

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672  
6145 HOUSE STATE AFFAIRS

599

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE NAVARRE

NAME: RICHARD ROSS  
TITLE: CHIEF OF POLICE  
ADDRESS: 107 S. WILLOW ST  
CITY: KENAI, ALASKA  
PHONE: 283-7879

ZIP: 99611

BILL NO: HJR 7

SUBJECT: RIGHT TO KEEP AND BEAR ARMS

MESSAGE: REQUEST THAT YOUR COMMITTEE NOT MOVE THIS RESOLUTION UNTIL IT HAS RECEIVED THOROUGH LEGAL REVIEW. THE CONCERN BEING THAT THE MINIMAL STATUTORY REGULATION CURRENTLY PLACED ON FIREARMS POSSESSION (IE FELON IN POSSESSION; POSSESSION ON LICENSED PREMISES; WHILE INTOXICATED; OF ILLEGAL WEAPONS; CONCEALED WEAPONS) MAY BE JUDICALLY NULLIFIED IF ADOPTED.

POMID: 13143834  
DATE: 01/17/89  
TIME: 14:38:34  
LIONAME: SOLDOTNA LIO

COPIES: REPRESENTATIVE    SENATOR  
         SWACKHAMMER        FISCHER

*Copy Rep. Go!!*

AMENDMENT

By Spohnholz

Suggested Language for HJR 7:

SECTION 19. RIGHT TO KEEP AND BEAR ARMS. The individual [A WELL-REGULATED MILITIA BEING NECESSARY TO THE SECURITY OF A FREE STATE, THE] right [OF THE PEOPLE] to keep and bear arms for lawful purposes shall not be denied or infringed, except that the manner of keeping and bearing arms may be regulated by law.

b. Example / Checklist Contact Sheet

LEGISLATIVE SPONSOR: HOUSE State Affairs

TC DATE/DAY: Tues Feb 7

Pub. Hear Work Ses. Inv. Hear

TIME: 8:45-9:15

LEGISLATIVE REFERENCE: HTR9

JUNEAU ROOM: C-102

SUBJECT: Right to Keep & Bear Arms

BRIDGE: \_\_\_\_\_

# OF PORTS: \_\_\_\_\_

CONTACT: Ann PH: 4931

DATE TAKEN/BY: Becky Ann 2/3/89

\*\*\*\*\*

TELECONFERENCE SITES:

LIO'S

LTC'S

VTS'S

- Anchorage
- Barrow \*
- Bethel
- Delta Junction \*
- Dillingham \*
- Fairbanks
- Glennallen \*
- Juneau
- Ketchikan
- Kodiak
- Kotzebue
- Mat-Su
- Nome
- Petersburg \*
- Sitka
- Soldotna
- Valdez \*

- Homer
- Wrangell

See List on Reverse Side

Seward -  
Louis Benardino  
224-3338

ALL LIO'S

OTHER SITES WELCOME WITH PRIOR NOTIFICATION

call ins from Duane Udland  
786-8552

OFFNETS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHAIRING SITE: Juneau

CHAIRPERSON: Pep Boucher

[ ] CONFORMS TO LEGISLATIVE COUNCIL POLICY 4/85

\_\_\_\_\_  
SIGNATURE OF SPONSOR/CONTACT PERSON

\_\_\_\_\_  
DATE

\*\*\*\*\*

SPECIAL INSTRUCTIONS

Increasing SCRIO



Official Business

**COMMITTEE:**

HOUSE STATE AFFAIRS

**DATE:** 2/7/89

**SIGN-IN**

**Subject of meeting:**

SCR 10

HJR 7

NAME	ADDRESS	PHONE	REPRESENTING	If testifying, which Bill #?
✓ Jeff Morrison	PO BOX L Juneau	465-4600	DMVA	
✓ Laurie Otto	PO BOX KC	3428	Law	HJR 7
✓ GAYLE HORETSKI	BOX N, JUN.	4322	DPS	HJR 7
BARBARA	MIKLOS Box N Jun.	4356	ADUSA	Obseup. HJR 7
✓ PAUL GRANT	217 2nd # 204 Jun	6-2701	ACLU / SELF	HJR 7
Kate Teser			Frank Wilson	
✓ Pats Anderson	9416 Long Run Dr., JUNEAU	9-7422	NRA	HJR-7
Tom Somerville	Juneau	9-3450	POC	HJR 7

HJR

12

**HOUSE COMMITTEE ON STATE AFFAIRS**

**RECAP OF  
HJR 12**

*Legislative Confirmation: Public Corp. Board*

Received January 12, 1989  
by The Labor and Commerce Committee

Heard February 9, 1989

Passed Out of Committee February 9, 1989  
4 Do Pass  
3 No Recommendation

## **TABLE OF CONTENTS**

### **HJR 12: Leg. Confirmation: Public Corporation Board**

- Item 1:** HJR 12 by The Labor and Commerce Committee
- Item 2:** Fiscal Note and Analysis
- Item 3:** Memorandum from House Labor and Commerce Committee, January 10, 1989



NOT MANDATORY, BUT LEG MAY CONFIRM

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2

HOUSE JOINT RESOLUTION NO. 12

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

Proposing an amendment to the Constitu-  
tion of the State of Alaska relating to  
legislative confirmation of the board  
members of public corporations of the  
state.

6

7

8

9

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

11 \* Section 1. Article III, sec. 26, Constitution of the State of Alaska,  
12 is amended to read:

13 SECTION 26. BOARDS AND COMMISSIONS. When a board or commission  
14 is at the head of a principal department, [OR] a regulatory or quasi-  
15 judicial agency, or a public corporation established by law, its  
16 members shall be appointed by the governor, subject to confirmation by  
17 a majority of the members of the legislature in joint session, and may  
18 be removed as provided by law. They shall be citizens of the United  
19 States. The board or commission may appoint a principal executive  
20 officer when authorized by law, but the appointment shall be subject  
21 to the approval of the governor.

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

SOME STATUTES GIVE LEG POWER TO CONFIRM/CONF.  
P.C. NOT AROUND WHEN CONF.  
1) DO LEG HAVE POWER NOW?  
2) IF CONF SPECIFY THIS IN CONF.

put it before the voters -

## MENARD

P.P. STANDPOINT - GOOD PROPOSAL.

## ZUSACKI

ARMS LENGTH - POLITICAL -  
SEPARATION - OUT OF LEADERS -  
RESTRICT

JIM CAMPBELL - REMOVED BY GOVT  
ON N.P.F.

## SPONKOFF

### DOWLING

Really innovative these positions,  
FROM PUBLIC/LEG scrutiny

quasi leg courtlike organizations

### HAWLEY

PUBLIC CORP = what is definition?

STATE FUNDING IS INVOLVED?

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Amend. to Constitution - Legisla-  
tive Confirmation of members of public corp.  
Sponsor: Labor and Commerce Committee  
Requestor: Labor and Commerce Committee

Agency Affected: Office of the Governor  
BRU: Division of Elections  
Components: I Elections

**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						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>2.2*</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-0-	-0-	2.2*	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>2.2*</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**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 programming requirements for vote (Continued)

Prepared by: Linda Edgeworth Phone: 465-4611  
Division: Elections Date: \_\_\_\_\_

Approved by Commissioner: *Sandra Steut* Date: 2/7/89  
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 12**

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

# HOUSE LABOR AND COMMERCE COMMITTEE

ALASKA STATE LEGISLATURE  
Chairman - Representative Dave Donley

P.O. BOX 11, JUNEAU, 99811

477-2633802

January 10, 1989

## M E M O R A N D U M

To: Members, House Labor and Commerce Committee

From: Representative Dave Donley, Chair  
House Labor and Commerce Committee

Re: Proposed Committee Legislation - Confirmation of  
Appointments to Public Corporations

The enclosed draft bill, identical to HJR 67 of last year, proposes a ballot proposition to amend Alaska's Constitution to require legislative confirmation of appointments to public corporations.

The House Labor and Commerce Committee introduced HJR 67 in response to a court ruling that Alaska's Constitution does not require legislative confirmation of appointments to public corporations. Alaska's Constitution does require legislative confirmation of appointments to regulatory agencies. However, the founders of our Constitution did not anticipate the creation of public corporations and therefore did not specifically include them under the provisions regarding legislative confirmations.

The Committee was concerned that the proliferation of public corporations, coupled with the court's ruling, has left Alaskans without adequate safeguards to assure accountability of appointees to public agencies. These public corporations (see attached list) are responsible for millions of dollars of public money and have a huge impact on public policy decisions. In addition, most of these corporations deal with areas traditionally under the jurisdiction of the Labor and Commerce Committee.

It is clear that the founders of our constitution believed confirmation authority was an important and appropriate tool to assure public accountability by members of public agencies. This bill is simply an extension of that wisdom.

# HOUSE LABOR AND COMMERCE COMMITTEE

ALASKA STATE LEGISLATURE

P.O. BOX Y, JUNEAU 99811

(907) 465-3892

Chairman-Representative Dave Donley

April 30, 1988

## M E M O R A N D U M

To: Senator Mitch Abood, Chair  
Senate State Affairs Committee

From: Representative Dave Donley, Chair  
House Labor and Commerce Committee !D

Re: HJR 67 - Legislative Confirmation

HJR 67 proposes a ballot proposition to amend Alaska's Constitution to require legislative confirmation of appointments to public corporations.

The House Labor and Commerce Committee introduced HJR 67 in response to a court ruling that Alaska's Constitution does not require legislative confirmation of appointments to public corporations. Alaska's constitution does require legislative confirmation of appointments to regulatory agencies. However, the founders of our constitution did not anticipate the creation of public corporations in the future and therefore did not specifically include them under the provisions regarding legislative confirmation.

Our Committee was concerned that the proliferation of public corporations, coupled with the court's ruling, has left Alaskans without adequate safeguards to assure accountability of appointees to public agencies. These public corporations (see attached list) are responsible for millions of dollars of public money and have a huge impact on public policy decisions.

It is clear that the founders of our constitution believed confirmation authority was a critically important and appropriate tool to assure public accountability by members of public agencies. HJR 67 is simply an extension of that wisdom, and I urge your support for the measure.

STATE OF ALASKA  
THE LEGISLATURE

POUCH V STATE CAPITOL  
FLOOR ALASKA 99811  
907 465-1800

LEGISLATIVE AFFAIRS AGENCY


MEMORANDUM

January 25, 1988

RECEIVED  
JAN 25 1988

SUBJECT: Confirmation of the board members of state corporations (Work Order No. 5-1694)

TO: Representative Dave Donley

FROM: Richard A. Bradley  
Legislative Counsel 

You have requested a constitutional amendment that would require the legislative confirmation of the members of certain state boards. Those that we identified when we spoke included the Alaska Railroad Corporation (AS 42.40.010); the Alaska Power Authority (AS 44.83.020); the Alaska State Housing Authority, now called the Alaska State Building Authority (AS 18.55.020, 18.55.030); the Alaska Housing Finance Corporation (AS 18.56.020), and the Alaska Public Offices Commission (AS 15.13.020).

All of the agencies except the Public Offices Commission are fairly described as "public corporations;" it is simply an agency of the state.

Certain other corporations that are presumably of interest and that get picked up in the description of a "public corporation" include

- (1) Alaska Student Loan Corporation (AS 14.42.100);
- (2) Alaska Seafood Marketing Institute (AS 16.51.010);
- (3) Alaska Medical Facility Authority (AS 18.26.010);
- (4) Medical Indemnity Corporation of Alaska (AS 21.88.020);
- (5) Alaska Resources Corporation (AS 37.12.010);

Representative Dave Donley

Page 2

January 25, 1988

- (6) Alaska Permanent Fund Corporation (AS 37.13.040);
- (7) Alaska Gas Pipeline Finance Authority (AS 44.82.010);
- (8) Alaska Municipal Bond Bank Authority  
(AS 44.85.020); and
- (9) Alaska Industrial Development Authority  
(AS 44.88.020).

Others may exist. The computer search that I did of "public corporation" failed to identify the Alaska State Building Authority because it is a "public corporate authority".

At this point, since the governor seems to think that the members of the Alaska Public Offices Commission are subject to confirmation by the legislature--see his SSSB 241-- there may be no difficulty in not dealing with that issue. And my earlier opinion on that question may be wrong; I could be persuaded.

If I may be of further assistance, please advise.

RAB:gc  
WKG1:047



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

P.O. Box Y, State Capitol  
Juneau, Alaska 99811-3100  
Mail Stop 3100  
(907) 465-2991

July 8, 1988

MEMORANDUM

TO: Representative Dave Donley

FROM: Sandi Depue *Sandi*  
Administrative Officer

RE: Legislative Confirmation of Appointments to Public Corporations  
in Other States  
Research Request 88.260

You requested a listing of all public corporations in Alaska. You also asked whether or not legislative confirmation of appointments to public corporations is required in other states.

Whether or not a state requires legislative confirmation of appointments to public corporations depends on how the statutes creating the corporation are written. It is not possible to make a general statement that a particular state does or does not require legislative confirmation of appointments without reviewing the statutes for every public corporation in that state. I was unable to locate a comprehensive listing of public corporations in other states; consequently, I identified a sample of 25 corporations in 21 states and reviewed the statutes for each.<sup>1</sup> Fifteen of the sampled 25 public corporations require legislative confirmation of appointments. The requirement for legislative confirmation of appointments is not necessarily consistent within a state. For example, legislative confirmation is required for appointments to the Iowa Finance Authority but not for appointments to the Iowa State Fair Authority.

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<sup>1</sup>The Council of State Governments (CSG) and National Conference of State Legislatures (NCSL) were unable to provide a source for other states' public corporations. Public corporations are not indexed as a group in the statutes; each entity is listed under its own index heading. A CSG publication, State Administrative Officials Classified by Function 1987-88, was used to identify public corporations.

Representative Donley  
July 8, 1988  
Page 2

It should be noted that department commissioners often serve on the boards of public corporations. Alaska public corporations--where legislative confirmation of appointments is required--do not require confirmation of commissioners, but require confirmation of other members. Since commissioners are confirmed by the legislature, it may be understood that a part of the commissioner's job is to serve on these corporations as defined in statute.

A list of Alaska public corporations and their requirements for legislative confirmation of appointments is attached. Randy Welker, of the Budget and Audit Division, supplied me with the names of the corporations. He believes the list is complete. Public corporations are indexed in the Alaska statute in the same manner as in other states; individually by corporation name under the appropriate subject matter.

I hope you find this information useful. If there are a few particular states about which you would like more information, I would be happy to provide further research. If you have any questions, please contact this agency.

Attachment

PUBLIC CORPORATIONS IN ALASKA

<u>Active Corporations</u>	<u>Legislative Confirmation Required</u>
Alaska Housing Finance Corporation	No
Alaska Industrial Development and Export Authority	No
Alaska Medical Facility Authority	No
Alaska Municipal Bond Bank Authority	Yes
Alaska Permanent Fund Corporation	No
Alaska Power Authority	Yes
Alaska Railroad Corporation	Yes
Alaska Resources Corporation	No
Alaska Seafood Marketing Institute	No
Alaska State Building Authority	Yes
Alaska Student Loan Corporation	No
Medical Indemnity Corporation of Alaska	Yes
<u>Inactive Corporations</u>	
Capital City Development Corporation	Yes
Gas Pipeline Financing Authority	No <sup>2</sup>
<u>Other Corporations</u>	
Alaska Commercial Fishing & Agriculture Bank	No <sup>3</sup>

-----

<sup>2</sup>The board of the Gas Pipeline Financing Authority is composed only of department commissioners. No legislative confirmation is required in the statutes for the Authority, however confirmation of departmental commissioners is required upon taking office.

<sup>3</sup>Legislation adopted in 1981 removed the provision making the Commercial Fishing & Agriculture Bank a "public corporation." See House Research Agency Memorandum 83.224 for further information.

ACTION=>

PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
EXIT	MENU	TEXT	PRINT	BWD	FWD	CMT/JRNL	FIRST	LAST	QUIT	

1/RESOLUTION HISTORY  
 1: HJR 67  
 2: HJR 67 AM

02:28 PM 11/01/88

PAGE 1

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF ALASKA RELATING TO LEGISLATIVE CONFIRMATION OF THE BOARD MEMBERS OF PUBLIC CORPORATIONS OF THE STATE.

THE SPONSOR: LABOR & COMMERCE COMMITTEE

CURRENT STATUS: (S) JUD  
THEN FIN

STATUS DATE: 05/06/88

ACTION=>

PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
EXIT	MENU	TEXT	PRINT	BWD	FWD	CMT/JRNL	FIRST	LAST	QUIT	

67 BILL/RESOLUTION FLOOR ACTION  
 CURRENT STATUS: (S) JUD  
 PAGE 2 OF 3

	JRN-DATE	JRN-PG		ACTION
1	02/26/88	2367	(H)	READ THE FIRST TIME - REFERRAL(S)
2	02/26/88	2367	(H)	STATE AFFAIRS THEN JUDICIARY
3	03/24/88	2690	(H)	STA RPT SDP 1DNP 1NR
4	03/24/88	2690	(H)	ZERO FISCAL NOTE PUBLISHED 3/24/88
5	03/24/88	2690	(H)	FISCAL NOTE PUBLISHED 3/24/88
6	04/11/88	2881	(H)	JUD RPT SDP
7	04/11/88	2881	(H)	FINANCE REFERRAL ADDED
8	04/14/88	2966	(H)	REFERRED BACK TO JUDICIARY
9	04/19/88	3018	(H)	JUD RPT SDP 1NR
10	04/19/88	3018	(H)	ZERO FISCAL NOTE/ANALYSIS 4/19/88
11	04/19/88	3030	(H)	FIN REFERRAL WAIVED
12	04/20/88		(H)	RULES TO CALENDAR 4/20/88
13	04/20/88	3051	(H)	READ THE SECOND TIME
14	04/20/88	3051	(H)	ADVANCED TO THIRD READING UNAN CONSENT
15	04/20/88	3051	(H)	READ THE THIRD TIME HJR 67
16	04/20/88	3052	(H)	PASSED Y36 N2 X2
17	04/20/88	3052	(H)	GOLL NOTICE OF RECONSIDERATION
18	04/21/88	3075	(H)	RECON TAKEN UP -- IN THIRD READING

ACTION=>

PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
EXIT	MENU	TEXT	PRINT	BWD	FWD	CMT/JRNL	FIRST	LAST	QUIT	

R 67 BILL/RESOLUTION FLOOR ACTION  
 CURRENT STATUS: (S) JUD  
 PAGE 3 OF 3

	JRN-DATE	JRN-PG		ACTION
1	04/21/88	3075	(H)	RETURN TO SECOND FOR AM 1 UNAN CONSENT
2	04/21/88	3075	(H)	AMENDMENT NO 1 BY GOLL
3	04/21/88	3075	(H)	AM NO 1 ADOPTED UNAN CONSENT
4	04/21/88	3076	(H)	PASSED ON RECON Y35 N2 X1 A2 HJR 67 AM
5	04/21/88	3079	(H)	TRANSMITTED TO (S)
6	04/22/88	3156	(S)	READ THE FIRST TIME - REFERRAL(S)
7	04/22/88	3156	(S)	STA, THEN JUD, FINANCE
8	05/06/88	3498	(S)	STA RPT 1DP 3NR
9	05/06/88	3498	(S)	REFERRED TO JUDICIARY

**HJR**

**19**

HOUSE COMMITTEE ON STATE AFFAIRS

RECAP OF  
HJR 19

Compensation for Members of US Congress

Received February 3, 1989  
by Reps. Martin and Gruenberg

Heard April 11, 1989

Passed Out of Committee April 11, 1989  
5 Do Pass

## TABLE OF CONTENTS

### HJR 19: Compensation for Members of US Congress

- Item 1:** HJR 19 by Martin and Gruenberg
- Item 2:** Fiscal Note
- Item 3:** Letter from Rep. Martin, February 20, 1989
- Item 4:** Anchorage Times Article by James Kilpatrick

# HOUSE COMMITTEE REPORT

(7)

Date Referred: February 3, 1989

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: \_\_\_\_\_

The STATE AFFAIRS Committee recommends that:

HOUSE JOINT RESOLUTION NO. 19

[COMPENSATION FOR MEMBERS OF U.S. CONGRESS]

Ratifying an amendment to the Constitution of the United States concerning the compensation of members of the United States Congress.

[ ] be replaced with \_\_\_\_\_ [ ] 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


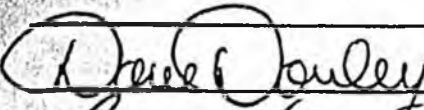
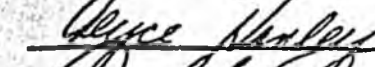

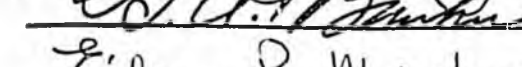
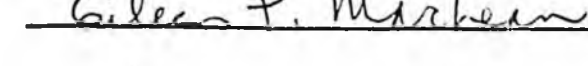
ATTACHES NEW FISCAL NOTE(S):

- fiscal impact
- zero fiscal note <sup>HSA</sup>
- zero with analysis

APPROVES PREVIOUS:

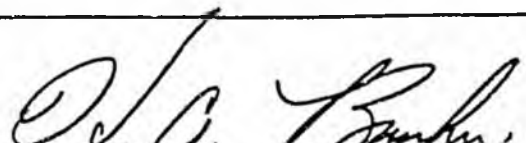
- fiscal note(s) published: \_\_\_\_\_
- zero fiscal notes(s) published: \_\_\_\_\_

SIGNING DO PASS:

  
\_\_\_\_\_  
\_\_\_\_\_  
  
  
  
  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Chairman's signature

Item 2

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Compensation for Members  
of US Congress  
Sponsor: Martin Gruenberg  
Requestor: \_\_\_\_\_

Agency Affected: \_\_\_\_\_  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

**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						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

**FUNDING: (Thousands of Dollars)**

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

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No fiscal impact.

Prepared by: House State Affairs Committee

Phone: 465-4963

Division: \_\_\_\_\_

Date: April 7, 1989

Approved by Commissioner: Rep. E.A. "Red" Loucher

Date: April 7, 1989

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

**Distribution (by preparer):**

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



James Madison, 1792, by Charles Willson Peale

Best wishes to my friend  
Reel Boucher.  
James Madison

Item 3

REP. TERRY MARTIN

ELECTIVE DISTRICT 13  
MOUNTAIN VIEW  
RUSSIAN JACK SPRINGS  
NUMAKA VALLEY  
ELMENDORF A.F.B.  
CREEKSIDE  
EAST ANCHORAGE



HOME  
3966 REKA DRIVE-B6  
ANCHORAGE, AK 99508  
PHONE 333-6990

DURING SESSION  
P. O. BOX V  
STATE CAPITOL BUILDING  
JUNEAU, AK 99811  
PHONE 465-3783

Alaska House of Representatives

February 20, 1989

Rep. Red Boucher, Chairman  
House Committee on State Affairs  
P.O. Box V  
Juneau, Alaska 99801

Dear *Red* Chairman Boucher:

I have attached a copy of a James J. Kilpatrick column from yesterday's Anchorage Times, in which he urges the adoption by the state legislatures of a 200 year-old amendment to the U.S. Constitution. The amendment was proposed by James Madison, and would disallow any congressional pay raises from taking effect until after an intervening election. It needs ratification by only 12 more states before it would become part of the Constitution.

Ratification of this amendment is the subject of HJR 19, which now rests in your committee, and on which I hope you will take expeditious action.

We in Alaska are given the opportunity - the honor, really - of participating in an historical moment: the completion of the U.S. Constitution, as it was proposed by our founding fathers. I suspect that, as the eldest member of the legislature, you would have a keen sense of the significance of this proposed amendment. While the most recent pay raise for Congress has been squelched by wide public outcry, I think we would do well to take Madison's advice and install this provision in the Constitution.

I would request that you schedule HJR 19 for a hearing as soon as it may be done. Thank you, and if you have any questions about the resolution, please contact me or my staff at 465-3782.

Sincerely yours,

*Terry*  
Rep. Terry Martin

TM/jwm  
enclosure



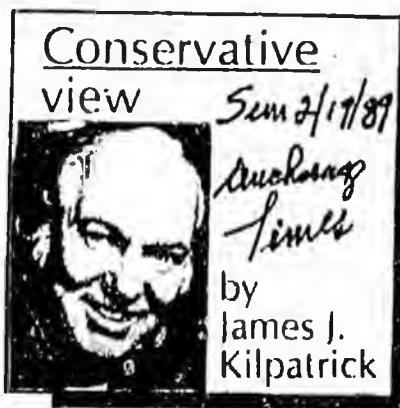
# And Iowa makes 26 and the march goes on!

WASHINGTON — James Madison is in his grave, but a constitutional amendment he sponsored in 1789 goes marching on. The event went almost wholly unreported in the news, but on Feb. 7, Iowa became the 26th state to ratify the "put off the pay raise" amendment.

This is beginning to get exciting. To recapitulate a story that most of the country knows nothing about, Congress in September 1789 approved 12 proposed amendments to the Constitution. By 1791, 10 of them had been ratified by the states; we know them as the Bill of Rights. Two of the proposals failed of ratification at that time. One dealt with apportionment of the House of Representatives and is of no current interest.

This was the forgotten 12th: "No law varying the compensation for the services of the senators and representatives shall take effect until an election of representatives shall have intervened."

It is marvelously simple, is it not? Thirty states have similar provisions affecting their own state legislatures. If the amendment had been part of the Constitution a few weeks ago, members of Congress might have voted a substantial raise in their compensation — but they could not have received it until after the congressional elections of



1990.

All but one constitutional amendment since the 18th Amendment of 1919 has carried a kind of statute of limitation: The article would be inoperative unless it were ratified within seven years of submission to the states. Madison's proposed amendment of 1789 carried no such limitation.

It is a nice constitutional question if the 200-year-old proposal is still validly before the states. In what is known as the Dillon case of 1921, the Supreme Court approved the power of Congress to fix a seven-year period for ratification. In the process the court threw cold water on the idea that resolutions of amendment could stay alive forever. That view, said Justice Van Devanter for a unanimous court, is "quite untenable." These comments were dicta, not relevant to the question before the court, which had

to do with the 18th (Prohibition) Amendment.

The matter came up again in 1939 in the case of *Coleman v. Miller*. The case involved an open-ended amendment to prohibit child labor, submitted to the states by Congress in 1924. Was it still subject to ratification in 1937? This time the court backed away from the digressive pronouncements in *Dillon*. The viability of a constitutional amendment, said Hughes for the majority, is a political question, not a judicial question.

Thus the constitutional question is very much alive. My thought is that the amendment itself is also alive. Six states (Maryland, North Carolina, South Carolina, Delaware, Vermont and Virginia) ratified between December 1789 and December 1791. Ohio suddenly came to life and ratified in 1873. Wyoming came along in 1978.

Then the forgotten amendment picked up steam. Maine ratified in 1983, Colorado in 1984. Five states joined the parade in 1985: South Dakota, New Hampshire, Arizona, Tennessee and Oklahoma. The following year saw three more: New Mexico, Utah and Indiana.

The movement toward ratification now is rolling steadily along. Arkansas, Montana, Connecticut and Wisconsin ratified in 1987; Georgia, West Virginia and Louisiana gave their consent in

1988. And on Feb. 7 Iowa shouted its approval by 440 in the state Senate, 86-2 in the House of Representatives.

Thirty-eight states must ratify an amendment in order for it to become part of the Constitution. Iowa is No. 26. Idaho is virtually certain to make the count 27 (the proposition was approved in a state referendum last November). If the magic number of 38 is attained it will be up to someone — or some body — to declare the amendment officially promulgated. That could be the archivist of the United States, on advice of the attorney general. Congress itself apparently has no more say-so in the matter.

My own thought is to whoop it up for the necessary 38. Madison in 1789 defended the measure: "There is a seeming impropriety in leaving any set of men without control to put their hand into the public coffers, to take out money to put in their pockets. There is a seeming indecorum in such power, which leads me to propose a change."

A seeming impropriety? A seeming indecorum? In the past month the American people have spoken in unmistakable language to the point. No raise without an intervening election! And thank you, Mr. Madison.

*James J. Kilpatrick is a conservative of thought and a conservator of language.*

Item 4

REP. TERRY MARTIN

ELECTIVE DISTRICT 13  
MOUNTAIN VIEW  
RUSSIAN JACK SPRINGS  
NUNAKA VALLEY  
ELMENDORF A.F.B.  
CREEKSIDE  
EAST ANCHORAGE



HOME  
3960 REKA DRIVE-B6  
ANCHORAGE, AK 99508  
PHONE 333-6990

DURING SESSION  
P. O. BOX V  
STATE CAPITOL BUILDING  
JUNEAU, AK 99811  
PHONE 465-3783

Alaska House of Representatives

February 20, 1989

Rep. Red Boucher, Chairman  
House Committee on State Affairs  
P.O. Box V  
Juneau, Alaska 99811

COPY

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enclosure



*Red - I agree  
Schedule HJR 19  
Thank you  
TM*

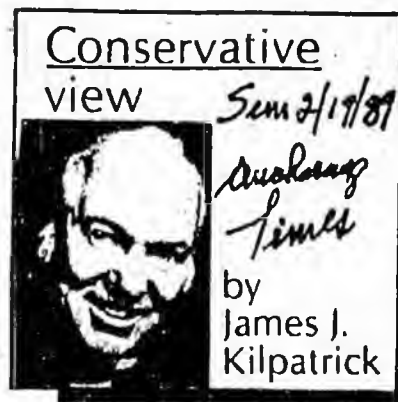
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**H J R**

**22**

**HOUSE COMMITTEE ON STATE AFFAIRS**

**RECAP OF  
HJR 22**

**Repair of Schools on Military Bases**

Received February 23, 1989

by Reps. Cotten, Ellis, Phillips, Spohnholz, M.  
Davis, Miller, Davidson, and Martin

Heard March 9, 1989

Passed Out of Committee March 9, 1989

4 Do Pass

## TABLE OF CONTENTS

### HJR 22: Repair of Schools on Military Bases

- Item 1:** HJR 22 by Reps. Cotten, Ellis, Phillips,  
Spohnholz, M. Davis, Miller, Davidson and  
Martin  
CS HJR 22 (HESS)
- Item 2:** Fiscal Note
- Item 3:** HESS Committee Hearing Packet
- Item 4:** Letter from the Anchorage School District  
February 16, 1989

Item 3

**HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES

P.O. BOX V, JUNEAU 99811  
(907) 465-3759



February 21, 1989

\*\*\*\*\*

COMMITTEE CALENDAR:

HJR 22: Repair of Schools on Military Bases

ITEMS IN THE FILE FOLDER:

- item #1: CS HJR 22 (HESS)
- #2: HJR 22
- #3: fiscal note: DOE
- #4: letter from Anchorage School District to the U.S. Department of the Army
- #5: 1988-89 Funding Requests for Anchorage School District Military Installation Schools
- #6: interdepartmental letter U.S. Dept. of the Army
- #7: excerpts re status of school construction needs on Ft. Wainwright and Eielson
- #8: House HESS Committee Report - pass unanimously
- #9: HESS Committee Report Form

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Relating to Schools on Military Bases  
Sponsor: Cotten, Ellis, Phillips, et. al.  
Requestor: Cotten

Agency Affected: Education  
BRU: Education Finance and Support Services  
Components: CIP overhead and associated costs

**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						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

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

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared by: Mary Hakala Phone: 465-2800  
Division: Commissioner's Office Date: 2/13/89

Approved by Commissioner: William G. Demmert Date: 2/13/89  
Agency: Education

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



# ANCHORAGE SCHOOL DISTRICT

4800 DeBarr Avenue  
P.O. Box 196814  
Anchorage, Alaska 99519-6614  
AREA CODE (907) 333-9561

## SCHOOL BOARD

Martha Rodenhok  
President

William Frica  
Vice President

Jim Robinson  
Cora  
Past President:  
1981-82, 1984-86

Betty Davis  
Treasurer  
Past President:  
1985-88

Darryl Jordan  
Cora Pro Tem

John Buchanan  
Assistant Treasurer  
Past President:  
1983-84, 1986-87

Carol Skolop  
Parliamentarian

## SUPERINTENDENT

William Coats, Ph.D.

December 13, 1988

The Honorable Lewis D. Walker  
Deputy Assistant Secretary of  
the Army (Environment, Safety and  
Occupational Health)  
U. S. Department of the Army  
Room 2E577 - The Pentagon  
Washington, D.C. 20310

Dear Mr. Walker:

I look forward to our meeting on Tuesday, December 20, at 10:00 a.m. in your office at the Pentagon. Our purpose in coming, as you know, is to discuss the Anchorage School District's plan to improve life-safety conditions at the schools on Elmendorf Air Force Base and Fort Richardson Army Post. Our plan has the strong support of the Anchorage military communities, but it cannot be implemented without your assistance.

### Background

The Anchorage School District continues to be deeply concerned about the condition of schools on Elmendorf Air Force Base and Ft. Richardson Army Post. There are six elementary schools, a special education facility and a music department facility involved. Approximately 2500 children of military parents are taught in these schools.

The educational programs and staffing are of high quality and are comparable to programs throughout the District. This is in part evidenced by the District's performance on standardized tests scores where we continue to rank among the very highest metropolitan school districts nationally. More importantly, the military command recognizes and supports the strength of the system. Because of the high mobility which characterizes military careers, parents are able to make specific comparisons. The high quality of public education helps make Anchorage, Alaska an attractive duty station.

The problems involve the school physical plants. Four of these structures pre-date Alaskan statehood (1959). The newest were built in 1962. The major maintenance needs include asbestos removal, code upgrades, handicapped accommodations, roof repairs, playground improvements, etc. The schools do not compare favorably with schools throughout the rest of the District. The clear lines of demarcation are the boundaries of the military installations. This causes considerable consternation on the part of many military parents; simply put, they feel themselves to be second class citizens.

The Honorable Lewis D. Walker  
December 13, 1988  
Page 2

The poor condition of the base and post schools is not primarily an age problem. There are a number of schools in our system which are comparable in these terms. The difference is in the major maintenance programs. The Anchorage School District conducts major maintenance for all schools in the District with the exception of base and post schools. The District, through a contract with the State of Alaska, administers the instructional programs. This contract expressly limits the District to performing only minor maintenance and repair. "Minor" is defined in the contract as \$25,000 or less. The School District spends on the average of \$400,000 for minor maintenance of base and post schools. (Frankly, much of this is in excess of the \$25,000 project limit). In addition, we successfully lobbied the state Legislature for \$1.1 million in improvements for base and post schools this past summer. The Legislature does not traditionally fund projects for federal facilities.

The State of Alaska Department of Education is responsible for major maintenance. This is specified both in the contract with the Anchorage School District and in the use permits accepted by the State Department of Education from the United States Department of Education. Particularly during the past several years, the State Department of Education has been unable to secure funding for major maintenance. The State has requested P.L. 81-815 funds from the federal government.

The Federal Department of Education response has been in several parts. First, there is available approximately \$9 million per year for 158 buildings throughout the country. There simply is not enough money to go around. The State of Alaska has traditionally received approximately \$8 million in additional Public Law 874 funding from the federal government by applying for dependents of military personnel as a state operated school through the Alaska Department of Education. The Federal Department of Education questions why some of this money has not been used for major maintenance.

In the midst of the bureaucratic debates over funding and responsibility, major maintenance on base and post schools has suffered. According to our most recent estimates, approximately \$16 million would be required to bring these schools up to par with their counterparts throughout the District. Of this amount, roughly one-third, or \$5 million, are required for federally mandated asbestos abatement.

#### Asbestos Abatement Cost Recovery

As you know, Congress allocated \$5 million from funds appropriated for environmental restoration in Title II of Public Law 98-473 for payment to the Anchorage School District. These funds were applied as Congress directed to the abatement of the asbestos hazard at the Bartlett/Begich Junior/Senior High School. Under a Memorandum of Agreement between the United States, represented by the Commander, Alaska District, USACE, and the School District, dated March 26, 1965, the School District became obligated to repay to the United States a proportionate share of any proceeds from cost recovery litigation brought by the School District against those responsible for the asbestos hazard in the school.

The Honorable Lewis D. Walker  
December 13, 1988  
Page 3

The School District had sued W. R. Grace & Co. for asbestos abatement cost recovery, prior to the effective date of the Memorandum of Agreement, and that lawsuit has recently been settled. We are not at liberty to disclose in this letter the specific terms of the settlement with W. R. Grace & Co., as the settlement agreement with Grace contains a confidentiality clause. The School District's obligation to repay the United States, however, is in the range of several million dollars.

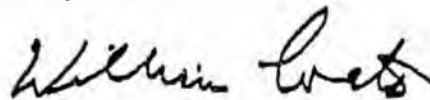
The Direct Use of Cost-Recovery Proceeds  
for Base School Improvements

We propose that the Anchorage School District enter into a further Agreement with the United States, providing that the federal share of the asbestos abatement cost-recovery proceeds be applied directly by the School District to life-safety improvements needed at the base schools on Elmendorf Air Force Base and Fort Richardson Army Post. Our lawyers inform us that there appears to be no legal impediment to this plan, and we understand that the Department of Defense lawyers who have reviewed the law and its legislative history share this view.

The School District is prepared immediately to implement this plan, if your office and Deputy Assistant Secretary Barbara S. Pope concur. The direct beneficiaries, of course, will be the military communities in the Anchorage area and the children that are military dependents.

We look forward to discussing the most appropriate means of implementing the School District's plan. It is strongly supported by the military authorities in Anchorage, as well as the parents, teachers, and students who will benefit. We share your view that Secretary Pope will have an important role in the department's decision, and we hope it will be possible to meet with her as well on December 20th.

Very truly yours,



William Coats  
Superintendent of Schools

WC/MPM/ik

cc: Hon. Barbara S. Pope  
Senator Ted Stevens

1988 - 89

FUNDING REQUESTS FOR  
ANCHORAGE SCHOOL DISTRICT  
MILITARY INSTALLATION SCHOOLS

ANCHORAGE SCHOOL BOARD OF EDUCATION

William Frick, President  
Bettye Davis  
Carol Stoipe  
Darryl Jordan  
Betty Bruckman  
Jean Buchanan  
Sharon Richards

William Coats, Ph.D.  
Superintendent

December 12, 1988

Division of Planning, Communications, and Development  
Planning Department

## INTRODUCTION AND FORMAT

Included in this document are project proposals for the school facilities located on Elmendorf Air Force Base and Fort Richardson Army Post. These facilities are currently owned by the Federal Government and operated by the Anchorage School District. Project proposals contained within this document were also included in the 1988-89 Legislative Requests document, which was submitted to the Alaska State Legislature for consideration of funding. The Legislative Requests included project proposals from both civilian residential and on-base school facilities.

Projects contained in Category I "Life/Safety, District Priority Major Maintenance and Essential for the Housing of Students," and Category II "Essential to the Instructional Program" were developed through a comprehensive planning and review process which identified District capital project needs, and assigned priority rankings to existing and newly submitted project proposals.

Participating in the process were parents, teachers and principals at the school unit level who reviewed existing projects and also submitted new proposals; in conjunction with a central review committee comprised of professional staff who reviewed the submitted proposals, developed cost estimates, and assigned priority as appropriate. Projects which do not meet established ASD standard school policy criteria have been deleted. The final listing of project proposals contained within this document has been reviewed and approved by the Anchorage School Board. These efforts have been made for the purpose of providing the best possible facilities and program support for the delivery of educational services to the youth of Anchorage.

Those projects contained within Category I, Priority 6, "District Priority Major Maintenance", have been compiled through a separate planning process. For the most part, these projects are smaller in scope than the other projects listed in the document (most are less than \$100,000), and involve repair or replacement rather than capital construction or major upgrade. These projects have also been reviewed and proposed at the "grass roots" level by concerned parents and teachers, submitted by school principals to the ASD Capital Projects Division, and reviewed and assigned priority by professional staff, taking into account community expressed desires. While the District has long recognized the need to properly maintain its properties and buildings, funding in this area has historically been inadequate.

The reader should note that some projects in Categories I and II have the same priority assigned to them. This is because, in the assessment of the review committees, it was determined that these projects were comprised of very similar items, and that unless there existed a salient need in any one particular school, that these projects should be assigned an equal priority. Cost estimates are provided for each project. If a particular project receives funding, then planning and design documents will be prepared and submitted to the appropriate bodies for review and approval.

NOTE: Most of the cost-estimates for projects in Category I and II were furnished by professional estimating firms working under contract to the District, and have been updated to allow for changes in project scope and prevailing local area capital construction costs. Cost estimates for projects in Category I, Priority 6, "District Priority Major Maintenance", were developed in-house by professional staff. All estimates are adjusted for inflation and will be good through the end of 1989.

CATEGORY I

LIFE SAFETY,

DISTRICT PRIORITY MAJOR MAINTENANCE

AND

ESSENTIAL FOR THE

HOUSING OF STUDENTS

ANCHORAGE SCHOOL DISTRICT  
LEGISLATIVE REQUESTS SUMMARY SHEET

CATEGORY I

LIFE/SAFETY, DISTRICT PRIORITY MAJOR MAINTENANCE AND  
ESSENTIAL FOR THE HOUSING OF STUDENTS

<u>PRIORITY</u>	<u>LEGISLATORS</u>	<u>PROJECT</u>	<u>ESTIMATED COST</u>
6	All	District Priority Major Maintenance	\$1,197,000
7	Halford, Kelly Cotten, Phillips	Ursa Major New Elevator	<u>300,000</u>
		SUB TOTAL (CATEGORY I)	\$1,497,000

ANCHORAGE SCHOOL DISTRICT  
 LEGISLATIVE REQUESTS  
 LIFE/SAFETY, DISTRICT PRIORITY MAJOR MAINTENANCE AND ESSENTIAL FOR THE HOUSING OF STUDENTS  
 CATEGORY I

<u>SCHOOL</u>	<u>SENATE/ HOUSE DIST.</u>	<u>PP</u>	<u>TITLE</u>	<u>PROJECT DESCRIPTION</u>	<u>PRELIMINARY EST COSTS</u>	<u>ASD PRIORITY</u>
Districtwide	All		District Priority Major Maintenance.	An attached listing of Major Maintenance projects is provided.	\$1,497,000	6
Ursa Major	S-1; H-15		New Elevator	This project will provide an elevator for this two story school.	\$300,000	7

ANCHORAGE SCHOOL DISTRICT  
 DISTRICT PRIORITY MAJOR MAINTENANCE  
 FY 1989-90 PROJECT LIST

<u>SCHOOL</u>	<u>DISTRICT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
KENNEDY	S-I; H-15	Paint exterior	\$ 25,000
MT. ILIAMNA	S-H; H-13	Install storage units for classrooms and nurse's office	\$ 28,000
KENNEDY	S-I; H-15	Resurface gym floor	\$ 14,000
MT. ILIAMNA	S-H; H-13	Interior paint	\$ 35,000
AURORA	S-H; H-13	Refinish new gym floor	\$ 10,000
AURORA	S-H; H-13	Replace intercom system	\$ 38,000
MT. SPURR	S-H; H-13	Install carpet in music room and all classrooms	\$ 45,000
AURORA	S-H; H-13	Upgrade heating system	\$100,000
URSA MINOR	S-I; H-15	Replace all chalkboards	\$ 20,000
MT. SPURR	S-H; H-13	Heating system upgrade	\$100,000
KENNEDY	S-I; H-15	New lighting in MPR	\$ 30,000
MT. ILIAMNA	S-H; H-13	Misc. heat and vent	\$ 10,000
ORION	S-H; H-13	Playground drainage	\$ 10,000
ORION	S-H; H-13	Roof repair	\$ 20,000
MT. ILIAMNA	S-H; H-13	Enlarge parking lot	\$ 32,000
ORION	S-H; H-13	Install heating units in library	\$ 15,000
URSA MAJOR	S-I; H-15	Paint exterior of the building	\$ 40,000
URSA MINOR	S-I; H-15	Playground improvements	\$ 20,000
MT. SPURR	S-H; H-13	Paint building interior	\$ 35,000
KENNEDY	S-I; H-15	Recarpet entire school	\$ 30,000

ANCHORAGE SCHOOL DISTRICT  
DISTRICT PRIORITY MAJOR MAINTENANCE  
FY 1989-90 PROJECT LIST

<u>SCHOOL</u>	<u>DISTRICT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
URSA MINOR	S-I; H-15	Replace carpet	\$ 17,000
ORION	S-H; H-13	Pave parking lot & bus area	\$ 75,000
URSA MINOR	S-I; H-15	Exterior windows and frames replaced	\$ 25,000
KENNEDY	S-I; H-15	Paint interior	\$ 28,000
MT. SPURR	S-H; H-13	Replace floor tile	\$ 12,000
MT. SPURR	S-H; H-13	Install mini-blinds all windows	\$ 15,000
MT. ILIAMNA	S-H; H-13	Install cork strip for art display	\$ 6,000
KENNEDY	S-I; H-15	Replace fire alarm system	\$ 24,000
MT. SPURR	S-H; H-13	Install electrical wiring for computer lab	\$ 10,000
MT. SPURR	S-H; H-13	Enlarge parking lot	\$135,000
URSA MINOR	S-I; H-15	Replace fire alarm system	\$ 15,000
MT. SPURR	S-H; H-13	Install exhaust fans/adult bathrooms	\$ 6,000
MT. SPURR	S-H; H-13	Install handicap ramp	\$ 10,000
URSA MAJOR	S-I; H-15	Playground improvements	\$ 90,000
ORION	S-H; H-13	Install windows in old Rigel gym	\$ 12,000
ORION	S-H; H-13	Install electric clocks	\$ 10,000
KENNEDY	S-I; H-15	Resurface playground	<u>\$ 50,000</u>
TOTAL DISTRICT PRIORITY MAJOR MAINTENANCE ITEMS:			\$1,197,000

CATEGORY II  
ESSENTIAL  
TO THE  
INSTRUCTIONAL PROGRAM

ANCHORAGE SCHOOL DISTRICT  
LEGISLATIVE REQUESTS SUMMARY SHEET

CATEGORY II

ESSENTIAL TO THE INSTRUCTIONAL PROGRAM

<u>PRIORITY</u>	<u>LEGISLATORS</u>	<u>PROJECT</u>	<u>ESTIMATED COST</u>
1	All	Elementary & Secondary Schools (Phase III) Highest Priority Items Asbestos and Life/Safety - Affects fifty-five facilities districtwide	5,814,900
2	All	Elementary and Secondary Renovations Second Priority Asbestos and Life Safety Items	450,000
4	Pourchot, Uehling Undecided, Martin	Aurora Library Addition	600,000
4	Halford, Kelly Cotten, Phillips	Kennedy Library Expansion	840,000
5	Pourchot, Uehling Undecided, Martin	Mt. Spurr Expand Kindergarten Center	330,000
5	Pourchot, Uehling Undecided, Martin	Mt. Spurr New Multipurpose Room	1,500,000
5	Pourchot, Uehling Undecided, Martin	Orion Addition of Multipurpose Room and Stage	2,625,000
5	Halford, Kelly Cotten, Phillips	Ursa Minor Gym and Library Addition	2,500,000
6	Halford, Kelly Cotten, Phillips	Kennedy Resurface Playground	200,000
6	Pourchot, Uehling Undecided, Martin	Mt. Spurr Enlarge Parking Lot	100,000
8	Pourchot, Uehling Undecided, Martin	Aurora Kitchen Remodel	120,000
8	Pourchot, Uehling Undecided, Martin	Mt. Iliamna Parking/Lighting/Playground Improvements	150,000
8	Halford, Kelly Cotten, Phillips	Ursa Major Storage for P.E. Equipment and Instructor Workspace	175,000

ANCHORAGE SCHOOL DISTRICT  
LEGISLATIVE REQUESTS SUMMARY SHEET

CATEGORY II

ESSENTIAL TO THE INSTRUCTIONAL PROGRAM

<u>PRIORITY</u>	<u>LEGISLATORS</u>	<u>PROJECT</u>	<u>ESTIMATED COST.</u>
8	Halford, Kelly Cotten, Phillips	Ursa Major Renovate and Upgrade Restrooms	350,000
8	Halford, Kelly Cotten, Phillips	Ursa Major Renovation	<u>\$ 300,000</u>
		SUBTOTAL (CATEGORY II)	16,054,900
		SUBTOTAL (CATEGORY I)	<u>1,497,000</u>
		TOTAL	\$17,551,900

ANCHORAGE SCHOOL DISTRICT  
LEGISLATIVE REQUESTS  
ESSENTIAL TO THE INSTRUCTIONAL PROGRAM  
CATEGORY II

SCHOOL	SENATE/ HOUSE DIST.	PROJECT TITLE	PROJECT DESCRIPTION	PRELIMINARY EST COSTS	ASD PRIORITY
Districtwide	All	Life safety renovations and asbestos abatement	This funding will allow completion of life safety corrections and abatement of friable asbestos and cementitious asbestos.		1
Aurora	S-H; H-13	Life safety/asbestos abatement	Priority 1	\$ 1,331,000	
Kennedy	S-I; H-15	Life safety/asbestos abatement	Priority 1	570,000	
Mt. Iliamna	S-H; H-13	Life safety/asbestos abatement	Priority 1	893,000	
Orion	S-H; H-13	Life safety/asbestos abatement	Priority 1	1,062,300	
Ursa Major	S-I; H-15	Life safety/asbestos abatement	Priority 1	1,212,000	
Ursa Minor	S-I; H-15	Life safety/asbestos abatement	Priority 1	<u>746,600</u>	
		DISTRICTWIDE TOTAL PRIORITY 1 ITEMS:		\$ 5,814,900	
Districtwide	All	Second priority life safety renovations and asbestos abatement.	This funding will allow completion of code corrections and abatement of all remaining asbestos.		2
Mt. Spurr	S-H; H-13	Life safety/asbestos abatement	Priority 2	450,000	

ANCHORAGE SCHOOL DISTRICT  
 LEGISLATIVE REQUESTS  
ESSENTIAL TO THE INSTRUCTIONAL PROGRAM  
CATEGORY II

SCHOOL	SENATE/ HOUSE DIST.	PROJECT TITLE	PROJECT DESCRIPTION	PRELIMINARY EST. COSTS	ASD PRIORITY
Aurora	S-H; H-13	Library addition.	Aurora's present library is a long, narrow area which originally was classroom space. A new area is needed which meets ASD Elementary Standards and accomodates future technological advances. The media center will best implement the library scope and sequence as well as provide instructional support for the entire elementary curriculum. It should include storage for AV equipment, conference rooms and an increase in overall size to meet the Alaska Standards for School Libraries.	\$600,000	4
Kennedy	S-I; H-15	Library expansion.	The school currently has 302 students and the library consists of one and one third rooms which were originally constructed as classrooms. Books and equipment, out of necessity, are piled on the floor and there is only room for two tables for students. The present library is insufficient for school needs.	\$840,000	4

ANCHORAGE SCHOOL DISTRICT  
 LEGISLATIVE REQUESTS  
ESSENTIAL TO THE INSTRUCTIONAL PROGRAM  
CATEGORY II

SCHOOL	SENATE/ HOUSE DIST.	PROJECT TITLE	PROJECT DESCRIPTION	PRELIMINARY EST. COSTS	ASD PRIORITY
Mt. Spurr	S-H; H-13	Expand Kindergarten Center.	This project will expand Room 5 so it is flush with the exterior wall of the new Media Center to provide adequate space for kindergarten students. Standard Anchorage elementary school recommendations are 60 per student. Mt. Spurr kindergarten rooms at present have less than 30 square feet per student. An increase in room space would provide adequate space for additional kindergarten learning centers and help provide a school experience for military dependents comparable to that offered in off-base Anchorage schools. This addition will accommodate the full-day kindergarten program.	\$330,000	5
Mt. Spurr	S-H; H-13	New Multi-purpose Room	Construct new multi-purpose room as per elementary program standard; to include ample storage area and shower.	\$1,500,000	5
Orion	S-H; H-13	Addition of multipurpose room and stage.	This project will add a multipurpose room with a raised stage. The present gymnasium would then be used to expand the physical education program. The project would include storage for chairs and will also involve resurfacing the present gymnasium and adding an amplifier system.	\$2,625,000	5

ANCHORAGE SCHOOL DISTRICT  
 LEGISLATIVE REQUESTS  
 ESSENTIAL TO THE INSTRUCTIONAL PROGRAM  
 CATEGORY II

SCHOOL	SENATE/ HOUSE DIST.	PROJECT TITLE	PROJECT DESCRIPTION	PRELIMINARY EST. COSTS	ASD PRIORITY
Ursa Minor	S-I; H-15	Gym and library addition.	The existing multipurpose room is not adequate to meet the needs of the educational program. Due to enrollment in excess of capacity, the facility cannot meet the needs. A new gym with office and storage is needed. The IMC is undersized and would be converted to other educational use. A new IMC to District standards is needed including ancillary space. Remodeling is required including second classroom exits.	\$2,500,000	5
Kennedy	S-I; H-15	Resurface playground.	This project will resurface the entire playground and hockey field.	\$200,000	6
Mt. Spurr	S-H; H-13	Enlarge parking lot.	This project will enlarge the parking lot at Mt. Spurr Elementary.	\$100,000	6
Aurora	S-H; H-13	Kitchen remodeling.	This project will remodel the kitchen and install a divider curtain in the multipurpose room in order to accommodate simultaneous lunch and physical education programs.  ** kitchen area is inadequate. This remodeling would provide a more efficient serving area and allow greater utilization of the multi-purpose room for instruction.	\$120,000	8

ANCHORAGE SCHOOL DISTRICT  
LEGISLATIVE REQUESTS  
ESSENTIAL TO THE INSTRUCTIONAL PROGRAM  
CATEGORY II

SCHOOL	SENATE/ HOUSE DIST.	PROJECT TITLE	PROJECT DESCRIPTION	PRELIMINARY EST. COSTS	ASD PRIORITY
Mt. Iliamna	S-11; H-13	Parking/Lighting/Playground improvements.	This project would provide necessary parking for staff and install lighting for better security. The program serves special education pre-schools. Cushion material, sod and playground equipment needs to be installed to serve these children.	\$150,000	8
Ursa Major	S-1; H-15	Storage for physical education equipment and instructor workspace.	This project will construct a storage area in back of the small gym for the physical education equipment. Present storage is inadequate with no work area available for the instructor. This area should be about 12'X35'. This would include double door entry to the gym and a combination office/storage for physical education teacher and physical education equipment.	\$175,000	8
Ursa Major	S-1; H-15	Classroom Renovation.	Remove carpet from the walls in the music room and install acoustic tile. Paint walls where tile is not installed.	\$300,000	8

ANCHORAGE SCHOOL DISTRICT  
LEGISLATIVE REQUESTS  
ESSENTIAL TO THE INSTRUCTIONAL PROGRAM  
CATEGORY II

SCHOOL	SENATE/ HOUSE DIST.	PROJECT TITLE	PROJECT DESCRIPTION	PRELIMINARY EST. COSTS	ASD PRIORITY
Ursa Major	S-1; H-15	Renovation of restrooms, central entry, halls and classrooms.	The old present marlite on the walls is rusted and unsightly. It portrays the impression of a building interior not well maintained. It needs to be re- moved and replaced with eight foot light paneling. The rest- room fixtures, countertops and surfaces need to be modernized.	\$350,000	8



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 1st INFANTRY DIVISION (LIGHT)  
AND US ARMY GARRISON, ALASKA  
FORT RICHARDSON, ALASKA  
99505-5000



December 16, 1988

Directorate of Personnel  
and Community Activities

The Honorable Lewis D. Walker  
Deputy Assistant Secretary of the Army  
(Environment, Safety and Occupational Health)  
Department of the Army  
Room 2E577, The Pentagon  
Washington, DC 20310

Dear Mr. Walker:

Your meeting scheduled for December 20 with William Coats, Superintendent, Anchorage School District, is of great concern to the families of the Arctic Light Division. On their behalf, I wish to add my support to Dr. Coats' proposal set forth in his December 13 letter to you.

Many of our families are concerned, and justifiably so, about the three elementary schools that their children attend on Fort Richardson. While the teachers and administrators are strong in their concern for our children and strive to deliver a quality learning experience, the facilities in which they and their students spend a great part of each day are in need of repair and upgrade.

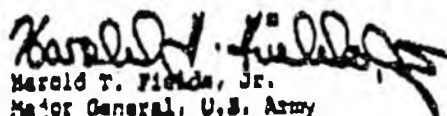
It is clear to me that the condition of the public schools on the Fort is a significant detractor to soldiers' perception of Alaska as a highly desirable assignment location. Complete confidence in the educational system to which their children are entrusted is a high priority need which must be met, for doubt and dissatisfaction can evolve into training distractors and morale concerns.

The dark, ice, and cold of Alaskan winters dictate that we do everything practicable to enhance the garrison environment for the families of our soldiers to maintain the esprit that underlies effective training. To this end, we strive to implement the spirit of Army's Quality of Life and Communities of Excellence programs; unfortunately, the issue of ownership of the school buildings as well as our own funding parameters prevent meaningful application of these programs to the schools.

It does appear that Dr. Coats has found a practical, if partial, solution to the problem of funding. I do support his proposal and urge careful consideration of his request to retain the funds returned to the District by W. R. Grace and Company to pay for life-safety improvements to the schools on the installation.

On behalf of the 1,026 children of Fort Richardson families attending the three on-post schools and their parents, thank you for your attention, consideration, and support.

Sincerely,

  
Harold T. Fields, Jr.  
Major General, U.S. Army  
Commanding

NO. 005  
100  
E.O. 12812

~~Linda C. Anderson~~  
Government Relations

M E M O R A N D U M

TO: Interior Delegation

DATE: 1/25/89

FROM: Linda Anderson

RE: Military On Base Schools -  
Fairbanks School Board Findings

Attached for your review are excerpts of the On Base School Facilities Executive Summary and Fairbanks School Board Recommendations regarding the status and determination of the school construction needs on Fort Wainwright and Eielson.

January - May  
130 Seward St. #304  
Juneau, Alaska 99801  
907-586-1977

June - December  
1125 Sunset Dr.  
Fairbanks, Alaska 99709  
907-479-7969

2/5

JANUARY 17, 1989  
REGULAR MEETING

**Fairbanks North Star Borough School District  
Administrative Recommendations: Base School Study  
January 11, 1989**

At the December 20, 1988 regular meeting of the Board of Education, the administration presented the Base/Post Building Survey. Based on that study and subsequent discussions with Fort Wainwright Officials, the administration recommends the district pursue funding of the following projects:

1. Fort Wainwright - Build Two 600 Student Prototypical Elementary Schools

The administration is currently projecting 1,014 FTE elementary students on Fort Wainwright by 1994. This is based on the current number of family housing units plus those known to be planned for construction. Building one new elementary plus adding capacity to Chena would provide space for 1,016 students, while the two new schools would give us a capacity of 1,200.

The reasons for our recommendation are:

- with two new schools we will be at 85% capacity. DOE recommends an approximate 90% capacity target which gives a desired capacity of 1125. We have amended the report to reflect DOE's recommended target.
- allows for demographic fluctuations and increased housing in the future.
- the military housing planned in the College Road area will use any available capacity at Joy or Nordale Elementary.
- by 1994 our in-town schools are projected to be at 98% of capacity.
- Fort Wainwright officials believe that additional families on post will have a higher incidence of school age children than we currently experience because the additional units are planned to have more four and five bedroom units and will house more senior staff.
- provides the least amount of disruption to the educational program.
- life cycle costing shows options 3 and 4 are clearly more efficient and because of the reasons stated above: - support option 4.

2. Eielson Elementary Schools: Build One 600 Student Elementary School to Replace Taylor and Pennell and Renovate Anderson Elementary

-Taylor Elementary and Pennell Elementary have serious deficiencies which are outlined in the report that make it unfeasible to renovate them for future use.

3. Eielson Secondary Schools: Renovate Ben Eielson Jr/Sr High School

3/5

JANUARY 17, 1989  
REGULAR MEETING

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT  
RECOMMENDED CIP AMENDMENTS  
January 11, 1989

PROJECT	Year* and Cost in 1989 \$				
	89/90	90/91	91/92	92/93	93/94
Fort Wainwright w Elementary School	\$8,274,775 **				
Fort Wainwright w Elementary School			\$8,274,775		
Fortson Air Force Base w Elementary School		\$8,274,775			
Fortson Air Force Base Private Anderson Elementary				\$2,068,440	
Fortson Air Force Base Private Ben Eielson Jr/Sr High					\$5,338,921

\* is the year in which funding is required for/design and construction take approximately 18 - 24 months

Projections show we will exceed capacity on Fort Wainwright by the 1990/91 school year

38-89 - now  
89-90 1YR  
90-91 1YR  
2 yrs - exceed capacity on FTW

## I. EXECUTIVE SUMMARY

### A. Purpose of Study

#### Background

The United States Government owns nine school facilities on Ft. Wainwright and Eielson AFB, which are utilized and maintained by the Fairbanks North Star Borough School District for the education of military dependents. The existing schools and their approximate construction dates are as follows:

<u>Ft. Wainwright</u>	Year Built	Major Addition
Aurora Elementary	1952	1954
Birch Elementary	1956	1964
Chena Elementary	1964	1976 <sup>1</sup>
Ft. Wainwright Elementary	1960	
McKinley (Joy) <sup>2</sup> Elementary	1952	

<u>Eielson AFB</u>		
Anderson Elementary	1962	1964
Pennell Elementary	1962	1964
Taylor Elementary	1956	1958
Ben Eielson Jr./Sr. High	1958	1978

As can be seen, the schools are generally quite old, and most are approaching the ends of their useful service lives. Condition surveys of each facility performed under the scope of this project indicate significant deficiencies in terms of current code requirements, District educational program standards, and operations and maintenance considerations.

#### Educational Program

The Fairbanks North Star Borough School District is legally obligated to "provide an educational program in the on base schools which is comparable to the program provided by the school district in its non-on base schools."<sup>3</sup>

-----  
1. Rebuilt after extensive fire damage in 1975.

2. Students from Joy Elementary School are being temporarily housed at McKinley while Joy is undergoing a total renovation/expansion.

3. Memorandum of Agreement for Operation on Base Schools, State of Alaska Department of Education and Fairbanks North Star Borough School District, January 20, 1985.

Survey Objectives

The principal objectives of this survey are as follows:

Determine the extent of code, program and operational deficiencies at each facility.

Estimate approximate costs to correct identified deficiencies, both in terms of initial costs and life cycle costs.

Evaluate and recommend facilities options for continued base/post educational programs, including:

- A. Repair/renovation of all current buildings.
- B. Repair/renovation of some existing buildings and replacement of others with new "prototypical" schools.
- C. Replacement of all buildings with new "prototypical" schools.

B. Methodology

A multi-discipline team consisting of architects, mechanical, electrical and structural engineers, cost estimators and support staff were employed in the preparation of this document. Work was organized into the following tasks:

**Data Collection:** Consisting of on-site deficiency surveys of the existing facilities; review of District files and previous reports; review of District furnished operations, maintenance and utilities historical costs; interviews with each school principal, District maintenance and central office staff; and faculty questionnaires.

**Data Analysis:** Collected data was analyzed to identify deficiencies and corresponding corrective measures.

**Cost Estimates:** Construction costs for correction of deficiencies were developed to determine initial capital outlay requirements. Construction costs for a typical prototypical elementary school were also identified.

**Life Cycle Costs:** Long term (20 year) costs, expressed in terms of annual costs, were estimated for each facility as well as a typical prototypical elementary school.

**Facilities Options:** Based on projected enrollments, combinations of renovated and/or new prototypical facilities were developed which would provide adequate capacities for each of the following three programs:

- Ft. Wainwright Elementary Program
- Eielson AFB Elementary Program
- Eielson AFB Junior/Senior High School Program

**Comparitive Analysis:** Facilities options for each program underwent comparitive analysis based on the following evaluation criteria:

- Initial Costs
- Life Cycle Costs
- Initial Disruption of Educational Programs
- Long Term Disruption of Educational Programs
- Quality of Educational Environment and Systems

**C. Overview of Existing Facilities**

The nine existing base/post schools currently accommodate students from Pre-kindergarten (special education) through the twelve grade. Table I-1 contains a breakdown of current enrollments by school and by grade.

Table I-1  
 Current Base/Post School Enrollments

Facility	DOE Capacity	Current Enrollments												Total	FTE <sup>4</sup>			
		P-K	K	1	2	3	4	5	6	7	8	9	10			11	12	
<b>FT. VAINWRIGHT - ELEMENTARY SCHOOLS</b>																		
Aurora	220		37	43	52	41	37										210	191.5
Birch	112		37	57				1									95	76.5
Obama	316	15	46	51	101	84	67										364	333.5
Ft. Wainwright	208							111	105								216	216.0
McKinley (Joy)	201		36	64	46	44	41	41	41								313	295.0
<b>BASE TOTALS</b>	<b>1057</b>	<b>15</b>	<b>156</b>	<b>215</b>	<b>199</b>	<b>169</b>	<b>145</b>	<b>153</b>	<b>146</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1198</b>	<b>1112.5</b>
<b>EIELSON AFB - ELEMENTARY SCHOOLS</b>																		
Anderson	409		111	152	152												415	359.5
Pennell	280	4				106	117										223	225.0
Taylor	264							119	110								229	229.0
<b>BASE TOTALS</b>	<b>953</b>	<b>4</b>	<b>111</b>	<b>152</b>	<b>152</b>	<b>106</b>	<b>117</b>	<b>119</b>	<b>110</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>871</b>	<b>813.5</b>
<b>EIELSON AFB - JR/SR HIGH SCHOOL</b>																		
Ben Eielson	663									116	85	117	95	81	69		563	563.0

4. Full Time Equivalent. Kindergarten students are double shifted on half days, and therefore are counted as one-half full time equivalent.

Ft. Wainwright Elementary Program Facilities

Ft. Wainwright currently houses 1,112.5 FTE elementary students in five facilities. Of this total, 295 FTE are off-base students temporarily housed at McKinley Elementary during the renovation and expansion of Joy School. Additional enrollments are projected, however, based on current U.S. Army on base housing projects. Relative locations of the five schools are shown in Exhibit 1. Floor plans of each school are shown in Exhibits 5 through 13. A brief assessment of each of the five schools follows:

Aurora Elementary is considered suitable for renovation, however the age and condition of this school make renovation a questionable option.

Birch Elementary currently houses special education programs, which will be relocated to Joy Elementary when it is completed. It is a small school, but is suitable for renovation. Its North Post location is somewhat isolated from other Ft. Wainwright school facilities.

Chena Elementary is the largest of the Ft. Wainwright schools, and was renovated in 1976 after a major fire in 1975. Although the octagonal grid plan is somewhat disorienting, it would also be considered as a reasonable candidate for renovation. The site is also large enough to permit reasonable expansion.

Ft. Wainwright Elementary is similar in age and condition to Aurora, and has classrooms that do not meet current DOE size standards. It is considered as questionable for renovation.

McKinley (Joy) Elementary has serious programmatic deficiencies including narrow corridors, small classrooms, inadequate multi-purpose room, and a non-handicapped accessible split level floor plan. Additionally, it is in the worst condition of any school surveyed. It is not considered to be worthy of renovation.

Eielson AFB Elementary Program Facilities

A total of 813.5 FTE elementary students are housed in Eielson AFB's three elementary schools. A total of seven temporary "portable" classrooms supplement the three schools. Relative locations of the three schools are shown in Exhibit 2. A brief assessment of each school follows:

Anderson Elementary is the best of the three Eielson AFB Elementary schools, and is connected to a relatively new IMC/Cafeteria Building which also serves Pennell Elementary. It is considered as suitable for renovation.

Pennell Elementary has some programmatic deficiencies including narrow corridors and a non-handicapped accessible split level floor plan. Its age and condition make renovation questionable.

north



Birch Elementary

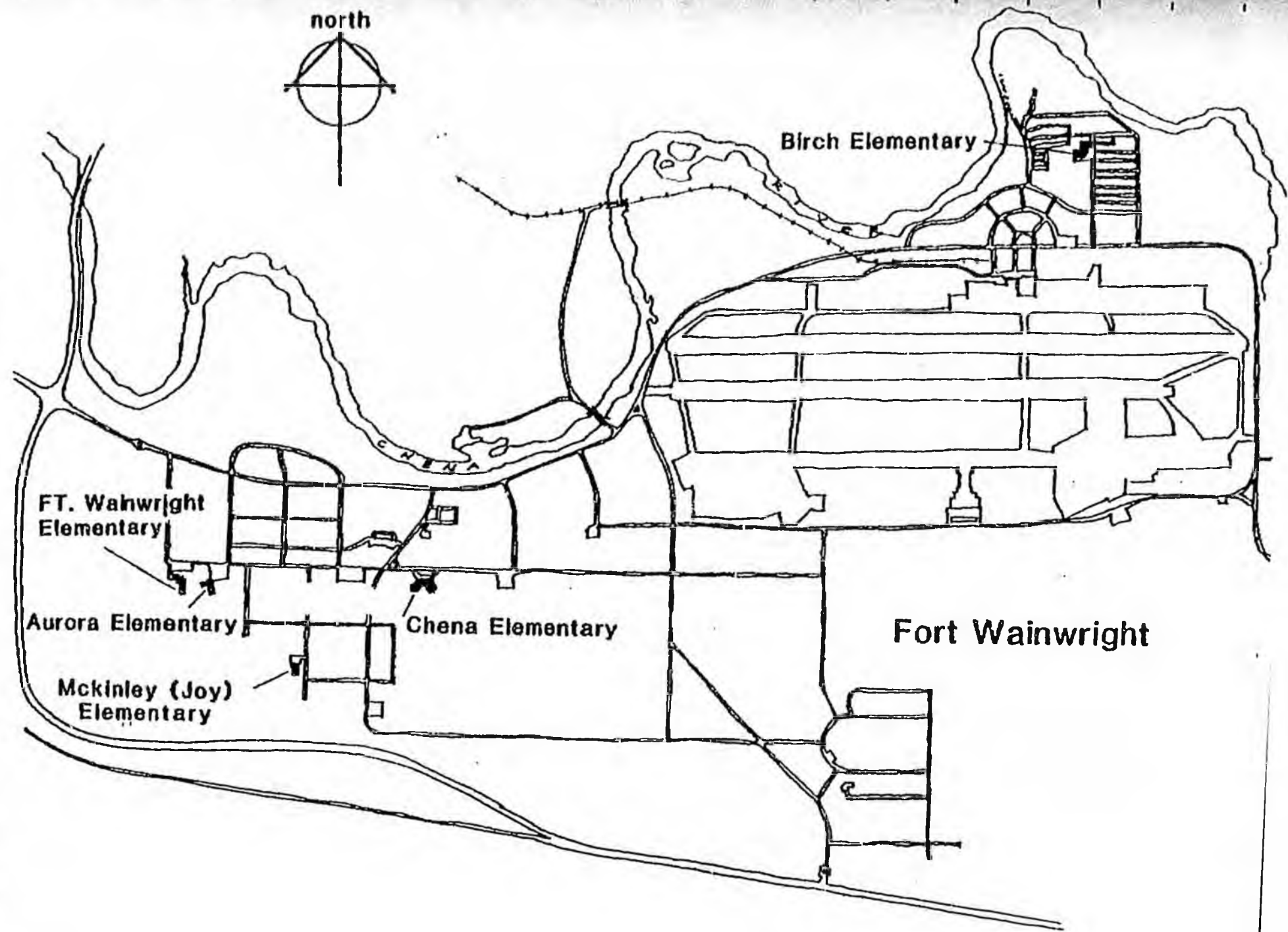
FT. Wahwright Elementary

Aurora Elementary

Mckinley (Joy) Elementary

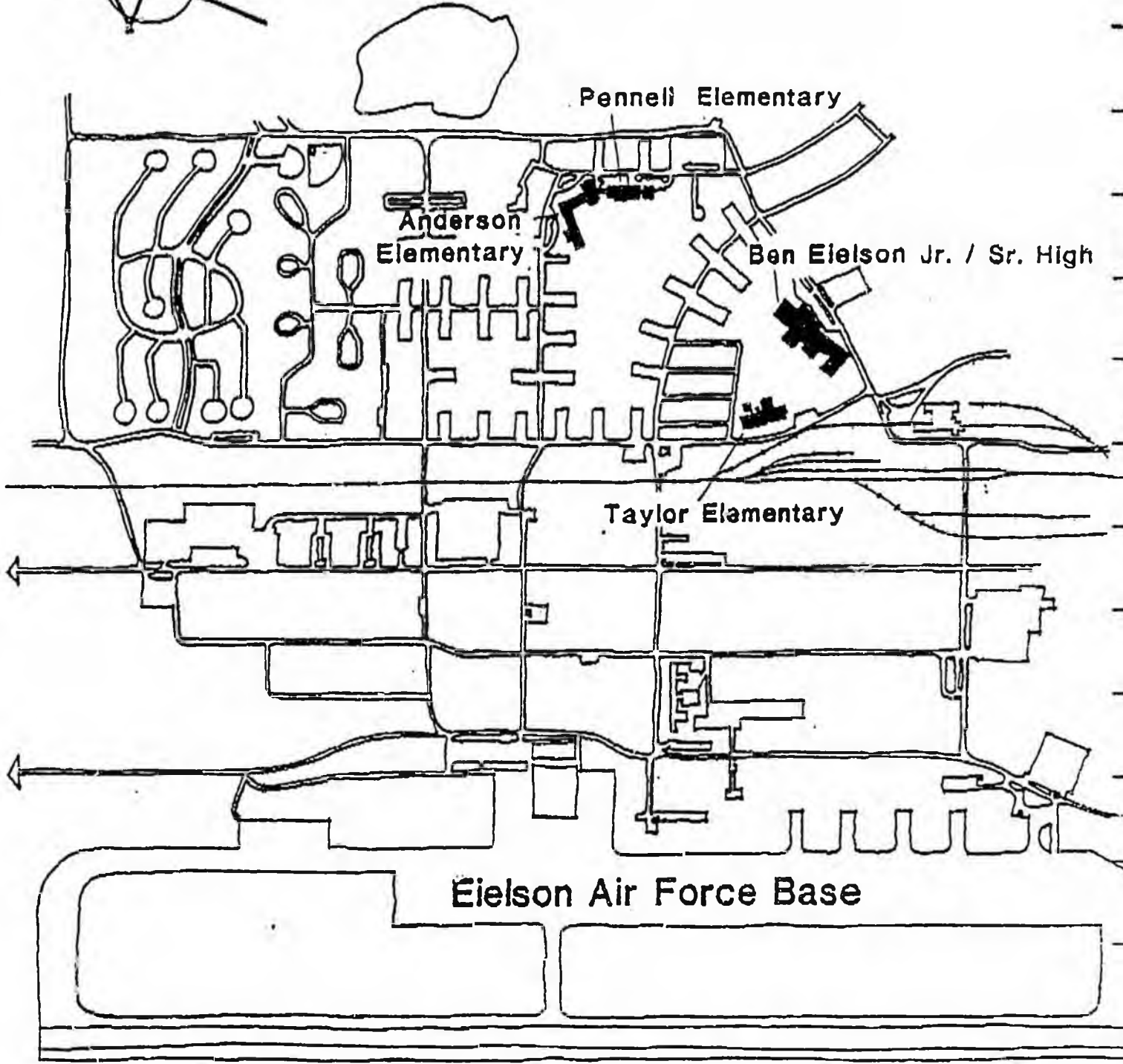
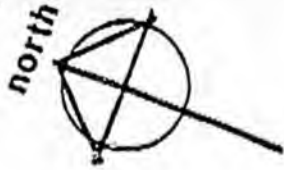
Chena Elementary

Fort Wainwright



Executive Summary - Page 1-5

Exhibit 1



# HOUSE COMMITTEE REPORT

(7)

Date Referred: February 3, 1989

FURTHER REFERRALS: STATE AFFAIRS

APPROVED

Date of Committee Action: 2/21/89

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee recommends that:

HOUSE JOINT RESOLUTION NO. 22  
[REPAIR OF SCHOOLS ON MILITARY BASES]  
Relating to schools on military bases.

be replaced with CS HJR 22 (HESS)  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: \_\_\_\_\_

SIGNING DO PASS:

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

*Rep. Chris Davis*  
*Mark Boyer*  
*J. J. [unclear]*  
*[unclear]*  
*Walt Furnace*  
*[unclear]*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*J. J. Ellis*  
 Chairman's signature

Item 4



# ANCHORAGE SCHOOL DISTRICT

4600 DeBarr Avenue  
P.O. Box 196614  
Anchorage, Alaska 99519-6614  
AREA CODE [907] 333-9561

## SCHOOL BOARD

William Frick  
President

Betty Davis  
Vice President  
Past President  
1985-88

Carol Stolpe  
Clerk

Darryl Jordan  
Treasurer

Betty Bruckman

Jean Buchanan  
Past President  
1983-84, 1986-87

Sharon Richards

## SUPERINTENDENT

William Coats, Ph.D.

February 16, 1989

Representative Sam Cotten  
P.O. Box V  
Alaska State Legislature  
Juneau, AK 99811

Dear Representative Cotton:

This letter is intended as a follow-up to our recent meeting with you and your staff held in Juneau on February 3rd. We are especially grateful to you for your willingness to spend time with us, and appreciate your listening to our concerns. We are encouraged by the substance of our dialogue with you, and by the level of support which you demonstrate for education in general, and for the Anchorage School District in particular.

Your willingness to draft and sponsor HJR 22 on behalf of the Anchorage School District and other school districts is especially appreciated by us. As you are aware, the District is currently operating the six elementary schools on Elmendorf Air Force Base and Fort Richardson Army Post under contract to the State of Alaska. The physical condition of these facilities is very poor and contract specifics do not allow for the District to perform repairs beyond minimal maintenance. Through our Legislative Requests process, we have identified \$17.5 million worth of renovation and major maintenance work that would be required to bring these facilities up to acceptable standards.

We value the approximately 2500 children of military parents attending school on the bases and we seek to provide them with a learning environment of quality comparable to that which is afforded by the off-base schools. HJR 22 will help urge the federal government to share responsibility with the State for needed maintenance and repairs for the military base school facilities in Alaska. HJR 22 has the potential to bring about significant positive impacts for military personnel statewide, for Alaskan school districts, and for the numerous school children with military affiliations.

As a School District and educational community, we appreciate the funding and assistance that we received from the legislature in 1988. With the continued support of the Alaska State Legislature, we would like to repeat last year's success story, and make further improvements that will significantly benefit both students and community in 1989.

Representative Cotten  
February 20, 1989  
Page 2

It is our intention to maintain on-going communication with you and your staff throughout this legislative session. We would anticipate returning to Juneau during the middle of March and hopefully we will be able to schedule some time with you then. During the interim, we rely on Sharon Macklin, our lobbyist, through her presence in Juneau, to act as liaison between your staff and the District. On behalf of the Anchorage School District, thank you for your consideration of our funding needs during this legislative session.

Sincerely,



Michael P. Malone  
Executive Director

cc: William J. Schaedel  
Sharon Macklin, Lobbyist

MPM/WJS/kew

**H**

**J**

**R**

**31**

## FISCAL NOTE

**REQUEST:**

Revision Date: 12/8/89  
Title: Const. Amend. - Reconsideration  
of Vetos

Agency Affected: Office of the Governor  
BRU: Division of Elections

Sponsor: State Affairs Committee  
Requestor: State Affairs Committee

Components: TJ Elections  
Primary & General Elections

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

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.2*	-0-	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>2.2*</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	2.2*	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>2.2*</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**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 programming requirements for vote counting purposes. (Continued)

Prepared by: le Linda Edgeworth Phone: 465-4611  
Division: Division of Elections Date: 12/8/89

Approved by Commissioner: [Signature] (Acting) Date: 12.11.89  
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 31

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

# HOUSE COMMITTEE ON STATE AFFAIRS

## RECAP OF HJR 31

### *Change When Veto May Be Overridden*

Received February 21, 1989  
by the State Affairs Committee

Heard March 1, 1989

Committee Substitute adopted March 1, 1989

Passed Out of Committee March 1, 1989  
3 Do Pass  
2 No Recommendation

## **TABLE OF CONTENTS**

### **HJR 31: Change When Veto May Be Overridden**

- Item 1:** HJR 31 by the House State Affairs Committee  
CS HJR 31 (SA)
- Item 2:** Fiscal Note
- Item 3:** Memorandum of Reconsideration of Vetoes  
W.O. Number 16-0397  
December 21, 1988



NO LEGISLATIVE ACTION  
MUST (SPECIAL)

WON'T FORCE THEM TO MEET  
NO WAY TO WAIT - LEGISLATIVE

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE  
2 HOUSE JOINT RESOLUTION NO. 31  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 *local, state & federal* Proposing an amendment to the Constitu-  
6 *is public forum* tion of the State of Alaska relating to  
7 *eliminate the* reconsideration of vetoes.  
8 *politics*

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

9 \* Section 1. Article II, sec. 16, Constitution of the State of Alaska,  
10 is amended to read:

11 SECTION 16. ACTION UPON VETO. If the legislature receives [UPON  
12 RECEIPT OF] a veto message during a regular session of the legislature  
13 no later than one hundred and fifteen calendar days after the date it  
14 convened, the legislature may [SHALL] meet within five days after  
15 receipt of the message [IMMEDIATELY] in joint session and reconsider  
16 passage of the vetoed bill or item. Bills to raise revenue and  
17 appropriation bills or items, although vetoed, become law by affirma-  
18 tive vote of three-fourths of the membership of the legislature. Other  
19 vetoed bills become law by affirmative vote of two-thirds of the  
20 membership of the legislature. If the legislature receives a veto  
21 message [BILLS VETOED] after adjournment of a [THE FIRST] regular  
22 session of the legislature or later than one hundred and fifteen  
23 calendar days after the date the session convened, [SHALL BE RECON-  
24 SIDERED BY] the legislature <sup>MUST</sup> may meet [SITTING AS ONE BODY] no later  
25 than the fifth day of the next regular or [special session] in joint  
26 session and reconsider passage of the vetoed bill or item [OF THAT  
27 LEGISLATURE. BILLS VETOED AFTER ADJOURNMENT OF THE SECOND REGULAR  
28 SESSION SHALL BE RECONSIDERED BY THE LEGISLATURE SITTING AS ONE BODY  
29 NO LATER THAN THE FIFTH DAY OF A SPECIAL SESSION OF THAT LEGISLATURE,

*make it compulsory*  
*special*  
*Leg must call must*

*IF NOT RECONSIDERED  
AT 11:00 SPECIAL SESSION*

1 IF ONE IS CALLED]. The vote on reconsideration of a vetoed bill shall  
2 be entered on the journals of both houses.

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

Item 2

STATE OF ALASKA  
1989 LEGISLATIVE SESSION

BILL VERSION: HJR 31  
PUBLISH DATE: 2/21/89

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Const. Amend. - Reconsideration  
of Vetos  
Sponsor: State Affairs Committee  
Requestor: State Affairs Committee

Agency Affected: Office of the Governor  
BRU: Division of Elections  
Components: I Elections

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 and 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  
Division: Elections

Phone: 465-4611  
Date: \_\_\_\_\_

Approved by Commissioner: [Signature]  
Agency: Division of Elections

Date: 2/28/89

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 31

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

COPY

MEMORANDUM

December 21, 1988

SUBJECT: Reconsideration of vetoes  
(W.O. No. 16-0397)

TO: Representative Dave Donley

FROM: Tamara Brandt Cook  
Director  
Division of Legal Services

You have asked how the constitutional session limit has affected the power of the legislature to reconsider vetoes during a regular session. Article II, Section 16 provides in pertinent part:

Upon receipt of a veto message during a regular session of the legislature, the legislature shall meet immediately in joint session and reconsider passage of the vetoed bill or item.

This section was not amended when the session limit was adopted. Prior to the session limit, if a veto message was received just prior to a planned adjournment of the legislature, the legislature could still choose to remain in session for the purpose of meeting in joint session to reconsider the vetoes. Under the session limit it is possible that a veto message could be received so late in the session that the legislature will not, as a practical matter, be able to meet in joint session before it is constitutionally required to adjourn. Note that under Article II, Section 16 the legislature does not have the option of holding a special session or taking the matter of vetoes up at the next regular session so long as the veto occurs at any time while they are actually in regular session.

This potential problem could be fixed by constitutional amendment giving the legislature an opportunity to consider a veto it receives very late in the session at the next regular session or during a special session. The enclosed

Representative Dave Donley  
Page 2  
December 21, 1988

draft takes the approach of requiring legislative reconsideration of a veto to occur before adjournment from a regular session only if the veto message is received no later than 115 calendar days after the date that session convened. This gives the legislature 5 days to consider the matter of holding a joint session before the session limit (exclusive of an extension) comes into play. Under this draft, a veto after that deadline can be considered by the legislature at the next regular or special session. At your request, this draft also eliminates the requirement of a special session for reconsideration of a veto that takes place after a second regular session.

Enclosure

TBC:gc  
WKG5/023

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

March 1, 1989

SUBJECT: Reconsideration of Vetoes (CSHJR 31(SA))

TO: Representative H.A. "Red" Boucher  
House State Affairs

FROM: Tamara Brandt Cock *TBC*  
Director  
Division of Legal Services

Here is the committee substitute that you requested for HJR 31. In three instances, the word "shall" which now appears in the constitution is changed to "must." I do not believe the change results in any substantive difference as a matter of law. Under Uniform Rule 10 the Manual of Legislative Drafting is required to be followed in the preparation of legislation. The manual provides with respect to the use of "shall" and "must":

Use the word "shall" only to impose a duty upon someone. Use the word "must" when describing requirements related to objects such as forms or criteria. (Use "must" sparingly, however, because most sentences using it can probably be written more clearly to impose a duty on a person, in which case "shall" would be the proper word.) Use the word "may" to grant a privilege or discretionary power. Use the words "may not" to impose a prohibition upon someone. For a further discussion, see Dickerson, The Fundamentals of Legal Drafting (1965), pp. 130 and 131.

TBC:gc  
WKG7/075

# MEMORANDUM

State of Alaska

Department of Law

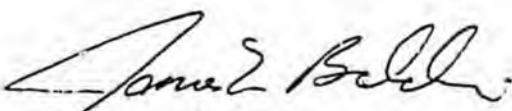
TO: Bob Evans  
Legislative Liaison  
Office of the Governor

DATE: March 1, 1989

FILE NO:

TEL NO: 465-3600

SUBJECT: HJR 31 reconsideration of gubernatorial vetoes

FROM:   
James L. Baldwin  
Assistant Attorney General  
Governmental Affairs-Juneau

You requested that we review HJR 31 (proposing an amendment to the Alaska Constitution concerning the reconsideration of vetoes) and offer any comments that would assist the legislature in considering the constitutional amendment proposed in the resolution. The proposed amendment would allow the legislature to reconsider a bill that was vetoed by the governor and returned at the conclusion of the second regular session at the beginning of the first regular session of the succeeding legislature. Under the existing provisions of the Alaska Constitution, a vetoed bill may only be reconsidered by the legislature which passed it. If the legislature is meeting in regular session, the veto must be reconsidered immediately. However, if the legislature is not in session, the veto may be reconsidered at the beginning of the next special or regular session of that legislature. Alas. Const. Art. II, Sec. 16.

The provision for holding a reconsideration over to another session of the same legislature was added by amendment in 1976 (HJR 11, 9th Alas. St. Leg.). We have reviewed the legislative history of HJR 11 and determined that the Ninth legislature considered a resolution identical to HJR 31 and rejected it in favor of the provision currently contained in section 16. The original version of section 16 adopted by the framers required that reconsideration be taken up immediately. If reconsideration was not taken up immediately, the power to reconsider the veto was lost. The framers thought it was extremely important to timely reconsider vetoes. Delegate Nordale explained the reasons for this provision as follows:

If the bill should be considered immediately after the veto, then if the veto is sustained, there is an opportunity for those who still believe in the substance of the bill to introduce a revised bill incorporating such amendments as will coincide with the governor's attitude on the bill.

Bob Evans, Legislative Liaison  
Office of the Governor

March 1, 1989  
Page 2

3 Proceedings of the Alaska Constitutional Convention 1744 (Jan. 11, 1956). The expansion of the power to reconsider to other sessions of the legislature somewhat watered down this opportunity to seize the moment and either override or attempt to pass an acceptable bill. However, by allowing reconsideration of a veto to be taken up at a special session, the same legislature was exercising the power and even though precious time had passed, proponents active in the enactment process could still urge reconsideration or accommodation.

The amendment proposed in HJR 31 would depart even further from the original intent of the framers. By allowing a new legislature to take up reconsideration of a veto, it may happen that legislators who were key to the passage of the bill either retired or failed to be reelected. It must be remembered that the entire House of Representatives stands for reelection at the end of each legislature as does one-half of the Senate. Under the existing provision, if there is strong support for the vetoed bill returned during the interim after the second session, proponents could raise sufficient support for a special session. However, a reconstituted succeeding legislature may have a membership that could not be roused to action. Members of the House of Representative that passed a vetoed bill would be at a distinct disadvantage if there was a substantial turnover in membership. The Senate would be somewhat better off.

This proposal would also run counter to the legislature's well recognized rule that bills of one legislature do not carry over to another legislature. AS 24.08.110; Rule 47, Uniform Rules Alaska State Legislature. Rather than reconsider a bill passed by the preceding legislature, the new legislature would be free to introduce a new bill on the subject which conforms to the wishes of the membership. An additional and perhaps lesser consideration would be the possibility that a veto override issue that carries over to a new legislature could become a campaign issue for incumbents to worry about. We acknowledge that issue could cut both ways.

We hope this memorandum will serve your purposes.

JB:tg

cc: Ron Lorensen, Deputy Attorney General  
Art Peterson, Assistant Attorney General

- RECONSIDERATION OF A BILL / NOT VETO
- CARRYING OVER BILLS

- CONGRESS EXPIRES -

[ POCKET VETO - CARRY OVER  
 DON'T > YES >

- HOUSE ELECTION 2 YRS

DYNAMICS WILL HAVE EFFECT ON LEGISLATION

- DON'T LIKE VETO OVERVIEWS -

CAMPAIGN ISSUE / CAN BE GOOD CAN BE BAD

- INTERESTING POINTS

VETO STOPS - TIME GAP - NO PROBLEM -

IF VETO CHANGED STATUS QUO, AND THERE WAS A TIME GAP, MAY BE A PROBLEM

[TIME GAP ACQUICKMENT]

RAIDWIN

L STATUS QUO MAY NOT BE SATISFACTORY

E.G. REVENUE PROBLEM - LIVE WITH

VETO - PROQUAL. WANT TO PUT INTO EFFECT -

[GOOD CALLS SPECIAL SESSION / OR

LEG CALLS FOR SP. SESSION -