups must be done in full public view. We believe in it so strongly that we are working with other interested groups to launch an initiative campaign. The process of placing the initiative on the ballot for a vote of the people will be a healthy one. It will provide an opportunity for public debate and then for voters to say whether they believe public access to legislative meetings should be guaranteed in the Constitution of the State of Alaska.

The League of Women Voters asks you to give the people of Alaska the opportunity to make that decision. Thank you.

Sincerely,

Charlotte Fox (by RB)

Charlotte Fox
President

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

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

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMFR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HOUSE STATE AFFAIRS

January 25, 1989 8:30 AM.

HCR 1



Official Business

COMMITTEE:

HOUSE STATE AFFAIRS

DATE:

SIGN-IN

Subject of meeting:

HCR 1

HB ~~43~~ 34

HB 48

NAME

ADDRESS

PHONE

REPRESENTING

If testifying,
which Bill #?

NAME	ADDRESS	PHONE	REPRESENTING	If testifying, which Bill #?
✓ Jim Chase	P.O. Box 1169 Douglas 99824	4400	Dept. of Admin. Pioneers' Pensions	HB 34
✓ Barbara Anthony	711 W. W. Loughby	4400	Dept. of Admin. Pioneers' Benefits	HB 34
✓ Eileen Jones	P.O. Box 5-0462 99801	2323	D of Revenue PFD Div.	HB 34
James E. Fisher				
✓ Ron Lorenz	D/Caw	5-3600		HB 34
Paula Carol	P.O. Box V	3771	Son. Kerthula	

HCR 41:

JRN-DATE		JRN-PG	ACTION
02/03/88	(H)	2089	READ THE FIRST TIME - REFERRAL(S)
02/03/88	(H)	2089	JUDICIARY
03/23/88	(H)	2719	JUD RPT CS(JUD) 3DP 3NR
03/28/88	(H)	2720	ZERO FISCAL NOTE PUBLISHED 3/28/88
03/28/88	(H)	2720	REFERRED TO RULES

ACTION NARRATIVE

TAPE ONE, SIDE A
Number 000

The House Rules Committee was called to order at 8:10 a.m..

Chairman Mike Navarre introduced Rich Jones and Brian Weberg of the National Conference of State Legislatures and handed out a report prepared by them entitled, Final Report, Review of the Operations and Procedures of the Alaska House of Representatives. This 73 page report was handed out to all committee members and will be distributed throughout the legislature.

#HCR 41

Chairman Navarre brought the first bill before the committee, CSHCR 41(JUD).

Representative Johnny Ellis, the prime sponsor of the bill, stepped up to the table. He pointed out a section on page three of the above mentioned report that states: "There was general consensus that the end-of-session 'logjam' was a significant problem. Concern was expressed that the logjam prevented proper consideration of bills and allowed a small group to control the legislative process. Several interviewees countered, however, that the logjam was simply a natural result of the bargaining process within a democratic institution." He continued by stating that this small section indicates there is a great deal of discussion over this subject.

Rep. Ellis went over the changes that were previously made to HCR 41 in the Judiciary Committee which are incorporated in CSHCR 41(JUD). He stated that he felt these were improvements to the bill.

Number 191

Rep. Terry Martin suggested that, in order to prevent a loophole in the bill, it should include all three types of conference committees on page 1, lines 21 and 22, (Conference Committee, Conference Committee with limited powers of free conference, and Free Conference Committee.)

Rep. Max Gruenberg requested a cleaner language, without changing the intent of this amendment, amending page 1, lines 21 and 22 to read, "no conference committee reports may be submitted after the 118th legislative day" and offered this amendment to the bill. There were no objections and the amendment passed.

Discussion followed on the 120 day session limit with referral to the ongoing court case over whether we should count the first day of session as day one or if the first day is opening day and the next day is officially day one. The Committee questioned the effect this would have on CSHCR 41(RES).

Number 452

Rep. Gruenberg stated that work done in the first year of a session is different than work done in the second year, specifically in the last two weeks of the session. He continued by stating that this should be reflected in the bill. He offered an amendment to this effect.

Rep. Ellis stated that the public is just as concerned about the first year of a session as the second. Many important public policy decisions are made in the first year. If the deadlines work for the second year they should work just as well for the first year.

Rep. Gruenberg withdrew his amendment.

Rep. Pettyjohn suggested that we preserve these guidelines for appropriation bills only.

Rep. Gruenberg moved CSHCR 41(JUD) as amended with individual recommendations. There were no objections and it was so moved.

Number 690

Chairman Navarre brought the next bill before the committee, CSHB 424(HESS).

Rep. Gruenberg offered an amendment to page 1, line 28: after "state" insert "The representative of the military reservation schools shall be a resident of the state."

Rep. Navarre offered an amendment to the Gruenberg amendment to delete "The representative of the military reservation schools" and insert "Each member." This would require all members of the state Board of Education to be residents of the State of Alaska.

There were no objections, it was so moved.

Representative Taylor said he realized the need, but didn't understand why Legal Services didn't have their own form. They could implant their own form and take care of the need. He discussed problems which occur when attorneys are not involved, noting that most probate problems occur when no will is left. He felt having people do their own form would be like telling them to do neurosurgery.

Chairman Sund said they would work on HB 438 and bring it back before the committee. He pointed out that statutes exist to deal with property when no will is left. He announced that HCR 41 would be up next.

Number 530

Representative Ellis stated that HCR 41 would establish in Uniform Rules, deadlines for session work. He reminded committee members of the rush of bills in the last days of session and provided copies of floor calendars and supplemental calendars for the 119th day of last session. He said legislators have the responsibility for casting considered votes on bills and they don't have that opportunity when they are rushed through at the last minute without any discussion. He felt the system doesn't work as well as it should for this reason. HCR 41 attempts to deal with this by creating a schedule that makes more sense. He wanted a focus on a session plan rather than the usual adjournment plan. He pointed out that the National Conference on State Legislatures recommended scheduling of deadlines to avoid the last minute chaos and alleviate the loss of important legislation in the final days. He noted that most states have something similar in place. The 1984 Constitutional amendment that created the 120-day session limit also had language related to deadlines for session work and that has not been done. HCR 41 would conform to that mandate. He noted that it would apply to bills but not resolutions. He added that the Uniform Rules are always open to amendment as an escape hatch and there is also the possibility for special session if needed.

Representative Taylor thought it was a good idea.

Chairman Sund asked what happens if the legislature doesn't follow the limit and violates the Uniform Rules. He noted that the legislature can also break the rules by a 21 count vote.

Representative Ellis wanted the Uniform Rule amendment for housekeeping procedures. There would be no sanctions for not following it except for public scrutiny and the legislature would have to make the decision to live up to the rule.

Chairman Sund had no real objection to HCR 41 and added that he has just become used to the scramble of the last days.

Representative Ulmer commented that the absence of sanctions regarding following the Uniform Rules was no reason not to support HCR 41. She moved the resolution with individual recommendations. Chairman Sund objected.

Representative Barnes said a session plan was not all that easy. It must include priority bills to be moved through the system and it needed other things to go with it. She noted that someone has to have the responsibility for moving the bills through.

TAPE 111, SIDE 2
Number 001

Representative Navarre said he supported the bill and was a co-sponsor. He pointed out that the majority of bills come up in the last week and that bills are passed with no debate or scrutiny. He wanted to make sure the legislature gives adequate scrutiny to bills instead of ramrodding them through. He suggested a 21 or 27 vote waiver of the rule without the approval of the other body.

Chairman Sund pointed out that the legislature was still getting used to the 120 day limit and noted that each house could adopt a session plan internally.

Representative Barnes suggested that line 14 be changed from the 95th day to the 90th day so that thirty days are given to get bills through the other body.

Chairman Sund asked what happens after the 117th day.

Number 80

Representative Gruenberg suggested that HCR 41 be assigned to a subcommittee headed by Representative Navarre, the Rules Committee chair.

Representative Navarre commented that a side effect of structuring a session plan toward 120 days would be to lock the legislature into 120 day sessions. It was his opinion that session could end sooner.

Representative Ulmer withdrew her motion to pass HCR 41 from committee. There was no objection. Chairman Sund appointed a subcommittee consisting of Representative Navarre, Representative Cotten and Representative Barnes. He suggested they work with Rules Committee staff and staff from the Speaker's office as well.

Number 340

Representative Gruenberg suggested the addition of a log brand as proof of ownership. Vice-Chair Ulmer said this would be taken under consideration.

Vice-Chair Ulmer noted that the teleconference was at an end and brought HCR 41 before the committee.

Jim Nordland joined the committee at the table and introduced himself, stating that he worked for Representative Ellis, sponsor of the bill. He noted the hearing was the second one for HCR 41 and that it had been in a subcommittee consisting of Representatives Barnes, Navarre, and Ellis. He reviewed proposed changes to the bill incorporated into the subcommittee CS. On page 1, line 14, the 95 day limit had been changed to 90. The 100 day limit on line 16 had been changed to 95. A subsection (5) was added, providing "a report of Conference Committee with limited powers of free conference may not be submitted after the 118th legislative day." A new subsection (b) required the report of a Conference Committee with limited powers of free conference be available to each member of the House at least 24 hours prior to the vote on the floor. Finally, a new subsection (c) permitted the rule in subsection (b) to be suspended by a concurrent resolution approved by majority vote in each house.

Representative Gruenberg said, generally, if a bill was in second reading on the 90th day, it would be in third reading and transmitted on the 91st day and, therefore, clause 2 would not come into effect. [clause 2: a bill may not be transmitted after the 95th day]

Mr. Nordland replied that HCR 41 allows a bill to be considered on the floor for up to five days after coming out of the Rules Committee. This would allow reconsideration as well as moving from second to third reading.

Representative Gruenberg said there is a significant difference between the 1st and 2nd sessions. He stated there was down time near the end of the 1st session and felt it was a good time to work on bills. He added that the resolution would be better directed to the 2nd session.

Mr. Nordland commented that the committees could be working on bills; the bills just wouldn't be calendared for the floor.

Number 441

Representative Gruenberg stated that many bills are

currently introduced the last month of the 1st session and then worked on over the interim.

Representative Barnes remarked that the last month of the session should be used to work on bills from the other body as well as on conference committee reports.

Representative Gruenberg said there is time near the end of the 1st session when a committee has passed out all Senate bills which are going to be passed out and can consider other matters. He suggested deleting "first reading or" on lines 13 and 17.

Representative Barnes concurred and moved that the amendment be adopted. There were no objections and it was adopted.

Representative Taylor moved that CSHCR 41 (Jud), as amended, be passed from committee.

Representative Cotten objected then withdrew his objection after verifying that the bill would be heard in the Rules Committee.

Number 520

Vice-Chair Ulmer asked if there were objections. There were no objections and CSHCR 41 (Jud) passed out as amended. Vice-Chair Ulmer brought HJR 44 before the committee.

Representative Brown, sponsor of the bill, joined the committee. She noted that the Judiciary Committee had heard HJR 44 once previously, and in the meantime, a subcommittee had drafted a CS. She briefly discussed the changes and proposed amendments to the original bill. Lines 11-12 on page 1 contained a more brief description of the entities covered by the bill. She noted that the open meetings statute already describes these in a comprehensive manner. Amendment 1 would, on page 1, line 19, after "court" insert "and the court may enjoin violations of this section." Amendment 2 would, on page 1, lines 17-18, delete "may be fined" and insert "is subject to a civil penalty." This would make it very clear that a civil and not a criminal fine was being levied. Amendment 3 would, on page 1, line 20, after "strategy." insert "The provisions of this section that permit executive sessions and caucuses shall be narrowly construed to achieve maximum public access and to avoid unnecessary executive sessions and caucuses."

Representative Cotten indicated support of Amendments 2 and 3, but requested clarification of Amendment 1.

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WHILE IN SESSION
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(907) 465-3704

ALASKA STATE HOUSE

OFFICE OF MAJORITY WHIP



CO-CHAIR
HEALTH, EDUCATION & SOCIAL SERVICES

LABOR & COMMERCE
SUBCOMMITTEE ON FOREIGN TRADE

REPRESENTATIVE JOHNNY ELLIS

MEMORANDUM

TO: To House Judiciary Committee Members

FROM: Rep. Johnny Ellis *JE*

RE: HCR 41 - "relating to deadlines for session work"

DATE: March 3, 1988

Attached you will find materials to serve as backup for HCR 41 which proposes to amend the Uniform Rules to set deadlines for the passage of bills through the legislature. This resolution is sponsored by myself and has ten cosponsors.

Last session, 17% of the total legislation which passed the either the House or the Senate was debated on the floor, by either body, for the first time, during the last three days of the session. Thirty bills passed either the House or the Senate on the last day. The figures for the 1986 session are similar with first time floor consideration at 16% in the last three days and 33 bills passing on the last day. For the 1985 session the figures were 18% in the last three days and 24 bills on the last day.

Without belaboring the figures, we are all aware of the rush of legislation that is brought to the floor in the final days of the session and the public indignation that follows. Adequate consideration and debate of each bill is simply not possible during marathon floor sessions jammed with the most important and often complex legislation.

This resolution, in my view, does not place onerous or unnecessary restrictions on the movement of bills, but rather provides more breathing room for the adequate consideration of legislation at sessions' end. Such planned movement of bills is necessary now that we operate under a 120 day session limit.

In the Alaska Legislative Procedures Study, Final Report, submitted to The Joint Special Committee on Legislative Reform in May of 1983, the National Conference of State Legislatures recommended scheduling deadlines as a means to strengthen legislative operations. As the report states, "scheduling helps to avoid some of the last minute chaos, and assures important bills are not lost in the process". Many states have employed scheduling deadlines to help alleviate logjams.

When the voters passed the session limitation section to the State Constitution in 1984 they also approved language that, "the Legislature shall adopt as part of the uniform rules of procedure deadlines for scheduling session work not inconsistent with provisions controlling the length of the session," Article II, Section 8. In my view the Legislature has not lived up to this constitutional mandate.

Thank you for your consideration of HCR 41.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P.O. Box Y, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

January 14, 1988

MEMORANDUM

TO: Representative Johnny Ellis

FROM: Sandi Depue *SD*
Administrative Officer

RE: Number of Bills Passed By the Alaska Legislature During the Last
Two Weeks of Session: 1985-1987
Research Request 88.113

You requested that this agency determine how many bills were passed by the House of Representatives, Senate and both houses, on a daily basis, during the last two weeks of legislative sessions. You requested this information for the past three years.

Attached are bar graphs for 1985, 1986 and 1987 which show the number of bills passed by the House of Representatives, the Senate and both houses.¹ The bar delineating passage of a bill by both houses corresponds to the date a bill (passed by both houses during the final 14 days) passed the nonoriginating house, i.e., the date a House Bill passed the Senate and vice versa. A table showing the same information is also attached.

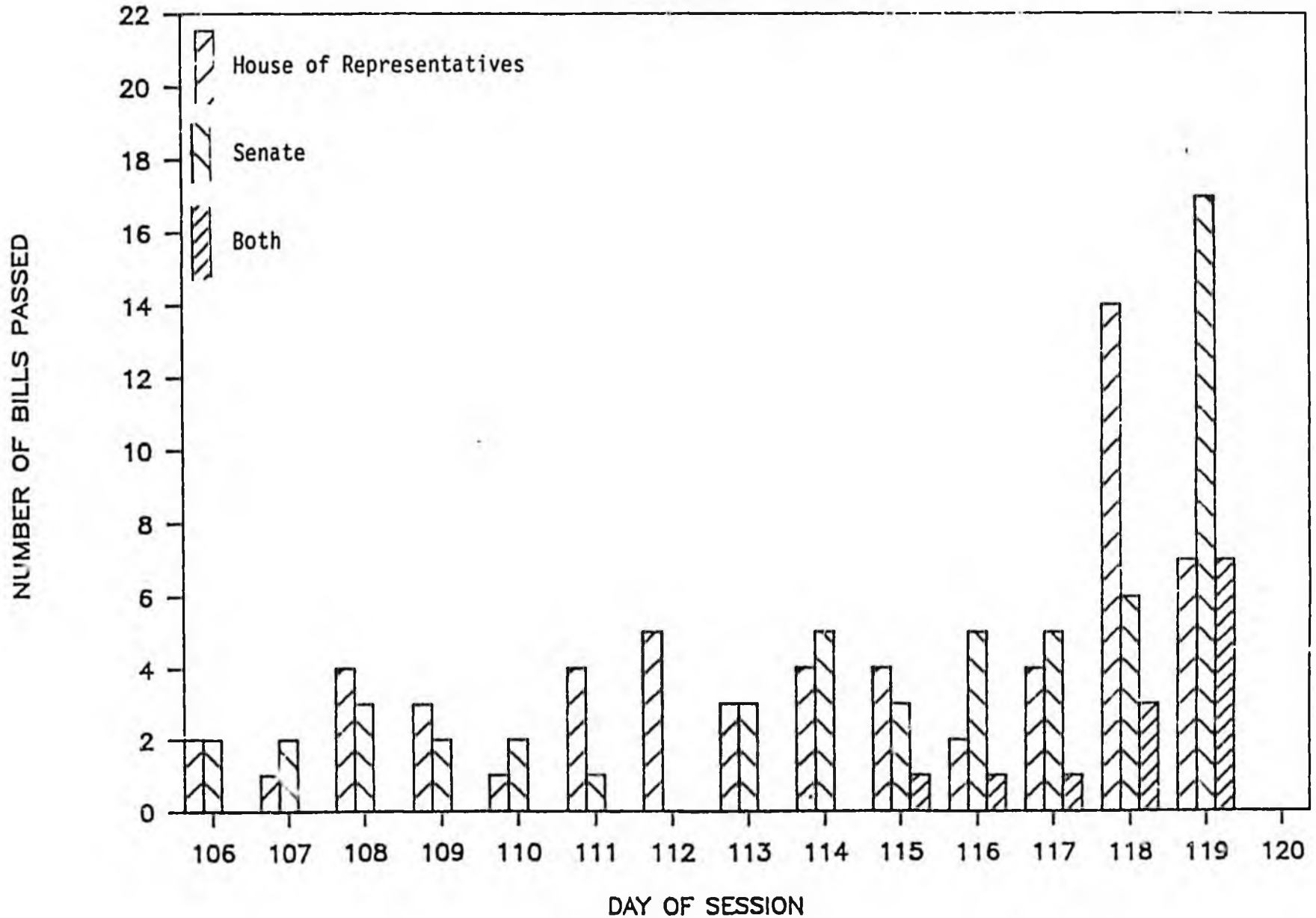
If you have any questions or need further information, please let me know.

Attachments

¹The 1987 Legislature was in session two days which were both considered the 120th day. Both of these days are included on our graphs and in our table as the 120th day.

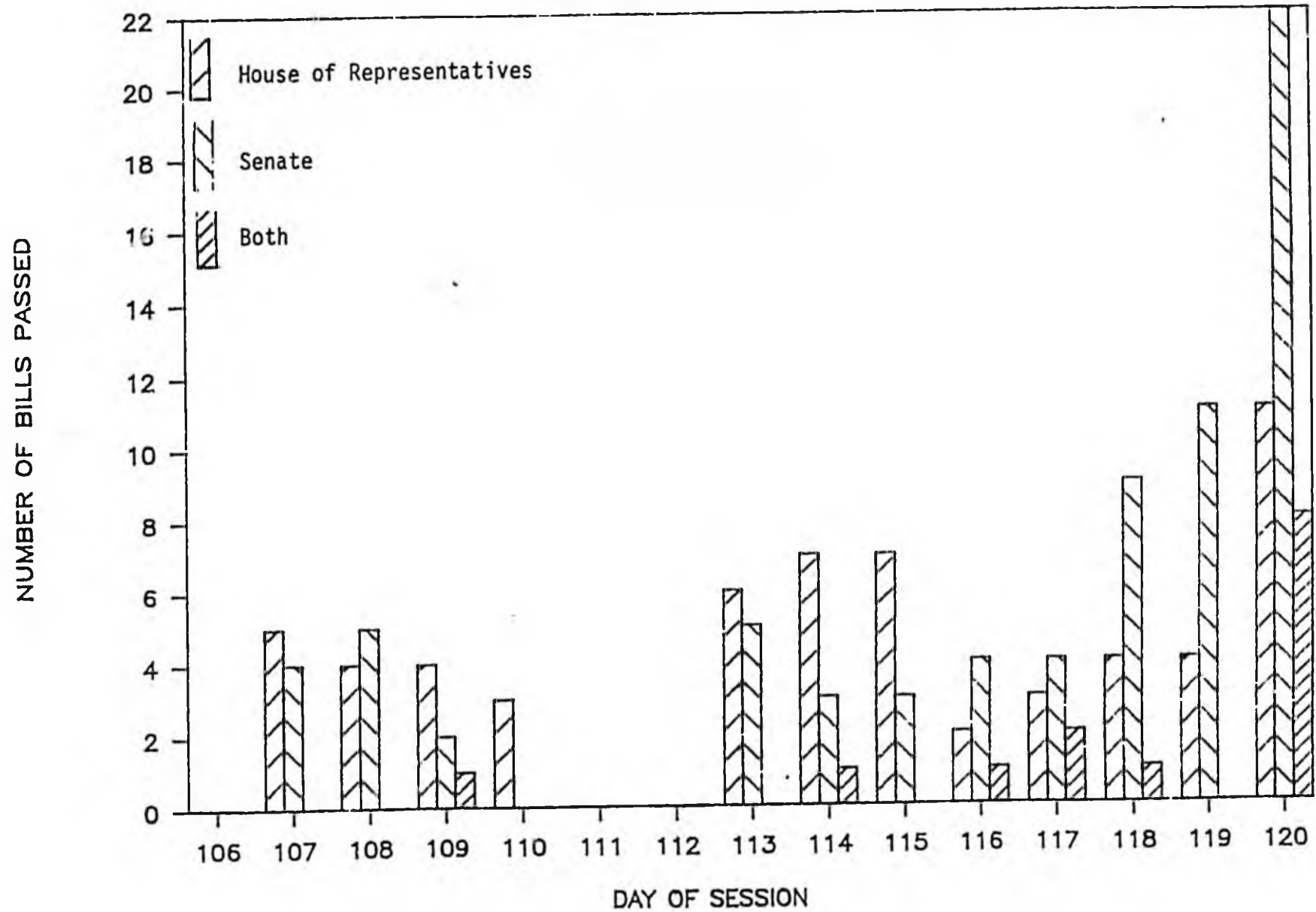
BILLS PASSED BY LEGISLATURE — 1985

LAST TWO WEEKS OF SESSION



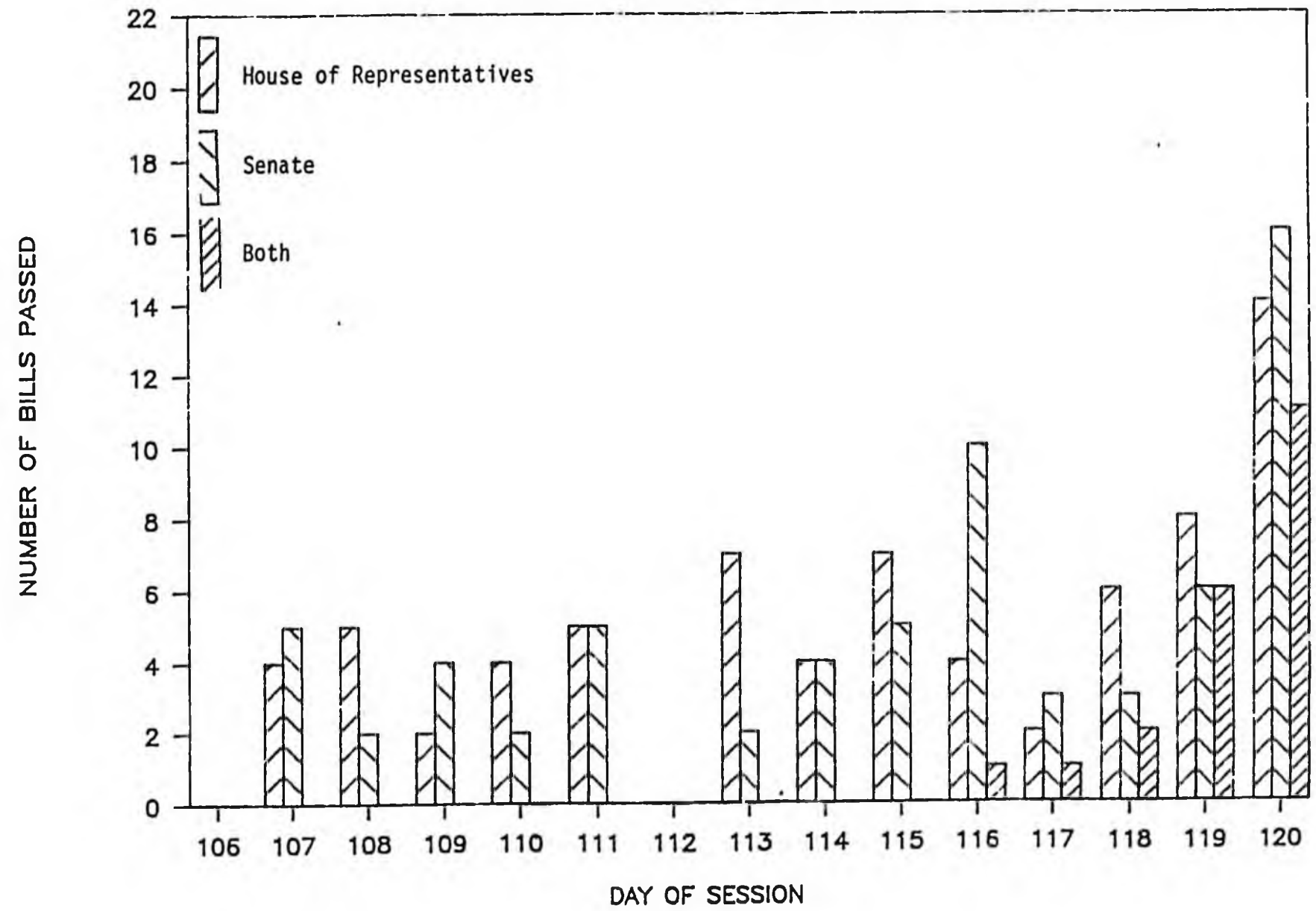
BILLS PASSED BY LEGISLATURE — 1986

LAST TWO WEEKS OF SESSION



BILLS PASSED BY LEGISLATURE — 1987

LAST TWO WEEKS OF SESSION



BILLS PASSED BY THE ALASKA LEGISLATURE
 DURING THE LAST TWO WEEKS OF SESSION
 1985-1987

1985				1986				1987			
DAY	BILLS PASSED BY			DAY	BILLS PASSED BY			DAY	BILLS PASSED BY		
	HOUSE	SENATE	BOTH		HOUSE	SENATE	BOTH		HOUSE	SENATE	BOTH
106	2.0	2.0		106				106			
107	1.0	2.0		107	5.0	4.0		107	4.0	5.0	
108	4.0	3.0		108	4.0	5.0		108	5.0	2.0	
109	3.0	2.0		109	4.0	2.0	1.0	109	2.0	4.0	
110	1.0	2.0		110	3.0			110	4.0	2.0	
111	4.0	1.0		111				111	5.0	5.0	
112	5.0			112				112			
113	3.0	3.0		113	6.0	5.0		113	7.0	2.0	
114	4.0	5.0		114	7.0	3.0	1.0	114	4.0	4.0	
115	4.0	3.0	1.0	115	7.0	3.0		115	7.0	5.0	
116	2.0	5.0	1.0	116	2.0	4.0	1.0	116	4.0	10.0	1.0
117	4.0	5.0	1.0	117	3.0	4.0	2.0	117	2.0	3.0	1.0
118	14.0	6.0	3.0	118	4.0	9.0	1.0	118	6.0	3.0	2.0
119	7.0	17.0	7.0	119	4.0	11.0		119	8.0	6.0	6.0
120				120	11.0	22.0	8.0	120	14.0	16.0	11.0
TOTAL	58.0	56.0	13.0		60.0	72.0	14.0		72.0	67.0	21.0
AVERAGE	4.1	4.0	0.9		4.3	5.1	1.0		5.1	4.8	1.5

Prepared by the House Research Agency, January 13, 1987, (100287-12; 88-113A).



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P.O. Box Y, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

January 22, 1988

MEMORANDUM

TO: Representative Johnny Ellis

ATTN: Jim Nordlund

FROM: Sandi Depue *JMD*
Administrative Officer

RE: Number of Bills Passed By the Alaska Legislature During the Last
Two Weeks of Session: 1985-1987
Research Request 88.113 (Supplemental Information)

You asked our agency to determine the total number of bills and resolutions which passed the House of Representatives, the Senate, and both houses during the 1985, 1986 and 1987 legislative sessions. You also asked how many bills and resolutions passed each house, and both houses, during each of the last 14 days of the sessions.

The attached tables provide this information and include the number of bills and resolutions passed by each house detailed by House Bills, Senate Bills, House Resolutions, and Senate Resolutions. The tables also provide daily percentages and a cumulative 14 day percentage of total bills passed in each category.

House Research Agency memorandum 87.003 concerning scheduling of bills is also attached.

I hope you find this information useful.

Attachments

Table 1
 Number of Bills and Resolutions Passed During Legislative Session
 Fourteenth Alaska Legislature - 1st Session - 1985

	HOUSE NUMBER OF BILLS PASSED				SENATE NUMBER OF BILLS PASSED				BOTH NUMBER OF BILLS PASSED			
	HB	SB	HR	SR	HB	SB	HR	SR	HB	SB	HR	SR
Session Total	110	48	38	8	59	83	17	20	59	48	17	8
Day 106	2	0	1	0	0	2	0	0	0	0	0	0
Day 107	1	0	0	0	0	2	0	1	0	0	0	0
Day 108	2	2	2	0	1	2	0	0	0	0	0	0
Day 109	3	0	0	0	1	1	0	0	0	0	0	0
Day 110	1	0	0	1	0	2	1	0	0	0	0	0
Day 111	4	0	0	0	0	1	0	2	0	0	0	0
Day 112	5	0	0	0	0	0	0	0	0	0	0	0
Day 113	2	1	0	0	0	3	0	0	0	0	0	0
Day 114	4	0	0	0	2	3	1	1	0	0	1	0
Day 115	3	1	2	0	0	3	0	2	0	1	0	0
Day 116	1	1	2	0	1	4	0	0	0	1	0	0
Day 117	3	1	2	0	4	1	0	1	1	0	0	0
Day 118	10	4	1	0	2	4	0	1	1	2	0	0
Day 119	1	6	0	0	16	1	0	1	7	3	0	0
Day 120	0	0	0	0	0	0	0	0	0	0	0	0
14 Day Totals	42	16	10	1	27	29	2	9	6	7	1	0
Daily Percent of Total												
Day 106	1.8	0.0	2.6	0.0	0.0	2.4	0.0	0.0	0.0	0.0	0.0	0.0
Day 107	0.9	0.0	0.0	0.0	0.0	2.4	0.0	5.0	0.0	0.0	0.0	0.0
Day 108	1.8	4.2	5.3	0.0	1.7	2.4	0.0	0.0	0.0	0.0	0.0	0.0
Day 109	2.7	0.0	0.0	0.0	1.7	1.2	0.0	0.0	0.0	0.0	0.0	0.0
Day 110	0.9	0.0	0.0	12.5	0.0	2.4	5.9	0.0	0.0	0.0	0.0	0.0
Day 111	3.6	0.0	0.0	0.0	0.0	1.2	0.0	10.0	0.0	0.0	0.0	0.0
Day 112	4.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Day 113	1.8	2.1	0.0	0.0	0.0	3.6	0.0	0.0	0.0	0.0	0.0	0.0
Day 114	3.6	0.0	0.0	0.0	3.4	3.6	5.9	5.0	0.0	0.0	5.9	0.0
Day 115	2.7	2.1	5.3	0.0	0.0	3.6	0.0	10.0	0.0	2.1	0.0	0.0
Day 116	0.9	2.1	5.3	0.0	1.7	4.8	0.0	0.0	0.0	2.1	0.0	0.0
Day 117	2.7	2.1	5.3	0.0	6.8	1.2	0.0	5.0	1.7	0.0	0.0	0.0
Day 118	9.1	8.3	2.6	0.0	3.4	4.8	0.0	5.0	1.7	4.2	0.0	0.0
Day 119	0.9	12.5	0.0	0.0	27.1	1.2	0.0	5.0	6.8	6.3	0.0	0.0
Day 120	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
14 Day Totals	38.2	33.3	26.3	12.5	45.8	34.9	11.8	45.0	10.2	14.6	5.9	0.0

Note: HB - House Bills
 SB - Senate Bills
 HR - House Resolutions
 SR - Senate Resolutions

Table 2
 Number of Bills and Resolutions Passed During Legislative Session
 Fourteenth Alaska Legislature - 2nd Session - 1986

	HOUSE NUMBER OF BILLS PASSED				SENATE NUMBER OF BILLS PASSED				BOTH NUMBER OF BILLS PASSED			
	HB	SB	HR	SR	HB	SB	HR	SR	HB	SB	HR	SR
Session Total	144	64	24	19	90	94	15	32	90	64	15	19
Day 106	0	0	0	0	0	0	0	0	0	0	0	0
Day 107	5	0	0	0	0	4	0	1	0	0	0	0
Day 108	4	0	0	0	1	4	0	0	0	0	0	0
Day 109	3	1	0	0	1	1	0	0	0	1	0	0
Day 110	2	1	1	0	0	0	0	0	0	0	0	0
Day 111	0	0	0	0	0	0	0	0	0	0	0	0
Day 112	0	0	0	0	0	0	0	0	0	0	0	0
Day 113	6	0	1	0	0	5	0	0	0	0	0	0
Day 114	4	3	1	0	0	3	0	3	0	1	0	0
Day 115	5	2	0	0	0	3	0	0	0	0	0	0
Day 116	1	1	0	0	2	2	0	1	0	1	0	0
Day 117	0	3	0	0	2	2	0	0	2	0	0	0
Day 118	1	3	0	1	6	3	0	0	0	1	0	1
Day 119	0	4	0	1	10	1	0	0	0	0	0	0
Day 120	1	10	1	2	22	0	3	0	6	2	0	0
14 Day Totals	32	28	4	4	44	28	3	5	8	6	0	1
Daily Percent of Total												
Day 106	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Day 107	3.5	0.0	0.0	0.0	0.0	4.3	0.0	3.1	0.0	0.0	0.0	0.0
Day 108	2.8	0.0	0.0	0.0	1.1	4.3	0.0	0.0	0.0	0.0	0.0	0.0
Day 109	2.1	1.6	0.0	0.0	1.1	1.1	0.0	0.0	0.0	1.6	0.0	0.0
Day 110	1.4	1.6	4.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Day 111	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Day 112	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Day 113	4.2	0.0	4.2	0.0	0.0	5.3	0.0	0.0	0.0	0.0	0.0	0.0
Day 114	2.8	4.7	4.2	0.0	0.0	3.2	0.0	9.4	0.0	1.6	0.0	0.0
Day 115	3.5	3.1	0.0	0.0	0.0	3.2	0.0	0.0	0.0	0.0	0.0	0.0
Day 116	0.7	1.6	0.0	0.0	2.2	2.1	0.0	3.1	0.0	1.6	0.0	0.0
Day 117	0.0	4.7	0.0	0.0	2.2	2.1	0.0	0.0	2.2	0.0	0.0	0.0
Day 118	0.7	4.7	0.0	5.3	6.7	3.2	0.0	0.0	0.0	1.6	0.0	5.3
Day 119	0.0	6.3	0.0	5.3	11.1	1.1	0.0	0.0	0.0	0.0	0.0	0.0
Day 120	0.7	15.6	4.2	10.5	24.4	0.0	20.0	0.0	6.7	3.1	0.0	0.0
14 Day Totals	22.2	43.8	16.7	21.1	48.9	29.8	20.0	15.6	8.9	9.4	0.0	5.3

Note: HB - House Bills
 SB - Senate Bills
 HR - House Resolutions
 SR - Senate Resolutions

Table 3
 Number of Bills and Resolutions Passed During Legislative Session
 Fifteenth Alaska Legislature - 1st Session - 1987

	HOUSE NUMBER OF BILLS PASSED				SENATE NUMBER OF BILLS PASSED				BOTH NUMBER OF BILLS PASSED			
	HB	SB	HR	SR	HB	SB	HR	SR	HB	SB	HR	SR
Session Total	106	47	41	18	57	106	22	48	57	47	22	18
Day 106	0	0	0	0	0	0	0	0	0	0	0	0
Day 107	4	0	2	0	0	5	0	2	0	0	0	0
Day 108	4	1	2	0	0	2	0	0	0	0	0	0
Day 109	2	0	0	0	0	4	0	1	0	0	0	0
Day 110	3	1	1	0	0	2	1	0	0	0	0	0
Day 111	4	1	1	0	0	5	0	1	0	0	0	0
Day 112	0	0	0	0	0	0	0	0	0	0	0	0
Day 113	7	0	0	0	0	2	1	0	0	0	0	0
Day 114	4	0	0	0	1	3	0	1	0	0	0	0
Day 115	6	1	1	0	1	4	0	0	0	0	0	0
Day 116	3	1	1	0	3	7	0	0	1	0	0	0
Day 117	1	1	0	0	0	3	0	1	0	1	0	0
Day 118	2	4	3	1	2	1	1	2	1	1	0	1
Day 119	1	7	0	0	4	2	0	1	1	5	0	0
Day 120	4	10	2	0	11	5	0	0	8	3	0	0
14 Day Totals	45	27	13	1	22	45	3	9	11	10	0	1
Daily Percent of Total												
Day 106	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Day 107	3.8	0.0	4.9	0.0	0.0	4.7	0.0	4.2	0.0	0.0	0.0	0.0
Day 108	3.8	2.1	4.9	0.0	0.0	1.9	0.0	0.0	0.0	0.0	0.0	0.0
Day 109	1.9	0.0	0.0	0.0	0.0	3.8	0.0	2.1	0.0	0.0	0.0	0.0
Day 110	2.8	2.1	2.4	0.0	0.0	1.9	4.5	0.0	0.0	0.0	0.0	0.0
Day 111	3.8	2.1	2.4	0.0	0.0	4.7	0.0	2.1	0.0	0.0	0.0	0.0
Day 112	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Day 113	6.6	0.0	0.0	0.0	0.0	1.9	4.5	0.0	0.0	0.0	0.0	0.0
Day 114	3.8	0.0	0.0	0.0	1.8	2.8	0.0	2.1	0.0	0.0	0.0	0.0
Day 115	5.7	2.1	2.4	0.0	1.8	3.8	0.0	0.0	0.0	0.0	0.0	0.0
Day 116	2.8	2.1	2.4	0.0	5.3	6.6	0.0	0.0	1.8	0.0	0.0	0.0
Day 117	0.9	2.1	0.0	0.0	0.0	2.8	0.0	2.1	0.0	2.1	0.0	0.0
Day 118	1.9	8.5	7.3	5.6	3.5	0.9	4.5	4.2	1.8	2.1	0.0	5.6
Day 119	0.9	14.9	0.0	0.0	7.0	1.9	0.0	2.1	1.8	10.6	0.0	0.0
Day 120	3.8	21.3	4.9	0.0	19.3	4.7	0.0	0.0	14.0	6.4	0.0	0.0
14 Day Totals	42.5	57.4	31.7	5.6	38.6	42.5	13.6	18.8	19.3	21.3	0.0	5.6

Note: HB - House Bills
 SB - Senate Bills
 HR - House Resolutions
 SR - Senate Resolutions

Prepared by the House Research Agency, January 1988, (88-11353; 100287-12).

BY ELLIS, NAVARRE, ULMER,
BROWN, HANLEY, DAVIS,
KOPONEN, COLLINS, ZAWACKI,
DAVIDSON AND FRANK

1 IN THE HOUSE

2

HOUSE CONCURRENT RESOLUTION NO. 41

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

Proposing an amendment to the Uniform

6

Rules of the Alaska State Legislature

7

relating to deadlines for session work.

8

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. The Uniform Rules of the Alaska State Legislature are

10

amended by adding a new rule to read:

11

RULE 56 SESSION SCHEDULE. (a) The following schedule applies

12

during a first and second session to consideration of a bill:

13

(1) the house of origin may not calendar a bill for first

14

or second reading after the 95th legislative day;

15

(2) a bill may not be transmitted by the house of origin to

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the second house after the 100th legislative day;

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(3) the second house may not calendar a bill for first or

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second reading after the 114th legislative day;

19

(4) a bill may not be transmitted by the second house to

20

the house of origin after the 117th legislative day.

21

(b) This rule does not apply to resolutions.

Last moves deadlines forward

Original sponsors: Ellis, Navarre,
Ulmer, et al.

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 41 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the Uniform
6 Rules of the Alaska State Legislature
7 relating to deadlines for session work.

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

9 * Section 1. The Uniform Rules of the Alaska State Legislature are
10 amended by adding a new rule to read:

11 RULE 56. SESSION SCHEDULE. (a) The following schedule applies
12 during a first and second session to consideration of a bill:

13 (1) the house of origin may not calendar a bill for second
14 reading after the 90th legislative day;

15 (2) a bill may not be transmitted by the house of origin to
16 the second house after the 95th legislative day;

17 (3) the second house may not calendar a bill for first or
18 second reading after the 114th legislative day;

19 (4) a bill may not be transmitted by the second house to
20 the house of origin after the 117th legislative day;

21 (5) a report of a Conference Committee with limited powers
22 of free conference may not be submitted after the 118th legislative
23 day.

24 (b) A report of a Conference Committee with limited powers of
25 free conference may not be voted on by a house until at least 24 hours
26 after it is duplicated and delivered to the chief clerk or secretary
27 of the house for distribution to each member. The chief clerk or
28 secretary shall certify the time of delivery of the report for record-
29 ing in the journal.

1 (c) This rule may be suspended by a concurrent resolution ap-
2 proved by majority vote in each house. This rule does not apply to
3 resolutions.
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THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE

UNIFORM RULES
ALASKA
STATE LEGISLATURE



ADOPTED 1981

by the

TWELFTH LEGISLATURE - FIRST SESSION

AS AMENDED 1985 and 1988

Legislative Affairs Agency

HCR

10

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465-3800

LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

MEMORANDUM

February 18, 1989

SUBJECT: Requested Comments on HCR 10, 1989
TO: HOUSE JUDICIARY COMMITTEE
FROM: Mary Van Nimwegen ^{MVN}
Legislative Reference Librarian

I appreciate this opportunity to comment on the bill before your committee, HCR 10 relating to legislative committee records. This bill helps clarify both which bill files must be sent to the Legislative Reference Library at the end of each session, and what these files should contain. This should help many legislators and their committee staff who in the past have been uncertain as to what was required.

Legislative committee bill files are valuable resources for legislators doing research for proposed legislation and for those seeking information on legislative history. These files are eventually microfiched with copies sent to libraries and legislative information offices around the state, and the originals are sent to the State Archives for permanent retention.

This bill is another step in establishing a comprehensive legislative records management system.

cc: Tamara Brandt Cook, Legal Services Division

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 1, 1989

FURTHER REFERRALS: RULES

Date of Committee Action: _____

The JUDICIARY Committee recommends that:

HOUSE CONCURRENT RESOLUTION NO. 10

[UNIFORM RULES: COMMITTEE RECORDS]

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to committee records; and providing for an effective date.

[] be replaced with CS HCR 10 (JUDICIARY) [] the same title
[] a new title

[] have attached amendment(s)

- [] do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- [] fiscal impact
- [] zero fiscal note LAA
- [] zero with analysis

APPROVES PREVIOUS:

- [] fiscal note(s) published: _____
- [] zero fiscal notes(s) published: _____

SIGNING DO PASS:

Peter Jace
Larry Marten
Cly Davidson
Mike Davis
Al Ellis
Mike Miller

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

Peter Jace
 CO-Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Proposing an amendment to the
Uniform Rules of the Alaska State Legislature...
Sponsor: House Judiciary
Requestor: House Judiciary

Affect Agency Legislative Affairs Agency
BRU: Legislative Council
Components Legal Services

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
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
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FUNDING: (THOUSANDS OF DOLLARS)

General Fund						
Federal Fund						
Other						
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)

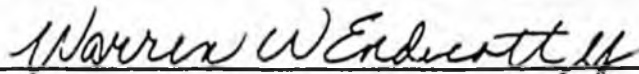
No fiscal impact

Prepared By: Pamela Stoops, Director
Division: Administrative Services



Phone: 465-3850
Date: 2/23/89

Approved By: Warren Endicott, Executive Director
Agency: Legislative Affairs Agency



Date: 2/23/89

DISTRIBUTION (BY PREPARER)
LEGISLATIVE FINANCE
LEGISLATIVE SPONSOR

REQUESTOR
OFFICE OF MANAGEMENT & BUDGET
AGENCY (IES)

HCR10



Alaska Court System

State of Alaska

303 "K" STREET
ANCHORAGE, ALASKA
99501

ARTHUR H. SNOWDEN II
ADMINISTRATIVE DIRECTOR

(907) 274-8611

February 15, 1989

Representative Peter Goll
Representative Max Gruenberg
House Judiciary Committee Chairs
Alaska State Legislature
P. O. Box V
Juneau, Alaska 99811

RE: House Bill 10

Dear Representatives Goll and Gruenberg:

The Administrative Office of the Alaska Court System supports the amendment to the Uniform Rules that would require the maintenance of specific legislative committee materials at the end of each legislative session. These materials would be helpful to the Administrative Office in determining the history of particular legislation and in performing research on various topics.

If I can provide further information or answer any questions, please call me.

Sincerely,

Arthur H. Snowden, II
Administrative Director

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

February 15, 1989

The Honorable Peter Goll, Chair
House Judiciary Committee
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Re: HCR 10 -- amending Uniform
Rules of the Alaska State
Legislature, regarding
legislative committee records

Dear Representative Goll:

As requested by Co-Chair Gruenberg's assistant, Andy Hemenway, by telephone this morning, here are our comments on this resolution.

As a general matter, we wholeheartedly endorse efforts to improve retention of and access to legislative records. In particular, HCR 10 takes a very significant step toward achieving that goal, and we support the measure.

From the perspective of Department of Law attorneys, increased availability of the material that forms the background for or foundation of Alaska law will make the legislative research aspect of our jobs easier and our advice to our client agencies better. From my personal perspective of 23 sessions with the Alaska Legislature, first as an attorney for the legislature and later as an assistant attorney general, I can say that both legal and other kinds of researchers will benefit from the improvements proposed by this resolution.

Two questions arise, however. First, why does current paragraph (4) in Uniform Rule 23(f) refer to copies being made available upon request "to committee members and the public"? Into which category do other legislators fall? I would suggest either that the clause end with the word "request" or that ", other legislators," be inserted after the word "members."

The second question that occurs to me involves the meaning of the word "disposition" on page 2, line 11. That word in the new paragraph is taken directly from the words being deleted from paragraph (3) where its intent is equally unclear. My concern is that any "disposition" should emphasize the concept of

HCR 10

STEVE COWPER, GOVERNOR

REPLY TO:

- 1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 276-3550
- 1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701-4679
- P.O. BOX K—STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600

The Honorable Peter Goll, Chair
House Judiciary Committee
Alaska State Legislature

February 15, 1989
Page 2

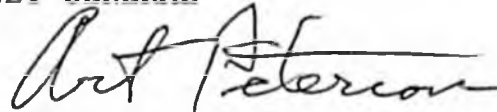
retention. The cooperation between the legislature, the legislative reference library, the Alaska State Library (AS 14.56), and the Alaska State Archives (AS 40.21) should be assured. (See, in particular, AS 40.21.100.)

If we may be of further assistance in this matter, please don't hesitate to ask.

Yours truly,

GRACE BERG SCHAIBLE
ATTORNEY GENERAL

By:



Arthur H. Peterson
Assistant Attorney General

AHP/cb

cc: Mary VanNimwegen, Librarian
Legislative Reference Library
Legislative Affairs Agency

Karen Crane, Director
Alaska State Libraries
Virginia Newton
Alaska State Archivist
Department of Education

Robert A. Evans
Legislative Liaison
Office of the Governor



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Official Business

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

M E M O R A N D U M

DATE: January 23, 1988
TO: House Committee Chairs
FROM: Rep. Peter Goll
SUBJECT: Determining materials to be stored for legislative histories

Committee bill histories are considered important in various types of legal cases and are used by legislators to develop legislation on matters which have received prior action.

Recent attempts to obtain bill histories from the Legislative Affairs Library have demonstrated that there is no consistency in the storage of committee materials.

The current rule requires that we provide the library with our committee minutes, tapes, and "materials of research value."

As "materials of research value" vary according to the opinion of the committee chair, I am offering on the following page a possible language change for your consideration. It was developed in consultation with Legal Services, and specifies the material considered important to the courts and for legislative research.

The following amendment to Rule 23 (f) is written in our normal drafting style with new language underlined, and deleted language in [BRACKETED CAPITAL LETTERS]. Your consideration is appreciated.

The revised Rule 23 (f) would provide that each standing, special and joint committee:

(3) shall maintain a chronological file of minutes, copies of which shall be made available upon request to committee members and the public; committee minutes, tapes, and if presented to the committee, written testimony, state agency position papers and memoranda, bill drafts, letters of intent, and other materials of research value shall be delivered by the committee at the end of each session of each legislature to the legislative reference library for appropriate disposition;

(4) [MAY] shall make available to the Legislative Affairs Agency a copy of all minutes of committee meetings during the session for entry of the minutes as a data base on the legislative computer system.

public hearing on the bill or resolution at least five days before the hearing. However, this requirement may be waived by motion of the person who chairs the committee to which a bill or resolution is first referred if concurred in by majority vote of the full membership of the house. The chief clerk or secretary shall publish and distribute copies of the weekly schedule of committee meetings and of the five-day notice of hearing.

(b) The person who chairs a standing, special, or joint committee shall provide the chief clerk or secretary written notice of the change in the time, place or subject matter of a meeting. At the next daily legislative session, notice of the schedule change shall be announced by the chief clerk or secretary and published as a notice in the journal of the house.

(c) A scheduled meeting of a standing, special, or joint committee may be cancelled at any time. If possible, notice of the cancellation shall be given in the same manner as provided for notice of change in (b) of this rule.

(d) The provisions of (a) and (b) of this rule do not apply to a standing, special, or joint committee meeting scheduled after the date a conference committee has been chosen to consider amendments to or differences between versions of the general appropriation act. However, a person who chairs a standing, special, or joint committee shall post written notice of the time, place and subject matter of a meeting at least 24 hours before the meeting.

(e) The provisions of (a) - (d) of this rule do not apply to meetings of

(1) the Rules Committee when it meets for the purpose of preparing the daily calendar;

(2) the Committee on Committees referred to in Rule 1(e); or

(3) standing, special, or joint committees when the committee meets during the interim between sessions.

(f) Each standing, special, and joint committee

(1) shall record its meetings electronically and prepare a log of the recording adequate to locate specific testimony;

(2) shall prepare minutes of each meeting of the committee on a standard form prescribed jointly by the Rules Committees of the house and the senate; the minutes shall include

(A) a list of the names of each member present during the meeting;

(B) a list of the name and affiliation of each witness testifying before the committee;

(C) a brief statement of the position of the witness on the subject testified upon; and

(D) each amendment formally considered by the committee, the name of the member moving adoption of the amendment, the action taken on the amendment, and the yeas and nays if a committee member has requested a roll call vote on adoption of an amendment;

(3) shall maintain a chronological file of minutes, copies of which shall be made available upon request to committee members and the public; committee minutes, tapes and other materials of research value shall be delivered by the committee at the end of each session or each legislature to the legislative reference library for appropriate disposition;

(4) may make available to the Legislative Affairs Agency a copy of all minutes of committee meetings during the session for entry of the minutes as a data base on the legislative computer system.

COMMITTEE REFERRAL AND ACTION

RULE 24. COMMITTEE REFERRAL AND ACTION. (a) A committee acts on all bills referred to it and reports its actions and recommendations to the house as soon as practicable. Committee reports must be in writing and the report must be signed by a majority of the members of the committee. The report will note the recommendation of each member signing the report.

(b) When a bill is reported back by a committee without at least one "Do Pass", unless the bill has a subsequent referral or referrals of record, the presiding officer shall put the question "Shall the bill be referred to the Rules Committee for placement on the calendar for second reading notwithstanding the report of the committee(s)?" If the bill has a subsequent referral or referrals of record, the question shall not be put until the last committee has reported and unless all reports are without at least one "Do Pass". The question is debatable and if a majority of the membership of the house votes in the negative, the bill is lost.

(c) If a committee has more than one bill on the same subject or if it finds it necessary to revise a bill substantially, it may report out a substitute bill and recommend that the substitute be accepted for second reading in the place of the original bill. A committee of the second house may not report a committee substitute for a bill or an amendment to a bill that requires a change in the title of the bill, other than a clerical or technical change, as the title was enacted in the house of origin. Substitute bills are duplicated and distributed when they are reported out by the committee. Committee substitute bills carry a notation of the source or sponsor of the original bill in the manner prescribed by the drafting manual unless the sponsor objects to the name so appearing.

(d) All bills involving appropriations, revenues or bonding must be referred to the Finance Committee before they can be advanced to second reading.

STATE OF ALASKA

DEPARTMENT OF EDUCATION

DIVISION OF STATE LIBRARIES AND ARCHIVES

STEVE COWPER, GOVERNOR

ARCHIVES & RECORDS MGT. SERVICES
141 WILLOUGHBY
JUNEAU, ALASKA 99801-1720
PHONE: (907) 465-2270

February 16, 1989

The Honorable Peter Goll
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Goll:

This is in response to your request for comment on House Concurrent Resolution No. 10. Your request was conveyed through Hayden Kaden, Aide to the House Judiciary Committee and Art Peterson, Assistant Attorney General.

The Division of State Libraries and Archives is in support of this Resolution amending the Uniform Rules of the Alaska State Legislature relating to Committee Records. It is an important step towards ensuring that the permanently valuable records of the Legislature are preserved and accessible. Specifically, the Resolution identifies those documents to be included in these Committee files. The result will be more complete files and better research resources for Alaskans.

Further the Resolution provides for these files to be transferred to the Legislative Reference Library at the end of each session or each legislature for "appropriate disposition." Ultimately, in this case "appropriate disposition" is permanent retention in the State Archives. (See attached Records Retention Schedule 31200, transferring these records to the State Archives after six years. See also attached Series Inventory for Records Group 401, Alaska State Legislature and Legislative Agencies).

As you know, Alaska is a state where legislative intent is very important. Legislative records are among the most valuable for legal and research purposes. Not surprisingly, legislative records are one of the two most heavily used records groups in the Archives. Users include the legislature, lawyers, state agencies, and the public in Alaska and the rest of the United States.

I discussed this Resolution with the Legislative Reference Librarian and we have a question concerning the statement, ". . . and other materials of research value." Does this mean that "other materials" are to be included as part of the official committee file or are the "other materials" supporting research documents such as published reports or vertical file materials? In archival terms, if they are official records, they are made or received in the conduct of business. They relate directly to the functions of a committee and documents those functions. These official records should be included in the committee files. If they are not official records, they still may need to be transferred to the Legislative Reference Library, but not as part of the official committee file.

The Alaska State Archives has publications on legislative and archives programs from other states and the federal government. For your information, attached is the Records Management Guide to Legislative Committees (1977?) from the Washington State Archives. To consult other publications or for further information, please contact me at 465-2275.

Sincerely,

A handwritten signature in cursive script that reads "Virginia Newton".

Virginia Newton
State Archivist



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Official Business

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

MEMORANDUM

DATE: January 23, 1988
TO: House Committee Chairs
FROM: Rep. Peter Goll
SUBJECT: Determining materials to be stored for legislative histories

Committee bill histories are considered important in various types of legal cases and are used by legislators to develop legislation on matters which have received prior action.

Recent attempts to obtain bill histories from ^{*the Legislative Affairs Library*} ~~archives~~ have demonstrated that there is no consistency in the storage of committee materials.

The current rule requires that we provide the library with our committee minutes, tapes, and "materials of research value."

As "materials of research value" vary according to the opinion of the committee chair, I am offering on the following page a possible language change for your consideration. It was developed in consultation with Legal Services, and specifies the material considered important to the courts and for legislative research.

*claim experts
in LAA used?
Balanced?*

The following amendment to Rule 23 (f) is written in our normal drafting style with new language underlined, and deleted language in [BRACKETED CAPITAL LETTERS]. Your consideration is appreciated.

The revised Rule 23 (f) would ^{provide} ~~state~~ that ~~the~~ ^{each standing, special and joint} committee:

(3) shall maintain a chronological file of minutes, copies of which shall be made available upon request to committee members and the public; committee minutes, tapes, and if presented to the committee, written testimony, state agency position papers and memoranda, bill drafts, letters of intent, ~~and committee~~ and other materials of research value shall be delivered by the committee at the end of each session of each legislature to the legislative reference library for appropriate disposition;

(4) [MAY] shall make available to the Legislative Affairs Agency a copy of all minutes of committee meetings during the session for entry of the minutes as a data base on the legislative computer system.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

REC
POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

MEMORANDUM

December 9, 1988

SUBJECT: Membership of the legislature
(Work Order No. 6-0330)

TO: Representative Niilo Koponen

FROM: Richard A. Bradley
Legislative Counsel

also
HBY memo
last year
Sen. HESS

I have your request for a constitutional amendment that would unfreeze the membership of the legislature and allow it to vary based on a formula of 5,000 residents of the state to each house election district and two house districts to each senate district. Your proposal would also set maximum (and minimum) limits on the membership of the two chambers.

We were unable to retrieve Representative Bradner's proposal. The records of the legislature prior to 1976 are available but they are not indexed in any fashion. I have accordingly started from scratch.

see law on archives

I regret that it did not seem possible to achieve your goal without going into art. VI, reapportionment. Once I was in the article, it did not seem wise to stop without completing the work that has needed to be done there. While much seems to have been done, as you understand, the article has been substantially reworked in the various opinions of the Alaska Supreme Court since 1964 and that court has frequently noted the obsolescence of articles VI and XIV.

I confess that it would be possible to draft your ideas without addressing the deficiencies of art. VI, simply ignoring the defects, -- but I have not done so in this draft.

If I may be of further assistance, please advise.

Enclosure
RAB:gc
WKG4/121



STATE OF ALASKA
HOUSE OF REPRESENTATIVES

MEMORANDUM

To: Peter
From: Hayden
Re: Archival requirements for legislative history
Date: January 20, 1989

Rule 23(f) of the Uniform Rules requires that each standing, special and joint committee

- (1) tape record its meetings and prepare a log of the recording;
- (2) prepare minutes of each meeting;
- (3) maintain a chronological file of minutes; minutes, tapes and materials of research value shall be delivered to legislative library.

The rule then says that each committee may make available to the Legislative Affairs Agency a copy of all minutes for entry in the legislative computer system.

I feel that it would be helpful to specify exactly what should be kept to establish legislative history under the category of "materials of research value". The following might be considered for such a list:

- (1) written testimony, including letters written to the committee on specific legislation (not p.o.m.'s or personal correspondence);
- (2) research memoranda from committee counsel, Legislative Affairs Legal, the A. G.'s office, agencies, etc.;
- (3) bill drafts circulated to the committee (non-circulated drafts should remain classified);
- (4) letters of intent.

I suggest that Rule 23(f)(3) and (4) be amended to read:

(f) Each standing, special, and joint committee
(3) shall maintain a chronological file of minutes, copies of which shall be made available upon request to committee members and the public; committee minutes, tapes, and, if presented to the committee, written testimony, position papers and memoranda from state agencies and staff, bill drafts, and letters of intent, and other materials of research value shall be delivered by the

committee at the end of each session or each legislature to the legislative reference library for appropriate disposition;

(4) shall [MAY] make available to the Legislative Affairs Agency a copy of all minutes of committee meetings during the session for entry of the minutes as a data base on the legislative computer system.

6-0690E
Cook
2/16/89

Original sponsor: Judiciary Committee

*approved
Peter June*

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 10 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the Uniform
6 Rules of the Alaska State Legislature
7 relating to committee records; and
8 providing for an effective date.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. Rule 23(f) of the Uniform Rules of the Alaska State Legis-
11 lature is amended to read:

12 (f) Each standing, special, and joint committee shall

13 (1) [SHALL] record its meetings electronically and prepare
14 a log of the recording adequate to locate specific testimony;

15 (2) [SHALL] prepare minutes of each meeting of the commit-
16 tee on a standard form prescribed jointly by the Rules Committees of
17 the house and the senate; the minutes shall include

18 (A) a list of the names of each member present during
19 the meeting;

20 (B) a list of the name and affiliation of each witness
21 testifying before the committee;

22 (C) a brief statement of the position of the witness
23 on the subject testified upon; and

24 (D) each amendment formally considered by the commit-
25 tee, the name of the member moving adoption of the amendment, the
26 action taken on the amendment, and the yeas and nays if a commit-
27 tee member has requested a roll call vote on adoption of an
28 amendment;

29 (3) [SHALL] maintain a chronological file of minutes,

1 copies of which shall be made available upon request [TO COMMITTEE
2 MEMBERS AND THE PUBLIC; COMMITTEE MINUTES, TAPES AND OTHER MATERIALS
3 OF RESEARCH VALUE SHALL BE DELIVERED BY THE COMMITTEE AT THE END OF
4 EACH SESSION OR EACH LEGISLATURE TO THE LEGISLATIVE REFERENCE LIBRARY
5 FOR APPROPRIATE DISPOSITION];

6 (4) [MAY] make available to the Legislative Affairs Agency
7 a copy of all minutes of committee meetings during the session for
8 entry of the minutes as a data base on the legislative computer sys-
9 tem;

10 (5) at the end of each session or each legislature, deliver
11 to the legislative reference library a file for each bill considered
12 by the committee that includes committee minutes, tapes, written
13 testimony if submitted for inclusion in the record, state agency
14 position papers and memoranda, bill drafts considered by the commit-
15 tee, and other materials of research value.

16 * Sec. 2. The amendments proposed by this resolution take effect on the
17 convening of the Second Session of the Sixteenth Alaska State Legislature.
18
19
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29

HCR

144

HOUSE COMMITTEE REPORT

5/4

(7)

Date Referred: February 15, 1989

FURTHER REFERRALS: LABOR & COMMERCE
JUDICIARY

Date of Committee Action: _____

The STATE AFFAIRS Committee considered:

HCR 14

HOUSE CONCURRENT RESOLUTION NO. 14

[TORT REFORM TASK FORCE]

Relating to a Liability Insurance Task Force.

RECOMMENDS:

- [] replacing with _____ [] the same title
- [] the attached amendment(s) [] a new title
- [] do pass
- [] do not pass
- [] no recommendation
- [X] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- [X] fiscal impact LAA
- [] zero fiscal note
- [] zero with analysis

APPROVES PREVIOUS:

- [] fiscal note(s) published: _____
- [] zero fiscal notes(s) published: _____

SIGNING DO-PASS:

[Signature] FINKELSTEIN

E.P. Maclean MACLEAN

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

[Signature] HANLEY - No Rec

[Signature] ZAWALSKI - DO NOT PASS
 (Legislators once more pass
 responsibilities on to someone else)

[Signature] NO REC BOUCHER

[Signature]

Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Affected Agency: Legislative Affairs Agency
 Title: Relating to a Liability BRU: Legislative Operating Budget
Insurance Task Force
 Sponsor: Representative Ulmer Components: Legislative Operating Budget
 Requestor: House Judiciary

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY91	FY92	FY93	FY94	FY95	FY96
Personal Services	29.8	0	0	0	0	0
Travel	19.6	0	0	0	0	0
Contractual	3.5	0	0	0	0	0
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	52.9	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	52.9	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	52.9	0	0	0	0	0

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	1	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

It is assumed the Task Force shall begin July 1, 1990 and shall expire January 31, 1991. The administrative and legal services of the Legislative Affairs Agency will be made available to the Task Force. In addition to this staff support, the following is requested to adequately support the Liability Insurance Task Force.

Prepared By: Pamela Stoops, Director *Pamela Stoops* Phone: 465-3850
 Division: Administrative Services Date: 1/22/90

Approved By: Warren Endicott, Executive Director *Warren Endicott*
 Agency: Legislative Affairs Agency Date: 1/22/90

DISTRIBUTION (BY PREPARER)
LEGISLATIVE FINANCE
LEGISLATIVE SPONSOR

REQUESTOR
OFFICE OF MANAGEMENT & BUDGET
AGENCY (IES)

CONTINUATION OF FISCAL NOTE: HCR 14

PERSONAL SERVICES

A staff member is requested for analytical work regarding the increasing insurance costs.

Research Analyst III - Range 18A		
\$3,129 x 7 months =	\$21,903	
\$21,903 x 36% benefits =	\$7,885	
	<u>\$29,788</u>	29.8

TRAVEL

It is anticipated there will be 4 meetings of the Task Force.

4 meetings x 9 members at 2 days each		
airfare - 4 meetings x 9 members = 36 airfares		
36 airfares x 384 =	\$13,824	
per diem - 4 meetings x 9 members = 36		
36 x 2 days per diem = 72		
72 x \$80 =	\$5,760	
	<u>\$19,584</u>	19.6

CONTRACTUAL

Advertising - advertising in local newspapers		
for public notice of meetings =	\$3,500	
	<u>\$3,500</u>	3.5
		<u>52.9</u>

It is assumed that the cost of printing a report, supplies and equipment will be absorbed within the existing budgets of the agency and the Legislative Operating Budget.

HCR

36

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: "Relating to admiralty law
 defenses in the Exxon Valdez Oil Spill."
 Sponsor: Repr. Taylor
 Requestor: House Judiciary

Agency Affected: Department of Law
 BRU: Civil Oil Spill Litigation
 Components: Civil Oil Spill Litigation

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
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	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Peques, Director Phone: 465-3672
 Division: Administrative Services Date: January 9, 1990
 Approved by Commissioner: Richard I. Peques / FOR /
Douglas B. Bailly, Attorney General Date: January 9, 1990
 Agency: Department of Law

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCR 36

House Concurrent Resolution No. 36 urges Exxon to waive legally and publicly any defense that it may have under admiralty or other federal law for a limitation of the liability for the effects and the cleanup of the Exxon Valdez oil spill. The time for filing such a claim under admiralty law has already passed and, thus, an admiralty defense has been waived. A limitation of liability is still possible under the Federal Clean Water Act. Any attempt to limit liability may prevent the state from being fully reimbursed for the full cost for the damages caused by the oil spill, and ultimately increase the state's litigation costs. Such additional costs cannot be predicted at this time.

HCR

50

HOUSE COMMITTEE REPORT

2/20

(7)

Date Referred: February 9, 1990

FURTHER REFERRALS:

JUDICIARY

Date of Committee Action: 2/20/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HCR 50

HOUSE CONCURRENT RES. NO. 50 ENDORSE MARIJUANA INITIATIVE

Endorsing an initiative petition amending laws relating to the possession, use, and display of marijuana that makes possession of less than eight ounces of marijuana a crime.

RECOMMENDATIONS:

- be replaced with CS HCR 50 (HESS) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Date/Dept)

- fiscal impact _____
- zero fiscal note HESS Comm.
- zero with analysis _____
- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

Maui Bay / good C.S.

SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend
<u>Pete Jones</u>		<input checked="" type="checkbox"/>	
<u>Chris Davis</u> <u>unclear about amendments</u>		<input checked="" type="checkbox"/>	
<u>Matthews</u>		<input checked="" type="checkbox"/>	
<u>J. Ellis</u>		<input checked="" type="checkbox"/>	

J. Ellis
Chairman's Signature

HCR 50 - SUPPORTING INITIATIVE PETITION RELATING
TO THE POSSESSION, USE AND DISPLAY OF MARIJUANA

TABLE OF CONTENTS

- I. Petition Statistics Report 88MARI

- II. District 9 1990 Survey Results
(Recriminalize Marijuana)

- III. District 15 1990 Survey Results
(Recriminalize Marijuana)

- IV. Hellenthal & Associates, Inc.
January 1990 Survey
(Legality of Marijuana in the Home)

Rep. Hanley

7

VREMS TIME: 08:40
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 88HAR1

DATE: 01/24/90
PAGE: 1

ID: 88HAR1
TYPE: INITIATIVE

HABET INITIATIVE PETITION RELATING TO REPEAT OF PERSONAL USE OF MARIJUANA

DATE APPLICATION RECEIVED: 12/19/88 DATE APPLICATION CERTIFIED: 04/03/89 DATE-PETITION CERTIFIED: 11/27/89

DATE BOOKLETS DISTRIBUTED: 04/20/89 LAST DATE PETITION CAN BE RECEIVED: 04/20/90

SPONSORING GROUP NAME: MARIE G. MAJESKE
ADDRESS: 4002 KINGSTON DRIVE
ANCHORAGE, AK 99504
333-0717

JURISDICTION RESTRICTED TO HOUSE DISTRICT:
JURISDICTION RESTRICTED TO SENATE DISTRICT:
JURISDICTION RESTRICTED TO JUDICIAL DISTRICT:
JURISDICTION RESTRICTED TO MINOR POLITICAL SUBDIVISIONS:

NUMBER OF VOTES CAST IN PREVIOUS GENERAL ELECTION WITHIN JURISDICTION: 203433

COMMENTS: LINDA ADAMS, P.O. BOX 7171, KETCHIKAN; GARRY HUTCHISON, 367 LEANN, FBKS

SPONSOR TOTALS

TOTAL QUALIFIED	920
AUTO	1
MANUAL	919
TOTAL UNQUALIFIED	18
DUPLICATE	0
NOT IN JURISDICTION	0
INACTIVE	0
NOT REGISTERED	12
ADDRESS NOT PROVIDED	0
UNABLE TO IDENTIFY	6
NOT YET PROCESSED	0
OTHER	0
TOTAL WITHDRAWN	0

VREMS TIME: 08:40
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 88MARI

DATE: 01/24/90
PAGE: 19

ID: 88MARI
TYPE: INITIATIVE

NAME: INITIATIVE PETITION RELATING TO REPEAL OF PERSONAL USE OF MARIJUANA

TOTAL BOOKLETS ISSUED: 1030
TOTAL BOOKLETS RECEIVED: 497
TOTAL BOOKLETS ENTERED: 369

TOTAL SIGNATURES REQUIRED: 20343
TOTAL QUALIFIED: 21439
TOTAL UNQUALIFIED: 7568
TOTAL POTENTIAL SIGNATURES: 42408
TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 27
NUMBER OF DISTRICTS REQUIED: 16
NUMBER OF DISTRICTS WITH SIGNATURES: 27

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	2080
2	383
3	297
4	1875
5	467
6	283
7	558
8	1417
9	1584
10	1073
11	679
12	570
13	819
14	1426
15	1254
16	1086
17	279
18	1334
19	946
20	1510
21	860
22	238
23	201
24	149
25	161
26	59

VREMS TIME: 08:40
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTION
PETITION STATISTICS REPORT FOR PETITION - 88MARI

DATE: 01/24/90
PAGE: 20

ID: 88MARI
TYPE: INITIATIVE

NAME: INITIATIVE PETITION RELATING TO REPEAL OF PERSONAL USE OF MARIJUANA

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

27 33

Rep. Alyce Hanley and Rep. Loren Lemman 1990 LEGISLATIVE QUESTIONNAIRE

MARIJUANA

RECRIMINALIZE MARIJUANA

Alaska is the only state to allow possession and personal use of marijuana by adults in their homes. In 1989 a citizen effort gathered enough signatures to place the question of changing Alaska's marijuana law on the 1990 ballot.

If the ballot proposition passes, the 4 ounces now allowed would become a class B misdemeanor. Should marijuana be illegal?


YES	746	NO	375	UNDECIDED	74
	6370		3190		690

1195 received for Dist 9

RANDY PHILLIPS
 State Representative
 P.O. Box 770142
 Eagle River, Alaska 99577
 (907) 694-4949

1990 Report to the People

REP. RANDY PHILLIPS
Alaska House of Representatives



While in Session:
 P.O. Box V
 Juneau, Alaska 99811
 (907) 465-4949

1990 LEGISLATIVE QUESTIONNAIRE

THANK YOU FOR PARTICIPATING IN MY 1990 LEGISLATIVE QUESTIONNAIRE. OF THE 10,800 QUESTIONNAIRES MAILED, 1,741 OR 16.1% WERE RETURNED. THE RESULTS ARE INDICATED BELOW. PERCENTAGES EXPRESSED IN EACH ANSWER REPRESENT A PERCENT OF THE TOTAL ANSWERING THAT QUESTION AND NOT A PERCENT OF THE TOTAL RETURNED.

1. ABORTION

Last year the United States Supreme Court in Webster v. Reproductive Health Services ruled that state legislatures could restrict abortions.

A. Should Alaska restrict a woman's access to abortions? YES 34% NO 66% 1733 TOTAL ANSWERS

B. Should the state spend state general fund dollars to provide abortions for women who are eligible for state public assistance programs? YES 43% NO 57% 1697 TOTAL ANSWERS

2. MARIJUANA

The Alaska Supreme Court, in the 1975 Ravin case (which was decided based, in part, upon the 1972 voter-approved constitutional amendment regarding right to privacy), allowed the possession by an adult of up to 4 ounces of marijuana in one's own home. However, possession of any amount is prohibited by current federal law. There are proposals before the legislature concerning the recriminalization of marijuana as well as a petition question which will be placed on the 1990 ballot.

Should the possession and/or use of up to 4 ounces of marijuana in one's own home be legal or illegal in Alaska?

LEGAL 32% ILLEGAL 68% 1719 TOTAL ANSWERS

3. EDUCATIONAL ENDOWMENT FUND

Governor Cowper has proposed a constitutional amendment that, beginning in 1991, would dedicate at least 40% of the earnings of the Permanent Fund to be placed into an Educational Endowment Fund. Income earned from the Educational Endowment Fund would be appropriated to fund public elementary and secondary education in Alaska.

This endowment would have an impact on the Permanent Fund earnings, which provides for inflation-proofing of the Permanent Fund and the amount of Permanent Fund dividends paid to Alaskans. By the year 2000, the absence of inflation-proofing would reduce the Permanent Fund value by approximately 25%. The projected individual Permanent Fund Dividend check with and without the Educational Endowment Fund would be:

Year	Without Endowment	With Endowment
1995	\$1,038	\$ 982
2000	\$1,390	\$1,074
2005	\$1,733	\$1,075

Should the Educational Endowment Fund be adopted? YES 27% NO 73% 1701 TOTAL ANSWERS

HELLENTHAL & ASSOCIATES, INC.



INTRODUCTION AND METHODOLOGY

This report presents an analysis of a survey of Alaskan adults. The survey measured properties of Alaskan residents' demographics, and behaviors and attitudes. Research typically involves estimating the characteristics of a designated population. Because of the costs of conducting a census of all items in a population, and the adequacy of sample results, sample statistics were used to make statistical inferences concerning population parameters.

Six hundred and six (606) Alaskan adults were interviewed between January 19th and January 29th, 1990. Interviewing was conducted by telephone on a random digit basis. All Alaskan adults — within the survey universe — who are accessible by telephone, had an equal chance of being interviewed. The areas of Alaska surveyed were as follows:

AREA	FREQUENCY	PERCENT	MARGIN OF ERROR
Southeast.....	75.....	12.5%.....	± 11.32%
Valdez-Kenai-MatSu.....	96.....	15.8%.....	± 10.00%
Anchorage.....	267.....	44.1%.....	± 6.00%
Greater Fairbanks.....	89.....	14.6%.....	± 10.39%
Rural/Bush.....	79.....	13.8%.....	± 11.03%
TOTALS.....	606.....	100.0%.....	± 3.98%

At a 95% confidence level, the empirical proportions reported in this survey can be projected, within plus or minus 3.98%, to the entire Alaskan population of adults — aged 18 and over. This means one can be 95% sure that the frequencies reported in this survey are within 4.0% of the true Alaskan adult population proportions.

The following is an analysis of certain specialized tables concerning various Alaskan issues, images, attitudes, people, and behaviors by various subgroups of the population. The computer printouts accompanying this report should be consulted for a complete portrayal.

SECTION II:

LEGALITY OF MARIJUANA IN THE HOME

BY

POLITICAL AND GENERAL

DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

LEGALITY OF MARIJUANA IN THE HOME AMONG ALL ADULTS
BY
POLITICAL AND GENERAL DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

ROW PERCENTS
JANUARY 19TH THROUGH JANUARY 29TH, 1990
SAMPLE SIZE = 606; MARGIN OF ERROR = + OR - 3.98%

	LEGALITY OF MARIJUANA IN THE HOME:			TOTAL COL %
	Legal	Illegal	Un- cided	
AREA				
Southeast.....	35.0%	61.9%	3.1%	12.5%
Valdez-Kenai-MatSu.....	38.9%	59.9%	1.2%	15.8%
Anchorage.....	42.4%	55.2%	2.5%	44.1%
Fairbanks Area.....	40.5%	58.1%	1.4%	14.6%
Rural Alaska.....	24.1%	75.9%		13.0%
SENATE DISTRICTS IN ALASKA:				
Sen. Dist. A (Ketchikan).....	33.6%	61.0%	5.4%	3.6%
Sen. Dist. B (Haines & Sitka).....	37.0%	63.0%		3.7%
Sen. Dist. C (Juneau).....	34.5%	61.7%	3.8%	5.1%
Sen. Dist. D (Kenai).....	43.9%	52.9%	3.1%	6.3%
Sen. Dist. E (Cordova & Mat-Su).....	39.3%	59.3%	1.4%	11.5%
Sen. Dist. F (Hillside & Midtown).....	39.2%	56.4%	4.4%	13.2%
Sen. Dist. G (Sandlake & Spenard).....	38.5%	61.5%		8.8%
Sen. Dist. H (Downtown & Muldoon).....	52.3%	44.2%	3.5%	10.0%
Sen. Dist. I (East Anc. & Eagle River).....	36.9%	63.1%		10.0%
Sen. Dist. J (Delta & North Pole).....	43.3%	56.7%		5.1%
Sen. Dist. K (Fairbanks & University).....	39.1%	58.9%	2.1%	9.5%
Sen. Dist. L (Barrow & Nome).....	10.2%	89.8%		4.2%
Sen. Dist. M (Fort Yukon & Bethel).....	36.6%	63.4%		4.4%
Sen. Dist. N (Dillingham & Kodiak).....	24.9%	75.1%		4.4%
TOTAL ROW PERCENT.....	38.2%	59.9%	1.9%	100.0%

LEGALITY OF MARIJUANA IN THE HOME AMONG ALL ADULTS
BY
POLITICAL AND GENERAL DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

ROW PERCENTS
JANUARY 19TH THROUGH JANUARY 29TH, 1990
SAMPLE SIZE = 606; MARGIN OF ERROR = + OR - 3.98%

	LEGALITY OF MARIJUANA IN THE HOME:			TOTAL COL %
	Legal	Illegal	Unde- cided	
REGISTERED TO VOTE?				
Yes.....	37.5%	60.7%	1.8%	85.2%
No.....	42.6%	55.2%	2.2%	14.8%
PARTY AFFILIATION:				
Democrat.....	40.9%	55.3%	3.8%	10.7%
Republican.....	30.5%	69.5%		27.5%
Libertarian.....	67.0%	33.0%		2.3%
Independent.....	40.2%	57.6%	2.3%	51.5%
VOTED IN 1986 GENERAL STATE ELECTION?				
Yes.....	36.0%	62.1%	1.9%	67.7%
No.....	42.9%	55.3%	1.8%	32.3%
VOTED IN 1988 GENERAL STATE ELECTION?				
Yes.....	35.2%	62.9%	1.9%	69.4%
No.....	45.0%	53.1%	1.9%	30.6%
STATE ELECTION VOTING BEHAVIOR:				
1986 Only.....	42.4%	57.6%		6.4%
1988 Only.....	34.4%	65.6%		8.1%
Both 1986 and 1988.....	35.4%	62.5%	2.1%	61.3%
Neither.....	45.8%	51.9%	2.4%	24.2%
IDEOLOGY OF RESPONDENT:				
Liberal.....	55.5%	41.9%	2.6%	37.1%
Moderate.....	37.0%	60.2%	2.8%	19.4%
Conservative.....	24.1%	75.1%	.8%	43.5%
INTEREST IN POLITICAL CAMPAIGNS:				
Very interested.....	37.0%	59.2%	3.8%	29.2%
Somewhat interested.....	36.5%	62.4%	1.2%	52.4%
Not very interested.....	45.3%	53.8%	.9%	18.4%
TOTAL ROW PERCENT.....	38.2%	59.9%	1.9%	100.0%

Original sponsor(s): REP. HANLEY, Martin, Hoffman, Barnes, Furnace, Leman, Hudson, Jacko, Miller, C.Davis, Collins, Boucher, Pettyjohn, Phillips, Rieger, Sharp, Shultz, Swackhammer, Taylor, Zawacki, Menard, Foster

1 IN THE HOUSE

BY THE HESS COMMITTEE

2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 50 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Endorsing the initiative process and
6 supporting the people's right to vote on
7 laws making possession, use, and display
8 of less than eight ounces of marijuana a
9 class B misdemeanor.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 WHEREAS more than 42,000 individuals in Alaska have exercised their
12 constitutional right and have signed a petition to put before the voters
13 the question of whether use, display, or possession of less than eight
14 ounces of marijuana by an adult should be made a class B misdemeanor; and

15 WHEREAS Alaska statutes, along with the statutes of 38 other states,
16 do not conform to the Federal Controlled Substance Act with respect to the
17 scheduling of offenses related to the possession, use, and display of
18 marijuana; and

19 WHEREAS Alaska is the only state in the United States that allows
20 adults ^{over 19} up to four ounces of marijuana for personal use in the home without
21 criminal penalty, although six other states do not impose criminal pen-
22 alties for possession of less than one ounce of marijuana; and

23 WHEREAS, based on the right to privacy section of the Alaska constitu-
24 tion, the Alaska Supreme Court has determined that possession of marijuana
25 by an adult in the home for personal consumption is constitutionally pro-
26 tected; and

27 WHEREAS, because of publicity about the supreme court's decision,
28 Alaska's youth may conclude that, under current law, possession and use of
29 marijuana constitutes legal behavior when, in fact, under current federal

1 and state law, possession of marijuana by persons under 19 years of age is
2 a crime; and

3 WHEREAS, while the possession of marijuana by persons under 19 years
4 of age is illegal, possession of marijuana by adults in the home may cause
5 marijuana to be more accessible to persons under 19 years of age; and

6 WHEREAS the Alaska Association of Student Governments has adopted
7 resolutions at two statewide conferences urging the legislature to amend
8 the current marijuana law to make the possession and use of less than four
9 ounces of marijuana illegal; and

10 WHEREAS the Alaska Federation of Natives, several local governments,
11 and several school districts and educational organizations across the state
12 have passed resolutions encouraging the recriminalization of marijuana; and

13 WHEREAS the use of marijuana may impair visual tracking and depth
14 perception and may reduce coordination, reaction time, and vigilance,
15 making it dangerous to drive, fly, or operate machinery; and

16 WHEREAS the President of the United States has called upon government
17 at all levels to enact laws and provide mechanisms to solve the problem of
18 drug abuse in our country;

19 BE IT RESOLVED that the Sixteenth Alaska State Legislature joins
20 Alaskans statewide in supporting the initiative process and thereby sup-
21 ports the people's right to vote on the initiative question making posses-
22 sion, use, and display of less than eight ounces of marijuana illegal a
23 class B misdemeanor.

24 COPIES of this resolution shall be sent to the Honorable Myra M.
25 Munson, commissioner of health and social services; the Alaska Peace Offi-
26 cers Association; Citizens Coalition for the Recriminalization of Mari-
27 juana; Alaskans for Drug Free Youth; the Alaska Federation of Natives; the
28 Alaska Association of Student Governments; to each school board of a school
29 district; and to the Honorable Ted Stevens and the Honorable Frank
CSHCR 50(HESS)

1 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
2 members of the Alaska delegation in Congress.
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HJR

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HOUSE COMMITTEE REPORT

(7)

Date Referred: January 27, 1989

FURTHER REFERRALS:

Date of Committee Action: APRIL 7, 1989

The JUDICIARY Committee recommends that:

HOUSE JOINT RESOLUTION NO. 1

[LEGISLATIVE MEETINGS OPEN TO PUBLIC]

Proposing an amendment to the Constitution of the State of Alaska relating to open meetings.

be replaced with CSHJR 1 (JUD) the same title a new title

have attached amendment(s)

- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact
- ~~zero~~ zero fiscal note
- zero with analysis

APPROVES PREVIOUS:

- fiscal note(s) published: _____
- zero fiscal notes(s) published: _____

SIGNING DO PASS:

Peter J. See

Mr. Greenberg

Alvin Davis

Ed Ellis

Fleury Martin

Michael Miller

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

Peter J. See

 Chairman's signature

Original sponsors: Brown, Ellis,
Boucher, et al.

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 1 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the Constitu-
6 tion of the State of Alaska requiring
7 that the meetings of each house of the
8 legislature and its committees be open
9 to the public unless meeting in execu-
10 tive session to consider matters author-
11 ized by law.

12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 * Section 1. Article I, Constitution of the State of Alaska, is amended
14 by adding a new section to read:

15 SECTION 24. MEETINGS OPEN. The meetings of each house of the
16 legislature and its committees shall be open to the public unless
17 meeting in executive session to consider matters authorized by law.
18 The legislature may implement this section.

19 * Sec. 2. The amendment proposed by this resolution shall be placed
20 before the voters of the state at the next general election in conformity
21 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
22 tion laws of the state.

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STATE OF ALASKA
THE LEGISLATURE

POUCHY STATE CAPITAL
JUNEAU ALASKA 99801
907 465 3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 22, 1989

SUBJECT: Open meetings
(CSHJR 1(State Affairs))

TO: Representative Kay Brown

FROM: Richard A. Bradley
Legislative Counsel 

You have advised me that there has been a proposal to delete Section 24(b) and (c) from the proposed constitutional amendment in HJR 1. The existing provisions of Section 24(a) and (d) would then presumably be combined into a single section.

You have asked that I comment on the ability at that time, if the amendment is adopted, of the Supreme Court to enforce the open meetings requirements against the legislature and its members.

My understanding of the enforcement is that the judiciary would be authorized to fashion orders directing that meetings be open and fining members for violations of the constitutional provision or orders of the court.

I believe that the enactment of a version of HJR 1 that essentially established the right [as under Section 24(a) of CSHJR 1(State Affairs)] responds to the language of the Supreme Court's opinion in Abood v. League of Women Voters, 743 P.2d 333 (Alaska 1987).

The superior court held that these claims were nonjusticiable because "[j]usticiability in this case depends upon a determination that there is a constitutional right alleged to have been infringed." (Emphasis by court.) As a general proposition, we agree.

* * *

Representative Kay Brown
Page 2
March 22, 1989

The League asserts that the Legislators have violated both the Uniform Rule and the Open Meetings Act. If they have, to hold that these claims are justiciable places the judiciary in direct conflict with the legislature's constitutionally authorized rulemaking prerogative. We agree with the Florida Supreme Court that it is the legislature's prerogative to make, interpret and enforce its own procedural rules and the judiciary cannot compel the legislature to exercise a purely legislative prerogative. [Citation omitted.] As we stated in Malone, "except in extraordinary circumstances, as where the rights of persons who are not members of the legislature are involved, it is not the function of the judiciary to require the legislature to follow its own rules." 650 P.2d at 359. In support of this proposition, we cited United States v. Smith, 286 U.S. 6, 33 (1932), where the Court discussed the rule that the only justiciable limitations on a legislative body's power to adopt rules of its proceedings are that the body

may not by its rules ignore constitutional restraints or violate fundamental rights, and there should be a reasonable relation between the mode or method of proceeding established by the rules and the result which is sought to be obtained. But within these limitations all matters of method are open to the determination of the house

* * *

If there were allegations that the legislature, acting pursuant to or in violation of one of its rules of procedure, had infringed on the rights of a third person not a member of the legislature as in Smith, or had ignored constitutional restraints or violated fundamental rights, then the "exceptional circumstances" exception to the rule of nonjusticiability would come into play. None of these factors are involved in this case, however, and there is no basis for employing the "exceptional circumstances" exception. 743 P.2d at 336, 338, and 339.

Since the goal of HJR 1 is to create constitutional rights, the court should enforce those provisions if they are violated once they are made constitutional.

If I may be of further assistance, please advise.

RAB:gc:kb
WKG8/065

HOUSE COMMITTEE REPORT

(5)

Date Referred: January 9, 1989

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: _____

The STATE AFFAIRS Committee recommends that:

HOUSE JOINT RESOLUTION NO. 1 [LEGISLATIVE MEETINGS OPEN TO PUBLIC]
Proposing an amendment to the Constitution of the State of Alaska relating to open meetings.

be replaced with Committee Substitute HJR1 the same title
 a new title

have attached amendment(s)

- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact
- zero fiscal note
- zero with analysis

APPROVES PREVIOUS:

fiscal note(s) published:

zero fiscal notes(s) published:

1/9/89 Gov. Office

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

[Signature]

Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Office of the Governor
 Title: Const. Amend.- Open Meetings BRU: Division of Elections
 Sponsor: Brown Components: I Elections
 Requestor: Brown

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	-0-	2.2*	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	2.2*	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	2.2*	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	2.2*	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

* Costs included cover 2 to 3 pages in each Official Elections Pamphlet, for printing and typesetting, and costs estimated to cover computer program-ing requirements for vote (Continued)

Prepared by: Linda Edgeworth Phone: 455-4611
 Division: Elections Date: 1/17/89
 Approved by Commissioner: [Signature] Date: 1/17/89
 Agency: Division of Elections

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HJR 1

counting purposes. However, these costs are based on the assumption that all candidates and issues will fit on three ballot cards, which is the norm. It should be noted, however that should the inclusion of this issue require a 4th ballot to be printed, the cost increase would have to be calculated at 16 cents per ballot x approximately 320,000 voters. The total cost of printing the additional ballot card would be \$51.2.

Under these circumstances the fiscal note would be:

53.4

3125-11-11-1989 Item 3
Aug

By Brown, Ellis, Boucher, Cotten
Donley, Ulmer, M. Davis, Koponen
and Navarre

Prepared by:
Rep. Kay Brown
January 19, 1989

HJR 1: Proposing an amendment to the Constitution of the State of Alaska relating to open meetings.

HJR 1 proposes to amend the State Constitution by:

- mandating legislative adherence to the Open Meetings Act
- providing for court enforcement in the instance of a violation
- requiring that the discussions and debates of the legislature or a committee of the legislature be open unless the house of the legislature or a committee is meeting in executive session to consider matters authorized by law
- prohibiting a quorum of a house of the legislature or a committee of the legislature from engaging in private and substantive discussions and debates on legislation under its jurisdiction
- providing for a civil fine for a wilful violation, and other sanctions authorized by law.

HJR 1 includes intent language making it clear that this amendment is not intended to prevent the free flow of ideas among legislators or their participation in public forums, community events, site visitations, or social events. It intends to make openness in government the rule and secrecy the exception, and ensures that the public is not excluded during the substantive deliberative and decision-making stages of the budgetary and lawmaking process.

Item 4
my

2 lawmakers argue case for open meetings amendment

Amendment would protect the public's right to know

By SEN. ARLISS STURGULEWSKI

Alaska's Open Meeting Act states "All meetings of a legislative body ... are open to the public ..." If members of the Anchorage Assembly, the Bristol Bay Borough Assembly, or the Ketchikan City Council meet to discuss legislative matters the meeting has to be public.

The law clearly applies to the legislature also, but the way Alaska's Constitution is constructed there can be no enforcement against the legislature. The legislature says, "Do as we say, not as we do." Hypocritical? You bet, but also very comfortable for some.

The legislation which Rep. Brown introduced in the House and I introduced in the Senate last year would amend the Constitution to prohibit private and substantive debate on legislation by a quorum of either house or a committee of the legislature. Legislators could be personally subject to civil fine for violations, but legislation could not be invalidated.

The amendment makes a proper exception for executive sessions for consideration of confidential material. It also specifies that

the courts may not prescribe rules or procedures for the conduct of legislative business.

Certainly any change to a Constitution should be made with great thought and care, yet one of the beauties and strengths of our form of government is that our constitutions are living, growing documents. Since statehood, the Alaska Constitution has been amended 18 times to clarify and protect our rights. The public should be guaranteed the right to know what their representatives and senators are doing when a quorum of them meet to work on legislation.

I have no problem with making my stands in public. This is the least that people deserve from their legislators.

For next session I have already prefilled Senate Joint Resolution No. 1 - "Proposing an amendment to the Constitution of the State of Alaska relating to open meetings."

This is an issue of fundamental importance to Alaska, and with your support we can amend our state Constitution and enure the public's right to participate in their own government.

Sen. Arliss Sturgulewski represents midtown and South Anchorage in the state Senate.

Public need for access has never been more critical

By REP. KAY BROWN

When the Alaska Supreme Court ruled last year on the open meetings lawsuit brought against the legislature by the League of Women Voters and two newspapers, the court decision highlighted a crucial flaw in our state Constitution. While there was no dispute that violations had occurred, the Supreme Court ruled that it was powerless under the Constitution to enforce the state's Open Meetings Act against the legislature.

In the *League vs. the Alaska Legislature* case, there was no argument that secret closed-door meetings were held during the 1986 legislative session in violation of the Open Meetings Act. However, because the Alaska Constitution currently does not expressly provide the court jurisdiction to enforce the law with regard to the legislature, the court ruled that it could not require the legislature to obey the law.

Openness is the foundation of effective democratic representation - without access to legislative meetings there can be no accountability. It is essential for the public

and press to be able to follow and understand the issues debated and decided by the legislature - not only to know what happens, but also how and why specific decisions are made.

That's why Sen. Arliss Sturgulewski and I sponsored constitutional amendments last legislative session that would guarantee the public's right of access to the legislative deliberations. House Joint Resolution 44 passed the House with overwhelming support. Although HJR 44 cleared three of its Senate committee referrals, the resolution died in the Senate Rules Committee without a vote of the full Senate.

Decisions made in Juneau are of vital interest to all Alaskans as the state comes to terms with declining revenues. I will continue working to secure passage of an amendment to guarantee the public's right of access to legislative debate. Until such an amendment is adopted, the legislature will be free to meet at will behind closed doors in violation of the Open Meetings Act, but beyond the reach of the courts.

Rep. Kay Brown represents downtown Anchorage in the state House.

Item 5
Orig



January 19, 1989

Representative Kay Brown
Alaska State Legislature
P.O. Box 1
Juneau, Alaska 99811

Dear Representative Brown:

The Alaska League of Women Voters strongly support HJR 1, proposing an amendment to the Constitution of the State of Alaska relating to open meetings. As you must know, our belief is strong that the deliberations and the decision making of the Legislature and its constituent groups must be done in full public view. We believe in it so strongly that we are working with other interested groups to launch an initiative campaign. The process of placing the initiative on the ballot for a vote of the people will be a healthy one. It will provide an opportunity for public debate and then for voters to say whether they believe public access to legislative meetings should be guaranteed in the Constitution of the State of Alaska.

The League of Women Voters asks you to give the people of Alaska the opportunity to make that decision. Thank you.

Sincerely,

Charlotte Fox (by 213)

Charlotte Fox
President

Item 6



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Official Business

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

MEMORANDUM

TO: Representative Kay Brown

FROM: Representative Eileen P. MacLean, Chairman *for EPRM*
House Community and Regional Affairs

DATE: January 23, 1989

RE: HJR 1

I would like to offer the attached as a friendly amendment to HJR 1. I feel this change would clarify language for purpose of interpretation. The amendment was developed based on the definition of "private and substantive discussions and debates," you provided in testimony to the State Affairs Committee. I would welcome your comments on the proposed amendment.

A M E N D M E N T

OFFERED IN THE HOUSE

BY MACLEAN

TO: HJR 1

Page 1, lines 16 - 17:

Delete "private and substantive discussions and debates"

Insert "formal or informal discussions that lead to agreements, promises, or votes"


STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 28, 1989

SUBJECT: Open meetings: CSHJR 1()
TO: Representative Kay Brown
FROM: Richard A. Bradley
Legislative Counsel 

Roxanne Turner has requested a committee substitute, sponsor blank, that does two things:

(1) It deletes subsections (b) and (c) from earlier versions and combines (a) and (d).

(2) It adds into (a) all the entities described in AS 44.62.310.

The enclosed draft achieves these goals.

Note the general revision of the amendment and its accompanying language. While I have not used the laundry list located within AS 44.62.310(a), I consider that unnecessary. What has been included is each "administrative body of the executive or of a municipality." With the authorization to "implement" the constitutional provision, the legislature would proceed to define those covered by the amendment as necessary.

I consider the term "administrative body" to describe a "plural executive", that is, a board or commission but not, for example, the head of each principal department.

But let me suggest that with the addition of executive branch agencies or municipal agencies to the amendment, the thrust of the amendment is slightly weakened.

The Supreme Court has never doubted that AS 44.62.310 applied to executive agencies or to municipalities. The leg-