

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7482 SENATE JUDICIARY

CONTINUATION of FISCAL NGTE ANALYSIS

For Bill/Resolution No. SJR 6

Senate Joint Resolution No. 6 calls upon the Congress of the United States to propose an amendment to the United States Constitution that would empower the Congress and the legislatures of the several states to prohibit the physical desecration of the Flag of the United States. SJR 6, which is a communication from the Alaska State Legislature to the Congress of the United States, will not have a fiscal impact on the Department of Law.

Rick -

Would you look
at S.J.P. 6 - (in
Jud. & Desecration
of U.S. Flag - If
possible I would like
have a hearing on
the resolution - Thanks -

Fred J



SENATOR FRED F. ZHAROFF

ALASKA STATE LEGISLATURE

P. O. BOX 405, KODIAK, ALASKA 99815 (907) 486-5259

DURING SESSION:

P. O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PIRIBILOF ISLANDS • SHUMAGIN ISLANDS

MEMORANDUM

SSR

TO: All Senators

FROM: Senator Fred F. Zharoff *Fred F. Zharoff*

DATE: January 7, 1991

SUBJ: Flag Desecration Resolution

I have attached a draft resolution I plan on pre-filing which would request the Congress of the United States to propose an amendment to the constitution that would give the Congress and legislatures the power to prohibit physical desecration of the United States Flag.

Should you wish to Co-sponsor this resolution, please contact my Juneau office at 465-3473.

Co Sponsor

Alaska State Legislature



Senate Judiciary Committee

SSR 6 - Flag Desecration -

Rich -

This Resolution had already been filed. In order to cosponsor I believe the following motion is needed on the floor. I'm sure you are familiar with this.

Doug

^{Rock}
Under Unfinished Business:

"I move and ask unanimous
consent to be shown as
Co-sponsor on SJRB -

" A resolution relating to an
amendment to the Constitution
of the United States
prohibiting desecration of the
Flag of the United States "

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Luckhaupt
12/13/90

SENATE JOINT RESOLUTION NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR ZHAROFF

Introduced:
Referred:

A RESOLUTION

1 Relating to an amendment to the Constitution of the United States prohibiting desecration
2 of the Flag of the United States.

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

4 WHEREAS, although the right of free expression is part of the foundation of the United States
5 Constitution, very carefully drawn limits on expression in specific instances have long been recognized
6 as legitimate means of maintaining public safety and decency, as well as orderliness and the productive
7 value of public debate; and

8 WHEREAS certain actions, although arguably related to one person's free expression,
9 nevertheless raise issues concerning public decency, public peace, and the rights of expression and sacred
10 values of others; and

11 WHEREAS there are symbols of our national soul such as the Washington Monument, the
12 United States Capitol Building, and memorials to our greatest leaders, that are the property of every
13 American and are therefore worthy of protection from desecration and dishonor; and

14 WHEREAS the American Flag was most nobly born in the struggle for independence that began
15 with "The Shot Heard Round the World" on a bridge in Concord, Massachusetts; and

16 WHEREAS in the War of 1812 the American Flag stood boldly against foreign invasion,

1 symbolized the stand of a young and brave nation against the mighty world power of that day, and in
2 its courageous resilience inspired our national anthem; and

3 **WHEREAS** in the Second World War the American Flag was the banner that led the American
4 battle against fascist imperialism from the depths of Pearl Harbor to the mountaintop on Iwo Jima, and
5 from defeat in North Africa's Kasserine Pass to victory in the streets of Hitler's Germany; and

6 **WHEREAS** the American Flag symbolizes the ideals that good and decent people fought for in
7 Vietnam, often at the expense of their lives or at the cost of cruel condemnation upon their return home;
8 and

9 **WHEREAS** the American Flag symbolizes the sacred values for which loyal Americans risked
10 and often lost their lives in securing civil rights for all Americans, regardless of race, sex, or creed; and

11 **WHEREAS** the American Flag was carried to the moon as a banner of goodwill, vision, and
12 triumph on behalf of all mankind; and

13 **WHEREAS** the American Flag to this day is a most honorable and worthy banner of a nation
14 that is thankful for its strengths and committed to curing its faults, and remains the destination of
15 millions of immigrants attracted by the universal power of the American ideal; and

16 **WHEREAS** the law as interpreted by the United States Supreme Court no longer accords to the
17 Stars and Stripes that reverence, respect, and dignity befitting the banner of that most noble experiment
18 of a nation-state; and

19 **WHEREAS** it is only fitting that people everywhere should lend their voices to a forceful call
20 for restoration to the Stars and Stripes of a proper station under law and decency;

21 **BE IT RESOLVED** by the Alaska State Legislature that the Congress of the United States is
22 requested to

23 (1) propose an amendment to the Constitution of the United States that would specifically
24 provide the Congress and the legislatures of the several states the power to prohibit the physical
25 desecration of the Flag of the United States, or, in the alternative;

26 (2) call a convention for the sole and exclusive purpose of proposing and submitting to
27 the several states an amendment to the Constitution of the United States that would specifically provide
28 the Congress and the legislatures of the several states the power to prohibit the physical desecration of
29 the Flag of the United States; and be it

30 **FURTHER RESOLVED** that the legislatures of the several states are invited to join with Alaska
31 to secure ratification of the proposed amendment, or, in the alternative, the call for a convention; and
32 be it

1 **FURTHER RESOLVED** that Alaska's United States Senators and Representative are
2 respectfully requested to enter a copy of this resolution in the Congressional Record as a memorial to
3 the Congress of the United States.

4 **COPIES** of this resolution shall be sent to the Honorable Dan Quayle, Vice-President of the
5 United States and President of the U.S. Senate; to the Honorable Thomas S. Foley, Speaker of the U.S.
6 House of Representatives; the presiding officers of each house of the legislatures of the several states;
7 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, United States Senators, and the
8 Honorable Don Young, United States Representative, members of the Alaska delegation in Congress.

THE FLAG AMENDMENT

Mr. DOLE. Mr. President, earlier this week, the Supreme Court heard oral argument on the constitutionality of the so-called Flag Protection Act of 1989.

Within 6 weeks or so, the Supreme Court will settle—once and for all—the question of whether the flag statute passes, or flunks, the constitutionality test.

I've predicted that the Supreme Court will affirm the two lower court opinions striking down the statute. Obviously, I am not a mindreader, and I could be dead wrong on this one.

But what the critics can't dispute is the simple fact that the American people still—to this day—stand foursquare behind a constitutional amendment to protect Old Glory from desecration.

Last Friday, the American Legion officially released the results of a Gallup poll testing the opinions of Americans on the flag-burning issue. And the results show that Old Glory—as well as the constitutional amendment—have won with landslide numbers.

According to the poll, an overwhelming 72 percent of the American people "disagree that burning the flag should be protected under the free speech guarantee of the first amendment;" 71 percent favor "a narrow constitutional amendment that would allow Federal and State governments to make flag-burning illegal." Just like the amendment that the Senate considered last year.

And 73 percent of the American people do not "believe that a constitutional amendment would place our freedom of speech in jeopardy," while only 25 percent think it would.

So despite what you may hear or read in the media, the commitment of the American people to a constitutional amendment remains as strong as ever—almost a full year after the Texas versus Johnson decision. And this commitment will grow even stronger if, and when, the Supreme Court finally strikes down the so-called Flag Protection Act.

I commend the American Legion for its unrelenting work on behalf of the constitutional amendment. And I commend the legion for bringing the poll results to the attention of their elected representatives in Congress.

Mr. President, I ask unanimous consent that the text of the American Legion poll results be printed in the RECORD at this point.

There being no objection, the results were ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,

Washington, DC, May 11, 1990

DEAR SENATOR: Although it has been almost a year since the Supreme Court's controversial decision, 72 percent of the American public still believes that burning the American flag should not be a protected form of free speech as guaranteed by the Constitution's First Amendment. As a reinforcement of that belief, 71 percent of Americans favor a narrowly-drawn constitutional amendment to make flag burning illegal, and 73 percent are convinced that such an amendment would not jeopardize their freedom of speech.

These are only three findings of a recent Gallup poll clearly showing that most Americans are still enraged over the whole matter of flag burning. In fact, 57 percent of them stated their intention to vote for or against elected officials because of where they stand on the issue. These are not "soft" opinions or attitudes because it was also found that only 15 percent of the poll participants expressed any uncertainty in stating their positions.

The American Legion is convinced that this poll, conducted April 11 through May 2, is a clear indicator of public opinion. We see it as proof that Americans have considered carefully all sides of the issue, they have made up their minds, and they are demanding that flag burners be dealt with as law-breakers.

A more detailed presentation of the Gallup poll results is enclosed for your review.

Sincerely,

MILES S. EPLING,
National Commander.

GALLUP POLL RESULTS ON AMERICANS' OPINIONS ON THE FLAG-BURNING ISSUE

Statistics just released to The American Legion by The Gallup Organization, Inc. show that a significant majority of Americans support a constitutional amendment to protect the United States Flag. The poll, which was conducted from April 11 through May 2, and has a "maximum standard-error rate of 2.7 percent at the 95 percent level of confidence," reported that 71 percent favor a narrowly drawn constitutional amendment; 73 percent do not believe such an amendment would jeopardize their freedom of speech; and 57 percent would vote for or against an elected official because of his position on this issue.

The questions asked and the responses, by percentage, follow.

1. Do you agree that burning the American flag should be protected under the free speech guarantee of the First Amendment or do you disagree that burning the flag should be protected under the free speech guarantee of the First Amendment?

Agree, 25 percent; disagree, 72 percent; no opinion, 2 percent.

2. On May 14th the Supreme Court is going to hear final arguments on the Flag Protection Act of 1989, the law which was written to make flag burning a crime. If the Supreme Court finds the Act to be unconstitutional would you favor or oppose a narrow constitutional amendment that would allow federal and state governments to make flag burning illegal?

Favor, 71 percent; oppose, 23 percent; no opinion, 3 percent.

3. Do you believe that a constitutional amendment outlawing flag burning would place your freedom of speech in jeopardy?

Yes, 25 percent; No, 73 percent; don't know, 2 percent.

4. How strong is your opinion on the flag burning issue? On a 1 to 5 scale where 1 means you completely made up your mind on your position on the issue and 5 means you're unsure of your position on the issue where would you rate yourself regarding the flag burning issue?

(1) Unsure of position, 3 percent; (2), 10 percent; (3), 9 percent; (4), 16 percent; (5) completely made up mind, 68 percent.

5. Please tell me yes or no if you would likely to participate in the following activities as a result of your position on the flag burning issue. Would you be likely to:

A. Donate to a group that supported your position?

Yes, 53 percent; No, 44 percent; don't know, 3 percent.

B. Sign a petition that supported your position?

Yes, 86 percent; No, 13 percent.

C. Vote for or against an elected official because of his position on the issue?

Yes, 57 percent; No, 40 percent; don't know, 3 percent.

D. Do volunteer work for a group that supported your position?

Yes, 44 percent; No, 54 percent; don't know, 2 percent.

E. Write a letter to an elected official stating your position on the issue?

Yes, 65 percent; No, 34 percent.

FOR RELEASE MONDAY, MAY 14, 1990

GALLUP POLL RESULTS ON
AMERICANS' OPINIONS ON THE
FLAG-BURNING ISSUE

Statistics just released to The American Legion by The Gallup Organization, Inc. show that a significant majority of Americans support a constitutional amendment to protect the United States Flag. The poll, which was conducted from April 11 through May 2, and has a "maximum standard-error rate of 2.7% at the 95% level of confidence," reported that 71% favor a narrowly drawn constitutional amendment; 73% do not believe such an amendment would jeopardize their freedom of speech; and 57% would vote for or against an elected official because of his position on this issue.

The questions asked and the responses, by percentage, follow.

1. Do you agree that burning the American flag should be protected under the free speech guarantee of the First Amendment, or do you disagree that burning the flag should be protected under the free speech guarantee of the First Amendment?

Agree	25%
Disagree	72%
No Opinion	2%

2. On May 14th the Supreme Court is going to hear final arguments on the Flag Protection Act of 1989, the law which was written to make flag burning a crime. If the Supreme Court finds the Act to be unconstitutional would you favor or oppose a narrow constitutional amendment that would allow federal and state governments to make flag burning illegal?

Favor	71%
Oppose	26%
No Opinion	3%

3. Do you believe that a constitutional amendment outlawing flag burning would place your freedom of speech in jeopardy?

Yes	25%
No	73%
Don't Know	2%

4. How strong is your opinion on the flag burning issue? On a 1 to 5 scale where 5 means you completely made up your mind on your position on the issue and 1 means you're unsure of your position on the issue, where would you rate yourself regarding the flag burning issue?

1	Unsure of position	3%
2		3%
3		9%
4		16%
5	Completely made up mind	68%

5. Please tell me yes or no if you would be likely to participate in the following activities as a result of your position on the flag burning issue. Would you be likely to:

A. Donate to a group that supported your position?

Yes	53%
No	44%
Don't Know	3%

B. Sign a petition that supported your position?

Yes	86%
No	13%

C. Vote for or against an elected official because of his position on the issue?

Yes	57%
No	40%
Don't Know	3%

D. Do volunteer work for a group that supported your position?

Yes	44%
No	54%
Don't Know	2%

E. Write a letter to an elected official stating your position on the issue?

Yes	65%
No	34%

For more information, please contact The American Legion, Public Relations Division. Lew Wood - 317-635-8411 or John Hanson - 202-861-2700.

SJR

7

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO: SJR 7

Revision Date: _____
Title: Proposing amendments... duration
of a regular session.
Sponsor: Senator Frank
Requestor: Senator Frank

Department Affected: Legislative Affairs Agency
BRU: Legislative Council
Component: Session Expenses, Legal Services
Admin. Serv., Public Serv., Leg. Salaries & Allow

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	0	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>
TOTAL OPERATING	0	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>	<1,000.0>

POSITIONS:

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

- Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

SJR 7 reduces the length of the legislative session from 120 days to 100 days. The estimated daily cost of the session is \$50,000 a day. If the session is reduced by 20 days a savings of \$1,000,000 is calculated.

Prepared By: Pamela A. Stoops, Director
Division: Administrative Services

Pamela A. Stoops

Phone: 465-3850
Date: 2/7/91

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

Warren W. Endicott

Date: 2/7/91

Distribution (by preparer): Legis

Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SJR7

Revision Date: 01/29/91 Department Affected: Office of the Governor - Election:
 Title: Amend. to Const. - Duration of reg. BRU: Elections
 Session, est. of St. Rev. submit to Legis. Component: II - Primary and General Elections
 Sponsor: Senator Frank
 Requestor: Judiciary COMPONENT SERIAL NO. 0022

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		2.2*				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		2.2*				

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		2.2*				
FEDERAL FUNDS						
OTHER						
TOTAL		2.2*				

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

ANALYSIS: (Attach a separate page if necessary.) * This figure covers cost of inclusion of information about this issue in the Official Election Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Prepared By: Linda Edgeworth, Information Officer Phone: 465-4611
 Division: Division of Elections Date: 01/29/91

Approved by Commissioner: Charles E. Thrickett
 Agency: Division of Elections Date: 1-29-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STEVE FRANK
DISTRICT K
SEAT A

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701

While in Juneau
P.O. Box V

Juneau, Alaska 99811
(907) 465-3709

Capitol Rm. 514

Alaska State Legislature



Senate

MEMBER
Finance Committee
Resources Committee
Legislative Council
Special Committee on Banking &
Economic Development

VICE-CHAIR
Community & Regional
Affairs Committee

M E M O R A N D U M

TO: Members of the Seventeenth Legislature
FROM: Senator Steve Frank
RE: Senate Joint Resolution No. 7

Sometimes important legislation comes in a lengthy package, but other times a bill can accomplish a great deal in just a few words. I believe that this is the case with SJR7, a short resolution that could greatly improve the way the Alaska Legislature does its business.

This resolution proposes a constitutional amendment that would reduce the regular length of the regular legislative sessions from the current 120 days to 100, with the House and Senate actually meeting for only 90 days.

While simply cutting 20 days off the session limit may not seem in itself a startling act of political advancement - and it certainly is not an original idea - this is not the resolutions central provision. More important is the change in how the Legislature would make use of its limited time in session if Alaska voters approved this constitutional amendment.

Under SJR7, the 100-day session would be split into 45-day segments, with a ten day break in the middle. And on the final day of the first 45-day segment, the governor would be required to submit to the Legislature the state's official revenue forecast for the coming fiscal year.

SPONSOR STATEMENT

There are three primary reasons why I believe those changes could be beneficial:

- With an established ten-day break at the mid-session, legislators could count on having time to return to their districts at least once for something more substantial than the hurried weekends that now characterize most home visits during the session. Most legislators, and not a few constituent groups, would welcome such an opportunity to go home and be available to discuss how the session is shaping up and where legislation of interest is going.

- Secondly, along those same lines, the ten day break might well persuade some people to run for office who now find the current situation of having to leave home and family for four months intolerable. This is a major obstacle to holding office for many people, and if we are truly interested in having a "citizen legislature," then we ought to do something to make it easier for more people to participate.

- Finally, getting the revenue forecast from the Governor just as the mid-session break is beginning would be far preferable to the current situation.

Right now we get the Spring forecast in April, when the session has entered the home stretch. There are a thousand other things going on by that point in the session, the agency budgets are well on their way to being completed and there is no time to give the forecast the reflection it deserves.

If we had the numbers to study over the break, the forecast would get more attention, and it certainly would be a major item for discussion during the visit back to the district. We would then return to the capital with a more timely mandate from our constituents, and could finish building the budget with more relevant revenue information.

As stated earlier, these changes may not seem monumental, but I believe they would help legislators do a better job and at the same time, provide an opportunity for more input from constituents and possibly encourage more people to seek legislative office. Any

bill that can achieve those goals in less than two pages is worthy of support, and I think a majority of Alaskan's would ratify this amendment to our constitution.

Alaska State Legislature

P.O. Box Y
Juneau, AK 99811-3100
Phone: (907) 465-3091
Fax: (907) 463-3351

Legislative Research Agency



April 27, 1990

MEMORANDUM

TO: Senator Steve Frank

FROM: Linda J. Snow *L. Snow*
Legislative Analyst

RE: Correlation Between Length of Legislative Session and Percent of Dedicated State Revenues
Research Request 90.337

You asked this agency to examine the length of states' legislative sessions and the percent of revenues that are dedicated by states to see if a correlation exists.

Tables 1 and 2 present data from all states, showing average length of sessions (including special sessions) over a two-year period, and the percent of state revenues that are dedicated. Table 1 ranks the states by the length of the average legislative session for a two-year period (1986-87), and Table 2 ranks the states by percent of dedicated revenues.

The data for percent of earmarked revenues was obtained from a survey conducted by the National Conference of State Legislatures in 1985 and 1986. We obtained the data about the length of the 1986 and 1987 legislative sessions from the *1988-89 The Book of The States*, and the relevant tables are attached.

Several states are considered to have "full time" legislatures, and although our data indicated that some sessions can last up to two years, we indicated no more than a 365-day session per year, and did not include "special sessions" for these states as they would have had to run concurrently with the regular sessions. The states with "full time" legislatures are California, Illinois, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin¹. We also adjusted our tables for errors in *The Book of The States* regarding the session lengths for New Mexico and Alaska².

¹Brenda Erickson, policy specialist, Legislative Management, National Conference of State Legislatures, personal communication, April 27, 1990.

²Other minor errors may exist of which we are unaware. However, we believe that they would not alter the trends portrayed in Tables 1 and 2.

Senator Frank
April 27, 1990
Page 2

After examination of the tables, it appears that no correlation between proportion of dedicated state revenues and length of legislative session exists, and no statistical testing is needed. However, if you would like this agency to perform more indepth statistical analysis on this or any other subject, please feel free to contact our office.

Attachments

TABLE 1
DEDICATED REVENUES AND LENGTH OF LEGISLATIVE SESSION
(SORTED BY SESSION LENGTH)
50 State Legislatures, in Calendar Days

STATE	1988 Dedicated Revenues** (%)	Length of Session 1989	1989 Regular Session	1989 Special Sessions
MASSACHUSETTS*	40%	365	365	0
NEW JERSEY	35%	365	365	0
MICHIGAN	34%	365	365	0
ILLINOIS	18%	365	365	0
OHIO	18%	365	365	0
CALIFORNIA	12%	365	365	0
PENNSYLVANIA	9%	365	365	0
WISCONSIN	8%	365	365	0
NEW YORK*	6%	365	365	0
OKLAHOMA	24%	284	144	140
NORTH CAROLINA	5%	215	214	1
MAINE	17%	199	197	2
TEXAS	17%	199	140	59
RHODE ISLAND	4%	185	185	0
OREGON	53%	177	177	0
NEW HAMPSHIRE	3%	177	176	1
KANSAS*	25%	176	174	2
DELAWARE	8%	173	172	1
NEVADA	40%	168	157	1
SOUTH CAROLINA	87%	164	164	0
ARIZONA	32%	164	159	5
CONNECTICUT	7%	155	155	0
NEBRASKA	19%	151	141	10
MISSOURI	37%	146	129	17
MINNESOTA	15%	143	140	3
MONTANA	65%	137	111	26
TENNESSEE	62%	136	136	0
WASHINGTON	30%	135	105	30
COLORADO	4%	131	120	11
VERMONT	13%	124	124	0
ALASKA	8%	121	121	0
INDIANA	27%	119	116	3
IOWA	20%	119	119	0
ALABAMA	89%	112	94	18
NORTH DAKOTA	22%	107	107	0
MISSISSIPPI	25%	101	98	3
LOUISIANA	9%	100	80	20
HAWAII	5%	99	99	0
WEST VIRGINIA	21%	98	90	8
MARYLAND	19%	90	90	0
ARKANSAS	18%	87	83	4
IDAHO	24%	85	85	0
FLORIDA	47%	70	61	9
SOUTH DAKOTA	22%	70	70	0
GEORGIA	7%	65	64	1
NEW MEXICO	34%	61	61	0
WYOMING*	69%	51	51	0
VIRGINIA	61%	50	46	4
UTAH*	48%	50	45	5
KENTUCKY*	16%	5	4	1

*Dedicated revenue data for 1988 not available for these states. Used 1984 data.

**Preliminary data.

Prepared by the Legislative Research Agency, April 1990 (90.337).

TABLE 2
DEDICATED REVENUES AND LENGTH OF LEGISLATIVE SESSION
(SORTED BY PERCENTAGE OF DEDICATED REVENUES)
50 State Legislatures, in Calendar Days

STATE	1988 Dedicated Revenues** (%)	Length of Session 1989	1989 Regular Session	1989 Special Sessions
ALABAMA	89%	112	94	18
SOUTH CAROLINA	87%	164	164	0
WYOMING*	69%	51	51	0
MONTANA	65%	137	111	26
TENNESSEE	62%	136	136	0
VIRGINIA	61%	50	46	4
OREGON	53%	177	177	0
UTAH*	48%	50	45	5
FLORIDA	47%	70	61	9
MASSACHUSETTS*	40%	365	365	0
NEVADA	40%	168	167	1
MISSOURI	37%	146	129	17
NEW JERSEY	35%	365	365	0
MICHIGAN	34%	365	365	0
NEW MEXICO	34%	61	61	0
ARIZONA	32%	164	159	5
WASHINGTON	30%	135	105	30
INDIANA	27%	119	116	3
KANSAS*	25%	176	174	2
MISSISSIPPI	25%	101	98	3
OKLAHOMA	24%	284	144	140
IDAHO	24%	85	85	0
NORTH DAKOTA	22%	107	107	0
SOUTH DAKOTA	22%	70	70	0
WEST VIRGINIA	21%	98	90	8
IOWA	20%	119	119	0
NEBRASKA	19%	151	141	10
MARYLAND	19%	90	90	0
ILLINOIS	18%	365	365	0
OHIO	18%	365	365	0
ARKANSAS	18%	87	83	4
TEXAS	17%	199	140	59
MAINE	17%	199	197	2
KENTUCKY*	16%	5	4	1
MINNESOTA	15%	143	140	3
VERMONT	13%	124	124	0
CALIFORNIA	12%	365	365	0
PENNSYLVANIA	9%	365	365	0
LOUISIANA	9%	100	80	20
WISCONSIN	8%	365	365	0
DELAWARE	8%	173	172	1
ALASKA	8%	121	121	0
CONNECTICUT	7%	155	155	0
GEORGIA	7%	65	64	1
NEW YORK*	6%	365	365	0
NORTH CAROLINA	5%	215	214	1
HAWAII	5%	99	99	0
RHODE ISLAND	4%	185	185	0
COLORADO	4%	131	120	11
NEW HAMPSHIRE	3%	177	176	1

*Dedicated revenue data for 1988 not available for these states. Used 1984 data.

**Preliminary data.

Prepared by the Legislative Research Agency, April 1990 (90.337).

TABLE 1
DEDICATED REVENUES AND LENGTH OF LEGISLATIVE SESSION
(SORTED BY SESSION LENGTH)
50 State Legislatures, in Calendar Days

STATE	Dedicated Revenues (%)	Average Session 1986-87	1986 Session	1987 Session	1986 Special Sessions	1987 Special Sessions
WISCONSIN	12%	365	365	365	0	0
NEW JERSEY	39%	364	364	364	0	0
CALIFORNIA	13%	364	363	365	0	0
MASSACHUSETTS	40%	362	365	359	0	0
OHIO	18%	362	359	365	0	0
MICHIGAN	39%	354	357	351	0	0
PENNSYLVANIA	15%	342	324	360	0	0
ILLINOIS	18%	331	365	297	0	0
NEW YORK	6%	268	177	359	0	0
DELAWARE	5%	254	178	169	1	160
COLORADO	25%	192	139	218	27	0
OKLAHOMA	43%	180	158	192	0	9
MAINE	20%	173	99	210	4	32
RHODE ISLAND	1%	172	171	171	0	1
SOUTH CAROLINA	55%	161	157	164	0	0
KANSAS	25%	151	155	140	0	6
NEW HAMPSHIRE	24%	149	154	143	0	0
MISSOURI	29%	147	118	175	0	0
WEST VIRGINIA	21%	142	61	152	70	1
ARIZONA	29%	141	132	138	0	12
INDIANA	33%	141	117	163	0	1
NORTH CAROLINA	8%	136	42	229	1	0
CONNECTICUT	1%	134	92	147	28	1
NEBRASKA	29%	130	99	143	17	0
IOWA	13%	128	121	130	0	4
VERMONT	23%	127	117	136	0	0
ALASKA	2%	122	120	120	0	3
ALABAMA	89%	114	105	105	17	0
TENNESSEE	26%	113	114	111	0	0
TEXAS	20%	113	0	140	53	32
HAWAII	5%	108	108	100	7	0
MISSISSIPPI	30%	99	99	90	5	3
WASHINGTON	26%	96	59	105	0	27
MARYLAND	24%	90	90	90	0	0
MINNESOTA	13%	89	43	133	1	1
OREGON	19%	84	0	168	0	0
IDAHO	32%	82	83	80	0	0
LOUISIANA	4%	77	72	76	6	0
NEVADA	52%	76	0	151	0	0
FLORIDA	28%	73	61	61	1	23
SOUTH DAKOTA	32%	67	63	70	0	1
MONTANA	60%	66	0	109	23	0
GEORGIA	9%	66	62	70	0	0
UTAH	48%	66	45	45	11	30
VIRGINIA	24%	60	60	46	13	1
KENTUCKY	16%	55	99	0	0	10
NORTH DAKOTA	21%	54	0	104	4	0
ARKANSAS	18%	54	0	99	0	8
NEW MEXICO	44%	47	30	60	2	2
WYOMING	69%	42	27	49	4	4

Source: Council of State Governments, "1988-89 The Book of the States;" and 1985 and 1986 NCSL survey.

Prepared by the Legislative Research Agency, April 1990 (90-337A).

TABLE 2
 DEDICATED REVENUES AND LENGTH OF LEGISLATIVE SESSION
 (SORTED BY DEDICATED REVENUES)
 50 State Legislatures, in Calendar Days

STATE	Dedicated Revenues (%)	Average Session 1986-87	1986 Session	1987 Session	1986 Special Sessions	1987 Special Sessions
ALABAMA	89%	114	105	105	17	0
WYOMING	69%	42	27	49	4	4
MONTANA	60%	66	0	109	23	0
SOUTH CAROLINA	55%	161	157	164	0	0
NEVADA	52%	76	0	151	0	0
UTAH	48%	66	45	45	11	30
NEW MEXICO	44%	47	30	60	2	2
OKLAHOMA	43%	180	158	192	0	9
MASSACHUSETTS	40%	362	365	359	0	0
NEW JERSEY	39%	364	364	364	0	0
MICHIGAN	39%	354	357	351	0	0
INDIANA	33%	141	117	163	0	1
IDAHO	32%	82	83	80	0	0
SOUTH DAKOTA	32%	67	63	70	0	1
MISSISSIPPI	30%	99	99	90	5	3
MISSOURI	29%	147	118	175	0	0
ARIZONA	29%	141	132	138	0	12
NEBRASKA	29%	130	99	143	17	0
FLORIDA	28%	73	61	61	1	23
TENNESSEE	26%	113	114	111	0	0
WASHINGTON	26%	96	59	105	0	27
COLORADO	25%	192	139	218	27	0
KANSAS	25%	151	155	140	0	6
NEW HAMPSHIRE	24%	149	154	143	0	0
MARYLAND	24%	90	90	90	0	0
VIRGINIA	24%	60	60	46	13	1
VERMONT	23%	127	117	136	0	0
WEST VIRGINIA	21%	142	61	152	70	1
NORTH DAKOTA	21%	54	0	104	4	0
MAINE	20%	173	99	210	4	32
TEXAS	20%	113	0	140	53	32
OREGON	19%	84	0	168	0	0
OHIO	18%	362	359	365	0	0
ILLINOIS	18%	331	365	297	0	0
ARKANSAS	18%	54	0	99	0	8
KENTUCKY	16%	55	99	0	0	10
PENNSYLVANIA	15%	342	324	360	0	0
CALIFORNIA	13%	364	363	365	0	0
IOWA	13%	128	121	130	0	4
MINNESOTA	13%	89	43	133	1	1
WISCONSIN	12%	365	365	365	0	0
GEORGIA	9%	66	62	70	0	0
NORTH CAROLINA	8%	136	42	229	1	0
NEW YORK	6%	268	177	359	0	0
DELAWARE	5%	254	178	169	1	160
HAWAII	5%	108	108	100	7	0
LOUISIANA	4%	77	72	76	6	0
ALASKA	2%	122	120	120	0	3
RHODE ISLAND	1%	172	171	171	0	1
CONNECTICUT	1%	134	92	147	28	1

Table L
Proportion of Tax Revenues Earmarked by State,
Fiscal Years 1954, 1963, 1979, and 1984

State	1954	1963	1979	1984
New England				
Connecticut	26%	23%	0%	1%
Maine	46	39	19	20
Massachusetts	56	54	41	40
New Hampshire	53	54	31	24
Rhode Island	6	4	0	1
Vermont	42	39	23	23
Mid-Atlantic				
Delaware	0	3	0	5
Maryland	47	40	34	24
New Jersey	7	2	25	39
New York	13	10	0	6
Pennsylvania	41	63	15	15
Great Lakes				
Illinois	39	43	14	18
Indiana	49	39	43	33
Michigan	67	67	38	39
Ohio	48	48	21	18
Wisconsin	63	61	N/A	12
Plains				
Iowa	61	44	19	13
Kansas	77	66	29	25
Minnesota	73	74	12	13
Missouri	67	40	20	29
Nebraska	55	63	41	29
North Dakota	73	43	29	21
South Dakota	59	54	33	32
Southeast				
Alabama	89	87	88	89
Arkansas	41	36	21	18
Florida	40	39	28	28
Georgia	29	22	11	9
Kentucky	46	29	N/A	16
Louisiana	85	87	5	4
Mississippi	40	37	N/A	30
North Carolina	38	30	20	8
South Carolina	69	62	56	55
Tennessee	72	77	60	26
Virginia	39	32	27	24
West Virginia	67	39	21	21
Southwest				
Arizona	47	51	31	29
New Mexico	80	31	36	44
Oklahoma	62	59	N/A	43
Texas	81	66	54	20
Rocky Mountain				
Colorado	75	51	17	25
Idaho	51	44	38	32
Montana	61	53	55	60
Utah	74	62	52	48
Wyoming	61	64	54	69
Far West				
Alaska	N/A	6	1	2
California	42	28	12	13
Hawaii	N/A	7	5	5
Nevada	55	35	34	52
Oregon	37	36	23	19
Washington	35	30	29	26
Average	61	41	25	21

Note: N/A—Not available.

Source: 1954 and 1963, Tax Foundation, *Earmarked State Taxes*; 1979, Montana, Office of the Legislative Fiscal Analyst, memo (March 19, 1980); 1984 NCSL survey conducted in 1985 and 1986.

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Table 3.15
BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS:
1986 AND 1987 REGULAR SESSIONS

State	Duration of session ^a	Introductions		Enactments		Measures vetoed by governor	Length of session
		Bills	Resolutions	Bills	Resolutions		
Alabama	Jan. 14-April 28, 1986	1,577	985	280	344	N.A.	105C
	April 21-Aug. 3, 1987	1,883	755	537	689	12	105C
Alaska	Jan. 3-May 12, 1986	429	100	146	39	5	120C
	Jan. 9-May 20, 1987	637	96	178	67	3	122C
Arizona	Jan. 3-May 14, 1986	956	63	420	20	12	125C
	Jan. 2, May 19, 1987	937	34	369	8	5	127C
Arkansas	No regular session in 1986						
	Jan. 12-April 20, 1987	176	297	1,072	191	67	82C
California	Dec. 3, 1984-Nov. 30, 1986 (c)	3,067	360	3,128	322	361	(a)
	Dec. 1, 1986-Nov. 30, 1987 (c)	4,389	274	1,034	115	96(b)	(a)
Colorado	Jan. 8-May 27, 1986	523	N.A.	267	N.A.	11 (b)	140C
	Jan. 7-Aug 13, 1987	634	N.A.	338	N.A.	18	219C
Connecticut	Feb. 5-May 7, 1986	1,736	207	493	N.A.	6	65L
	Jan. 7-June 3, 1987	3,877	252	701	N.A.	2	106L
Delaware	Jan. 4-June 30, 1986	640	300	300	N.A.	13	52L
	Jan. 13-June 30, 1987	682	436	194	16	7	53L
Florida	April 8-June 7, 1986	2,546	205	465	155	3 (b)	61C
	April 7-June 6, 1987	2,698	165	535	135	13	61C
Georgia	Jan. 5-March 7, 1986	1,250	839	907	748	6	40L
	Jan. 2-March 12, 1987	1,574	779	799	661	9	40L
Hawaii	Jan. 5-April 23, 1986	2,239	976	348	425	19	99C
	Jan. 21-April 30, 1987	3,716	1,185	384	504	34	100C
Idaho	Jan. 6-March 28, 1986	663	88	356	28	8	82C
	Jan. 12-April 1, 1987	619	88	367	49	3	80C
Illinois	Jan. 8, 1986-Jan. 13, 1987	1,926	1,887	373	1,791	76	51L
	Jan. 14-Nov. 6, 1987	4,497	1,882	784	1,753	254(b)	69L
Indiana	Nov. 9, 1985-March 5, 1986	956	18 (d)	248	3 (d)	5 (b)	30L
	Nov. 18, 1986-April 29, 1987	1,420	19 (d)	371	6 (d)	2	61L
Iowa	Jan. 3-May 3, 1986	799	105	201	24	2	110C
	Jan. 2-May 10, 1987	609	149	234	45	9	119C
Kansas	Jan. 3-June 6, 1986	938 (e)	52 (e, f)	400	33 (f)	17 (g)	(a)
	Jan. 2-May 21, 1987	1,063	44 (f)	404	19 (f)	5 (g)	69L
Kentucky	Jan. 7-April 15, 1986	1,388	384	462	317	2	57L
	No regular session in 1987						
Louisiana	April 21-July 1, 1986	3,235	169	1,083	4	23	(a)
	April 20-July 3, 1987	2,525	116	944	5	6	(a)
Maine	Jan. 8-April 16, 1986	519	43	341	37	0	56L
	Dec. 3, 1986-June 30, 1987	1,883	51	692	48	11	92L
Maryland	Jan. 8-April 7, 1986	2,938	127	865	43	122	66C
	Jan. 14-April 13, 1987	2,668	113	778	25	95	65C
Massachusetts	Jan. 1, 1986-Jan. 6, 1987	8,824	(h)	712	N.A.	3 (b, g)	371C
	Jan. 7, 1987-(i)	(i)	(j)	(j)	(j)	(j)	(f)
Michigan	Jan. 8-Dec. 30, 1986	587	16 (k)	332	3 (k)	6	357C
	Jan. 14-Dec. 30, 1987	1,503	26 (k)	286	0	2	351C
Minnesota	Feb. 3-March 17, 1986	1,625	21	166	2	1	26L
	Jan. 6-May 18, 1987	3,241	38	405	9	1 (g)	55L
Mississippi	Jan. 7-April 15, 1986	2,390	500	514	200	10	99C
	Jan. 6-April 5, 1987	2,472	438	569	229	5 (b)	90C
Missouri	Jan. 8-May 5, 1986	1,193	66	244	6	15	128C
	Jan. 7-June 30, 1987	1,334	85	203	9	15 (l)	175C
Montana	No regular session in 1986						
	Jan. 5-April 23, 1987	1,308	86	738	57	4	90L
Nebraska	Jan. 8-April 16, 1986	531	143	316	97	14 (b)	60L
	Jan. 7-May 29, 1987	787	245	358	134	3 (b)	90L

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1986 AND 1987 REGULAR SESSIONS—Continued

Bills introduced by sponsor	Length of session	State	Duration of session*	Introductions		Enactments		Measures vetoed by governor	Length of session
				Bills	Resolutions	Bills	Resolutions		
A.	105C	Nevada	No regular session in 1986						
12	105C		Jan. 19-June 18, 1987	1,491	235	824	164	3	151C
5	120C	New Hampshire	Jan. 8-June 10, 1986	733	4	230	3	5	17L
3	122C		Jan. 6-May 28, 1987	1,062	4	416	1	8	29L
12	125C	New Jersey	Jan. 14, 1986-Jan. 12, 1987	7,120	581	211	8 (d)	24	61L
5	127C		Jan. 13, 1987-Jan. 11, 1988	2,154	197	460	11 (d)	57	43L
67	82C	New Mexico	Jan. 21, 1986-Feb. 20, 1987	592	36	120	9	4	50C
361	(a)		Jan. 20-March 21, 1987	1,415	33	399	3	44	60C
96(b)	(a)	New York	Jan. 8-July 3, 1986	5,842	3,896	939	3,883	65	(m)
11(b)	140C		Jan. 7, 1987-(i)	15,095	3,667	855	3,651	26	(i)
18	219C	North Carolina	June 5-July 16, 1986	1,172	55	239	25	N.A.	(n)
6	65L		Feb. 9-Aug. 14, 1987	3,723	93	879	37	N.A.	(a)
2	106L	North Dakota	No regular session in 1986						
13	52L		Jan. 6-April 19, 1987	1,239	174	761	137	6	73L
7	53L	Ohio	Jan. 6-Dec. 30, 1986	431	N.A.	44	N.A.	1	96L
3(b)	61C	(n)	N.A.	N.A.	N.A.	N.A.	N.A.	(n)	
13	61C	Oklahoma	Jan. 7-June 13, 1986	722	186 (o)	321	10	7	90L
6	40L		Jan. 6-July 16, 1987	866	272	238	83	33	(a)
9	40L	Oregon	No regular session in 1986						
19	99C		Jan. 12-June 28, 1987	2,571	144	906	60	15 (b)	168C
34	100C	Pennsylvania	Jan. 7-Nov. 26, 1986	1,349	231 (p)	275	152	6 (b)	(a)
8	82C		Jan. 6-(q)	3,312	405 (r)	145	234	2	(a)
3	80C	Rhode Island	Jan. 7-June 26, 1986	3,263	279	931	279	59 (b)	82L
76	51L		Jan. 6-June 25, 1987	3,601	276	1,083	276	55 (b)	75L
254(b)	69L	South Carolina	Jan. 14-June 19, 1986	1,047	(h)	328	(h)	11 (b)	91L
5(b)	30L		Jan. 13-June 25, 1987	2,165 (b)	(b)	791	(h)	8 (b)	94L
2	61L	South Dakota	Jan. 14-March 17, 1986	684	95	424	37	13 (b)	35L
2	110C		Jan. 13-March 23, 1987	656	108	387	99	11	40L
9	119C	Tennessee	Jan. 15-May 14, 1986	4,157	262	1,141 (s)	245	10 (b)	(a)
17(g)	(a)		Jan. 17-May 7, 1987	2,651	105	578 (s)	92	1	(a)
5(g)	69L	Texas	No regular session in 1986						
2	57L		Jan. 13-June 1, 1987	4,179	2,070	1,185	1,649	52	140C
23	(a)	Utah	Jan. 13-Feb. 26, 1986	664	101	222	53	8	45C
6	(a)		Jan. 12-Feb. 25, 1987	595	80	255	53	4	45C
0	56L	Vermont	Jan. 7-May 3, 1986	493	108	116	79	3	70L
11	92L		Jan. 7-May 22, 1987	698	110	136	85	0	83L
122	66C	Virginia	Jan. 8-March 8, 1986	1,603	387	644	283	4	55C
95	65C		Jan. 14-Feb. 28, 1987	1,621	322	981	256	1	46C
3(b, c)	371C	Washington	Jan. 13-March 12, 1986	1,426	98	325	23	47	60C
(j)	(i)		Jan. 12-April 26, 1987	2,334	129	528	26	74	105C
6	357C	West Virginia	Jan. 8-March 9, 1986	1,911	180	199	49	26 (b)	61C
2	351C		Jan. 14-June 14, 1987	1,978	267	164	98	015 (b)	60C (i)
1	36L	Wisconsin	Jan. 7, 1985-Jan. 5, 1987	1,624	212	293	83	11	127L
10	99C		Jan. 5, 1987-Jan. 3, 1989 (u)	1,609	201	232 (v)	110	10	730C
5(b)	90C	Wyoming	Feb. 17-March 15, 1986	209	7	130	7	6	N.A.
15	128C		Jan. 13-March 2, 1987	781	N.A.	242	4	4	40L
15 (l)	175C	American Samoa	Jan. 13-April 3, 1986	N.A.	N.A.	N.A.	N.A.	N.A.	45L
4	90L		July 14-Sept. 30, 1986	N.A.	N.A.	N.A.	N.A.	N.A.	45L
14 (b)	60L		Jan. 12-March 27, 1987	136 (w)	91 (w)	32 (w)	44 (w)	8 (w)	N.A.
3 (b)	90L		July 13-Sept. 25, 1987	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
		Puerto Rico	Jan. 13-June 5, 1986	705	1,582	152	148	23	144C
			Jan. 12-May 18, 1987	613	1,170	93	117	27	127C
		Virgin Islands	Jan. 13, 1986-Jan. 12, 1987	485	47	145	25	27 (b)	22C
			Jan. 16, 1987-Dec. 14, 1987	143	53	70	39	7	22C

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1986 AND 1987 REGULAR SESSIONS—Continued

*Actual adjournment dates are listed regardless of constitutional or statutory limitations. For more information on provisions, see Table 3.2, "Legislative Sessions: Legal Provisions."

Key:

C—Calendar day.

L—Legislative day (in some states, called a session or workday; definition may vary slightly, however, generally refers to any day on which either chamber of the legislature is in session).

N.A.—Not available.

(a) California: 1984-86 Senate = 254L; Assembly = 251L; 1986-87 Senate = 131L; Assembly = 228L; Kansas: 1986 Senate = 69L; House = 70L; Louisiana: 1986 Senate = 43L; House = 37L; North Carolina: 1986 Senate = 30L; House = 29L; 1987 Senate = 131L; House = 134L; Oklahoma: 1987 Senate = 89L (Adjourned on July 17, 1987); House = 90L; Pennsylvania: 1986 Senate = 64L; House = 72L; 1987 Senate = 86L; House = 82L; Tennessee: 1986 Senate = 37L; House = 36L; 1987 Senate = 44L; House = 43L.

(b) Number of vetoes overridden: California: 1987 - 1 (House); Colorado: 1986 - 3; Florida: 1986 - 1; Illinois: 1987 - 29; Indiana: 1986 - 1; Massachusetts: 1986-1987 - 1; Mississippi: 1987 - 2; Nebraska: 1986 - 6, 1987 - 3; Oregon: 1987 - 4; Pennsylvania: 1986 - 1; Rhode Island: 1986 - 2, 1987 - 2; South Carolina: 1986 - 5, 1987 - 4; South Dakota: 1986 - 3; Tennessee: 1986 - 6; West Virginia: 1986 - 1, 1987 - 5; Virgin Islands: 1986 - 10.

(c) After organizational session in December, legislature recesses until the first Monday in January of the odd-numbered year and continues in session until Nov. 30 of the next even-numbered year.

(d) Joint resolutions.

(e) Plus carryover legislation from the previous session. Kansas - 373 bills, 30 resolutions.

(f) Concurrent resolutions.

(g) Plus line item vetoes. Kansas: 1986 - 3, 1987 - 2; Massachusetts: 1986 - 4; Minnesota: 1987 - 1.

(h) Figures given under bill introductions include resolution introductions.

(i) Still in session as of November 30, 1987.

(j) Totals not available as still in session as of November 30, 1987.

(k) Includes joint.

(l) Veto information not available.

(m) Session is divided into "workdays" during which the legislature is actually meeting in session, and "legislative days" in which only one or two legislators perfunctorily open and adjourn for the day in order to speed up the bill consideration process. In 1986, the Senate meet for 151C and 73L.

(n) Final figures not available.

(o) Includes joint, concurrent, and single-house resolutions.

(p) Also, 13 Sunset Review Resolution Introductions.

(q) Senate adjourned on January 5, 1988; House on December 13, 1987.

(r) Also, 1 Sunset Review Resolution Introductions.

(s) Public and private acts.

(t) Extended 24 legislative days.

(u) Scheduled end of regular session. All information as of April 8, 1988.

(v) 194 bills pending action.

(w) Totals include those for special sessions as well.

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Table 3.16
BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS:
1986 AND 1987 SPECIAL SESSIONS

State	Duration of session*	Introductions		Enactments		Measures vetoed by governor	Length of session
		Bills	Resolutions	Bills	Resolutions		
Alabama	Sept. 8-Sept. 24, 1986 No special sessions in 1987	269	N.A.	57	79	N.A.	30C
Alaska	No special sessions in 1986 July 1-July 3, 1987	4	2	5	1	0(a)	3C
Arizona	No special sessions in 1986 Jan. 21-Jan. 25, 1987 June 29-July 2, 1987 July 20-July 22, 1987	11 6 3	1 0 0	3 4 3	0 0 0	0 0 0	5C 4C 2C
Arkansas	No special sessions in 1986 June 2-June 5, 1987 Oct. 6-Oct. 9, 1987	100 10	18 6	61 3	13 3	1 0	4C 4C
California	Sept. 8-Nov. 30, 1986 Nov. 9-Nov. 10, 1987	3 17	3 2	0 4	2 1	0 0	(b) 2L
Colorado	Aug. 8-Sept. 3, 1986 No special sessions in 1987	18	N.A.	17	N.A.	0	27C
Connecticut	May 21-June 6, 1986 June 11-June 13, 1986 June 23-June 30, 1986 July 22-July 22, 1987	2 1 2 2	12 7 28 18	2 1 2 2	N.A. N.A. N.A. N.A.	1 0 0 0	2L 3L 2L 1L
Delaware	Sept. 18-Sept. 18, 1986 July 7-Dec. 8, 1987(c)	0 N.A.	0 N.A.	1 N.A.	0 N.A.	0 N.A.	1L N.A.
Florida	June 19-June 19, 1986 Feb. 4-Feb. 4, 1987 Sept. 21-Oct. 8, 1987 Oct. 12-Oct. 15, 1987	15 5 45 5	0 1 6 1	9 2 12 2	0 1 6 1	0 0 1 0	1C 1C 18C 4C
Georgia	No special sessions in 1986/1987						
Hawaii	July 24-July 30, 1986 No special sessions in 1987	12	0	2	0	0	7C
Idaho	No special sessions in 1986/1987						
Illinois	Nov. 18, 1986-Jan. 13, 1987 July 1-July 1, 1987	19 0	13 11	0 2	13 11	0(d) 0	8L 1L
Indiana	No special sessions in 1986 April 30-April 30, 1987	20	0	19	0	0	1L
Iowa	No special sessions in 1986 June 4-June 6, 1987 Oct. 27-Oct. 27, 1987	2 2	8 1	1 1	2 1	0 0	3C 1C
Kansas	No special sessions in 1986 Aug. 31-Sept. 5, 1987	10	9(e)	0	3(e)	0	6L
Kentucky	No special sessions in 1986 Oct. 14-Oct. 23, 1987	3	50	2	50	0	8L
Louisiana	Dec. 4-Dec. 9, 1986 No special sessions in 1987	238	16	38	0	2	(b)
Maine	May 28-May 30, 1986 Oct. 28-Oct. 28, 1986 Oct. 9-Oct. 9, 1987 Oct. 21-Nov. 20, 1987	25 10 33 19	0 1 0 0	25 10 28 12	1 1 0 0	0 0 2 2	4L 1L 1L 4L
Maryland	No special sessions in 1986/1987						
Massachusetts	No special sessions in 1986/1987						
Michigan	No special sessions in 1986/1987						
Minnesota	April 2-April 2, 1986 June 25-June 25, 1987	4 13	0 0	3 5	0 0	0 0	1L 1L
Mississippi	May 28-June 1, 1986 Aug. 27-Aug. 29, 1987	14 38	13 20	1 21	9 19	0 0	5L 3C
Missouri	No special sessions in 1986/1987						

LEGISLATURES

1986 AND 1987 SPECIAL SESSIONS—Continued

State	Duration of session*	Introductions		Enactments		Measures vetoed by governor	Length of session
		Bills	Resolutions	Bills	Resolutions		
Montana	March 24-March 29, 1986	33	5	17	5	0	6L
	June 16-July 1, 1986	77	5	45	2	0	14L
	No special sessions in 1987						
Nebraska	Nov. 12-Nov. 20, 1986	3	6	3	5	0	7L
	Dec. 5-Dec. 12, 1986	5	3	3	3	0	7L
	No special sessions in 1987						
Nevada	No special sessions in 1986/1987						
New Hampshire	No special sessions in 1986/1987						
New Jersey	No special sessions in 1986/1987						
New Mexico	June 23-June 24, 1986	10	0	2	0	0	2C
	July 11-July 12, 1987	2	1	2	1	0	2C
New York	(f)						
	No special sessions in 1987						
North Carolina	Feb. 18-Feb. 18, 1986	13	1	7	1	N.A.	1L
	No special sessions in 1987						
North Dakota	Dec. 2-Dec. 5, 1986	10	2	7	2	0	4L
	No special sessions in 1987						
Ohio	No special sessions in 1986/1987						
Oklahoma	No special sessions in 1986						
	July 6-July 6, 1987	1	1	N.A.	N.A.	N.A.	1L
	July 7-July 14, 1987 (g)	1	1	N.A.	N.A.	N.A.	2L
Oregon	No special sessions in 1986/1987						
Pennsylvania	No special sessions in 1986						
	Nov. 9-Nov. 30, 1987	61	2	0	0	0	(b)
Rhode Island	No special sessions in 1986						
	Sept. 8-Sept. 8, 1987	6	2	6	2	0	1L
South Carolina	No special sessions in 1986/1987						
South Dakota	No special sessions in 1986						
	July 16-July 16, 1987	3	1	3	1	0	1L
Tennessee	No special sessions in 1986/1987						
Texas	Aug. 6-Sept. 4, 1986	157	19	254	197	0	30C
	Sept. 8-Sept. 30, 1986	142	273	33	231	1	23C
	June 2-June 3, 1987	16	10	6	6	0	2C
	June 22-July 21, 1987	286	524	78	415	1	30C
Utah	May 13-May 14, 1986	23	5	16	4	0	2L
	June 18-June 18, 1986	1	1	1	1	0	1L
	Nov. 18-Nov. 23, 1986	14	1	5	1	0	4L
	May 20-June 17, 1987	22	0	20	0	0	2L
Vermont	No special sessions in 1986/1987						
Virginia	Sept. 15-Sept. 27, 1986	41	21	16	19	0	12C
	April 8-April 8, 1987	2	9	2	9	0	1L
Washington	No special sessions in 1986						
	April 27-May 21, 1987 (h)	2 (h)	5 (h)	14 (h)	8 (h)	0 (h)	27C
	Aug. 10-Aug. 10, 1987 (b)						
	Oct. 10-Oct. 10, 1987 (b)						
West Virginia	May 15-May 30, 1986	100	13	25	12	5 (i)	10L
	July 18-Sept. 9, 1986	24	35	7	14	1	9L
	Dec. 8-Dec. 8, 1987	3	7	2	5	2	1L
Wisconsin	Jan. 27-May 30, 1986	1	4	1	3 (j)	1	34L
	March 24-March 26, 1986	1	1	1	1	0	3L
	May 20-May 29, 1986	44	3	12	3	0	6L
	July 15-July 15, 1986	3	1	2	1	0	1L
	Sept. 15-Sept. 16, 1987	2	1	2	1	0	2C
	Nov. 18-(k)	6 (l)	3 (l)	0 (l)	2 (l)	2 (l)	(k)

LEGISLATURES

1986 AND 1987 SPECIAL SESSIONS—Continued

Measures vetoed by governor	Length of session	State	Duration of session*	Introductions		Enactments		Measures vetoed by governor	Length of session
				Bills	Resolutions	Bills	Resolutions		
0	6L	Wyoming	June 16-June 19, 1986	8	3	6	2	N.A.	4C
0	14L		May 19-May 22, 1987	10	0	5	0	0	4C
0	7L	American Samoa	March 13-March 22, 1986	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
0	7L		April 21-April 25, 1986	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
			May 14-May 20, 1986	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
			June 10-June 11, 1986	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
			Nov. 24-Dec. 3, 1986	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
		March 27-April 6, 1987	(m)	(m)	(m)	(m)	(m)	N.A.	
		Puerto Rico	June 6-June 23, 1986	18	15	5	2	N.A.	18L
			Aug. 13-Sept. 1, 1986	19	23	11	6	2	20L
			Dec. 18-Dec. 24, 1986	3	6	8	0	N.A.	7L
0	2C		May 19-May 19, 1987	0	0	0	1	N.A.	1L
0	2C		June 4-June 23, 1987	14	13	10	40	N.A.	20L
			Sept. 8-Sept. 27, 1987	21	16	9	1	N.A.	20L
		Oct. 26-Oct. 26, 1987	1	1	N.A.	4	N.A.	1L	
N.A.	1L	Virgin Islands	March 23-March 25, 1986 (b)	4	0	4	0	0	1C
			Oct. 24-Oct. 24, 1986 (h)	(b)	(h)	(b)	(h)	(h)	1C
			No special sessions in 1987						

*Actual adjournment dates are listed regardless of constitutional or statutory limitations. For more information on provisions, see Table 3.2, "Legislative Sessions: Legal Provisions."
 Key:
 C—Calendar day
 L—Legislative day
 N.A.—Not available
 (a) 2 line items overridden.
 (b) California: 1986 Senate 63L, Assembly 69C. Louisiana: 1986 Senate 13L, House 16L. Pennsylvania: 1987 Senate 14L, House 13L.
 (c) Final data not available.
 (d) 11 vetoes overridden; includes amendatory and item vetoes and restore reductions.
 (e) Concurrent resolutions.
 (f) Special session was held Dec. 6 - Dec. 31, 1986; information not available.
 (g) Senate adjourned July 7.
 (h) Figures given include totals for all special sessions.
 (i) 5 vetoes overridden.
 (j) Partial veto.
 (k) In session as of April 8, 1988.
 (l) Totals as of April 8, 1988.
 (m) Included in numbers given in Table 3.15, "Bill and Resolution Introductions and Enactments: 1986 and 1987." Separate figures not available.

Juice

QUALITY SERVICES

Date MAY 11 1990

Fairbanks
Daily News Miner

Client No. 616

Session limits force lawmakers into action

When I covered legislatures in the mid-1970s, there was no limit to the length of the session. Legislative action dragged on until mid-June, taking years off the lives of everyone involved.

Since 1984 a constitutional amendment limits sessions to 120 days. Still, the Legislature's work proceeded at such a dismal pace this year that a constitutional amendment for a 90-day limit moved swiftly out of the Senate Sunday to die just one move short of a House floor vote Tuesday.

The 90-day limit amendment, SJR 63, was introduced by Sen. Steve Frank, R-Fairbanks, and attracted five early co-sponsors when it was introduced Jan. 19.

As amended, SJR 63 would have the Legislature meet for 45 days, take a 10-day break, then return to work for 45 days. The idea might have come from all the three- and four-day weekends taken by the Legislature this year.

SJR 63 passed the Senate Sunday by a 14-6 vote. It failed to get the



**Fred
Pratt**

necessary two-thirds majority in its first trip to the Senate floor May 5, with voting generally along party lines.

All Republicans except Sen. Drue Pearce, R-Anchorage, voted for the session limit, joined by Sen. Pat Rodey, D-Anchorage, in the first vote and two others, Sens. Mike Szymanski, D-Anchorage, and Jim Duncan, D-Juneau, in the second vote.

The idea of setting arbitrary limits to the Legislature's working time is one you can argue about late into several nights, and my own opinion on the topic has changed 180 degrees over the years.

Those who advocate session

limits have some good arguments. They say longer sessions mean fewer "citizen legislators" and more "full-time politicians," since the average person can't take six months off from work each year to live in Juneau.

Not surprisingly, the full-time politicians like longer sessions. They also have some good arguments.

They will point out that citizen legislatures are fine for small northeastern or rural midwestern states where all the laws and all the policy decisions for the state's future were set a century ago, but not good enough for Alaska.

If our Legislature works only three months a year, how can it keep up with a state the size of ours, with developing economies in global commodities like oil, timber, fisheries and mining?

There was a time, back during the trans-Alaska pipeline boom, when I and others found this argument convincing. We had to increase the quality of our Legisla-

ture, and that naturally means longer sessions. Running Alaska with a 60-day session would be like running a 2,000-acre farm with one horse.

The opponents counter this argument with an equally good one. On Jan. 16, 1959, the first Alaska State Legislature convened, with no laws on the books for its new state.

It had to write all the fish and game law, all the criminal code, establish the judiciary and manage vast resources coming from statehood land selections. It could and did use older territorial laws and other state laws as models, but these often made a poor fit in Alaska.

The first session of the First Alaska Legislature did all this and adjourned April 16, 1959, after 80 days. The next year, in the second session, they went home March 29 after meeting only 63 days.

One argument against session limits is the unseemly scramble that comes with the deadline. This was common before the session

limit, however, and it's a characteristic of the political process itself.

It's the nature of politicians to put off decisions until the last minute. That's why I've come around to the idea of a session deadline. If it wasn't for lunch, some legislators would never get up in the morning.

In effect, we have a year-round Legislature no matter how long the session lasts. We have so many interim committees, special committees and interim work by standing committees that most legislators can fill up all the time they want with public service.

And there's no excuse for the end-of-session legislative logjam. For much of this year's session the House didn't even meet on Tuesday's and Thursdays, and quite a few times there were so many people gone on Fridays or Mondays that little work could be accomplished.

Fred Pratt, a free-lance writer living in Fairbanks, is a reporter and long-time observer of Alaska politics.

EDITORIAL

QUALITY SERVICES

Date MAY 3 1990

Chugiak
Eagle River Star

Client No. 616

Legislative session too long

The 1990 legislative session is due to end on Tuesday when it reaches the 120-day limit imposed by voters.

Even that is too long, according to information from senators John Binkley (Bethle) and Steve Frank (Fairbanks). They co-sponsored a resolution asking to put on the ballot a constitutional amendment which would reduce the sessions to 100 days. Only 90 days would be spent in actual meetings. Legislators would have a 10-day mid-session break to return home and visit with constituents.

HERE IS WHAT the Senators had to say about their proposal. "While simply cutting 20 days off the session limit may not seem in itself a startling act of political advancement . . . that's not the resolution's central provision. More important is the change in how the legislature would make use of its limited time in session . . . The 100-day session would be split into two 45-day segments with a 10-day break in the middle. On the final day of the first 45-day segment, the governor would be required to submit to the legislature the state's official revenue forecast for the coming fiscal year."

The 10-day break would give legislators time to return to their districts, the senators said, for more than a hurried weekend. The break for attention to family and business needs might also encourage more people to run for office. "If we truly are interested in having a 'citizen legislature,' then we ought to do something to make it easier for more people to participate," the pair argued.

Getting the revenue forecast would be an improvement, it was advised. Now, the senators said, the forecast comes "when the session has entered the home stretch . . . If we had the numbers to study over the break, the forecast would get more attention, and it certainly would be a major item for discussion during the visit back to the district."

WE ARE CONVINCED. Let's put it on the ballot.

SJR

||

JUNEAU BAR ASSOCIATION

January 15, 1991

President George Bush
The White House
1600 Pennsylvania Avenue
Washington, D.C.

Re: Vacancy on the Ninth Circuit Court of Appeals

Dear President Bush:

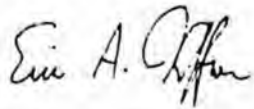
I have been asked by the Juneau Bar Association of Juneau, Alaska, to write to you concerning a vacancy on the Ninth Circuit Court of Appeals. Ninth Circuit Chief Judge Alfred Goodwin intends to take senior status on January 31, 1991. As you may know, the Ninth Circuit includes nine western states and the Pacific Trust Territories. One of the states within this circuit is Alaska, and yet only one judge from Alaska has been appointed to the Ninth Circuit in the thirty-two years since Alaska achieved statehood.

The forty-ninth state has much to offer, including a wealth of legal and judicial talent. You should take advantage of this talent in filling the vacancy left by Chief Judge Goodwin. You should also take advantage of this opportunity to diversify the perspective of the Ninth Circuit bench. From our vantage point at the top of the Pacific Rim, we Alaskans have long viewed the world from a unique standpoint. We urge you to appoint an Alaskan to the Ninth Circuit. Such an appointment would benefit the quality of the Court as well as the pride of our state.

I appreciate that right now you have a world of concerns beyond the federal judiciary, and I hope that the world survives those concerns. We send our best wishes for peace and justice everywhere, and encourage you to consider seriously our request for an Alaskan appointment that would enhance the quality of justice in our small corner of the world.

Very truly yours,

JUNEAU BAR ASSOCIATION

By 
Eric A. Kueffner

cc: Senator Ted Stevens
Senator Frank Murkowski
Representative Don Young
Governor Walter Hickel
Mr. Gary Zipkin

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

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

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

Mary Van Nimwegen

1/30/91 Sen Jud Committee 1:30pm

SJR

14

FISCAL NOTE

BILL NO. SJR 14

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: 01/13/92 Department Affected: Office of the Governor-Elections
 Title: Amendment to the Constitution RE: Open Meetings Legislature BRU: Division of Elections
 Sponsor: Senator Rodey Component: II-Primary and General Elections
 Requestor: Senate Judiciary Committee

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.2*	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	2.2*	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	2.2*	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	2.2*	0	0	0	0	0

POSITIONS:

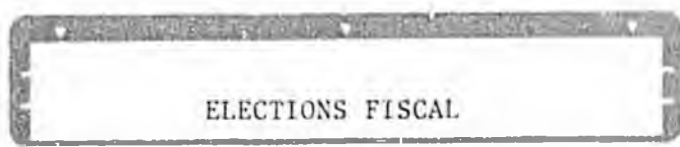
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.) * This figure covers cost of inclusion of information about this issue in the Official Elections Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Prepared by: Elizabeth Ziegler, Deputy Director Phone: 465-4611
 Division: Elections Date: 01/13/92
 Approved by Commissioner: Charles E. Phillips
 Agency: Office of the Governor Date: 01-13-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).



Patrick M. Rodey
Senator

Alaska State Legislature



Senate

3111 C. St., Suite 510
Anchorage, Alaska 99503
(907) 561-7618

During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-3793

SENATE JOINT RESOLUTION 14 - PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF ALASKA RELATING TO OPEN MEETINGS.

SJR 14 is substantially the same as CSSJR 1 (State Affairs) from 1989. It is an important and balanced piece of legislation which would guarantee the public reasonable access to the legislative process.

This proposal is a step toward making openness in government the rule and secrecy the exception by establishing a constitutional requirement rather than a statutory one.

If passed by the legislature, the proposal would be placed on the ballot in the 1992 general election for a vote.

AS 44.62.310 (Open Meetings Act) provides "All meetings of a legislative body ...shall be open". As a result of a 1986 law suit, the Superior Court found the legislature had violated the OMA and Uniform Rule 22 - the bottom line being that the OMA applied to the legislature.

After the case was reviewed the by Supreme Court, it held that the statute and rule fell within the legislature's rule making authority and the court could not enforce compliance. The matter was nonjusticiable.

As a result of the court's decision, the legislature was left in the position of being exempt from enforcement of stringent open meetings standards while requiring other governmental bodies to comply. To resolve this inconsistency and to provide a basis for judicial enforcement, a constitutional amendment should be adopted. By amending our state constitution to provide a standard for open meetings, we will establish a basis for enforcement of that standard.

SPONSOR STATEMENT/SECTIONAL



Page 2 - SJR 14
March 27, 1991

SECTIONAL ANALYSIS

Section 1(a) provides that **except for executive sessions authorized by law**, private and substantive discussions on legislation under its jurisdiction by a quorum of a house of the legislature or of a legislative committee are prohibited.

The subject of holding a caucus has raised questions in the past. This proposal makes it clear that a quorum of a committee or of a house is prohibited from holding substantive discussions on legislation regardless where the meeting is held. A group of legislators that do not constitute a quorum of a house or of a committee may discuss legislative business in private.

Section 1(b) allows the legislature or a committee to hold executive sessions authorized by law.

Section 1(c) specifies a court may not prescribe rules or procedures for conducting legislative business nor invalidate legislation because of a violation of the section.

Section 1(d) allows the court to impose civil fines and other sanctions authorized by law upon an individual member of the legislature for an intentional violation. The imposition of a civil fine on a legislator, the amount of which can be set by the legislature, is the only intrusion by the court into the legislative process under this amendment.

Section 1(e) provides for the legislature to implement this section. This allows the legislature to determine appropriate definitions and terms for implementing the open meetings law.

Page 3 - SJR 14
March 5, 1991

Section 2 addresses legislative intent. This does not go on the ballot nor into the constitution, but will be considered for the preparation of the summary which is placed in the voters pamphlet.

Section 2(a) states the purpose of the amendment and ensures the public's access to substantive deliberative and decision making stages of the legislative process.

Section 2(b) provides a basis for judicial enforcement of the existing open meeting law to the extent it is consistent with this amendment (notwithstanding legislative immunity or rule making authority as provided in article II, section 6 and 12 respectively of our State Constitution). This section makes it clear that the court must follow the schedule adopted by the legislature for the payment of a civil fine.

Section 2(c) provides the amendment is not intended to prevent the free flow of ideas among legislators, or their participation in public forums and other events.

Section 2(d) provides instructions to the Legislative Affairs Agency.

Section 3 places the amendment on the ballot for the next general election (1992).

SJR

18

**SEVENTEENTH LEGISLATURE
SENATE JUDICIARY COMMITTEE BILL FILE**

BILL NUMBER: SSR 18
 ABBREVIATED TITLE: Federal Bill / Violence Against Women -

SPONSOR: Sture ORIGINAL RECEIVED: State Office -
 WRITTEN REQUEST TO SCHEDULE REC'D: _____ FROM: _____
 SPONSOR'S STATEMENT REC'D: _____ FROM: _____
 SECTIONAL ANALYSIS RQST'D: _____ FROM: _____
 SECTIONAL ANALYSIS RECEIVED: _____

FISCAL NOTE (ORIGINAL)
 RQST'D OF: _____ REC'D FROM: _____ DATE: With Bill -
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____

FISCAL NOTE (C.S.)
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____

FIVE DAY NOTICE GIVEN: By State Office NOTICE OF HEARINGS GIVEN: _____
 COMMITTEES OF REFERRAL: FIRST: SA SECOND: Jud - THIRD: _____

COMMITTEE ACTION

DATE: 3-12-91 Hand - Comte wants to explore including
S 472 by Dale and Co sponsored by
Sture / Michaels -
3-18- CS Adopted - passed Ind Rec -
2957 Term Revisited -
Rodley - Halstead - Calderin Do Pass -
Others Absent -

PERSONS TO BE NOTIFIED OF HEARING

1. SPONSOR Arless _____
2. AGENCY Melissa - 3818 _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

3-14-91 Gave Proposed Compromise to Melissa.
3-15- She Think something like That will work.
10 A.M - 3-18- TC Melissa - She will have language in on four.

SJR

20

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERENCE

DATE: 2/25/91

FURTHER: Finance

Date of 5-Day Notice: 2/20/92
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2/26/92

Judiciary Committee considered SJR 20

Amendment to the Constitution of the State of Alaska relating to terms of legislators.

and recommended:

- replace with TUD CS SJR 2 same title
- attached amendment(s) new title
- _____ letter of intent adopted
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to Finance

ATTACHES NEW FISCAL NOTE(S):

- | | |
|---|--|
| <input type="checkbox"/> fiscal note(s) Dept/Date | <input type="checkbox"/> zero fiscal note(s) Dept/Date |
| <u>Elections 1/13/92</u> | <u>State</u> |
| <input type="checkbox"/> appropriation-no fiscal note | <input type="checkbox"/> Governor's bill w/fiscal note |

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

OTHER RECOMMENDATIONS:

Al Lidman - Do NOT Pass

[Signature]
Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA

BILL 1. SJR 20

1992 LEGISLATIVE SESSION

Revision Date: 01/13/92 Department Affected: Office of the Governor-Elections
 Title: Amendment to the Constitution RE: Limit Terms of Legislators BRU: Division of Elections
 Component: 11-Primary and General Elections
 Sponsor: Senate Rules Committee by Request of the Governor
 Requestor: Senate Judiciary Committee

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.2*	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	2.2*	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	2.2*	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	2.2*	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.) * This figure covers cost of inclusion of information about this issue in the Official Elections Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Prepared by: Elizabeth Ziegler, Deputy Director Phone: 465-4611
 Division: Elections Date: 01/13/92

Approved by Commissioner: *Charles E. Hickel*
 Agency: Office of the Governor Date: 01-13-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 6, 1992

The Honorable Rick Halford
Chairman, Senate Judiciary Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Re: SJR 20, Relating to Terms of Legislators

Dear Senator Halford:

Senate Joint Resolution 20 has been in the Judiciary Committee, the first committee of referral, since the Governor requested introduction. Please, at your earliest convenience, schedule this proposed amendment to the constitution for a public hearing in your committee.

Thank you for your consideration of this measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul Fuhs".

Paul Fuhs
Senior Legislative Liaison

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 25, 1991

The Honorable Richard I. Eliason
President of the Senate
P.O. Box V
Juneau, AK 99811

Dear President Eliason:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting to you a joint resolution amending the Alaska Constitution. If adopted by you and the voters of the state, this resolution will limit legislators to serving not more than two full consecutive terms as a senator, or four full consecutive terms as a representative. I believe that this limitation would strengthen the legislature by providing a mechanism for introducing to legislative office new people with fresh approaches to serving the needs of their constituencies. I do not intend that my support of this concept be interpreted as a criticism of any specific legislator who has enjoyed a long tenure. I believe that the reasons for the limit in art. III, sec. 5, of the Alaska Constitution on the number of terms that may be served by the governor are equally valid reasons for limiting consecutive terms of legislators. The reasons for that limitation were well thought out by the framers of the Alaska Constitution.

I urge you to favorably consider passage of this joint resolution.

Sincerely,

A handwritten signature in cursive script that reads "Walter J. Hickel".

Walter J. Hickel
Governor

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

February 13, 1992

SUBJECT: Term Limit for Legislators (SJR 20)

TO: Senator Rick Halford
Chair, Senate Judiciary Committee

FROM: Tamara Brandt Cook *TBC*
Director

You have supplied me with a copy of a letter from Mr. Jim Baldwin, Assistant Attorney General, regarding SJR 20 introduced by the governor. In the letter Mr. Baldwin concludes that the transition provision would be applied so that past terms served by legislators would be considered in determining whether incumbents could serve after 1994. He also suggests that the treatment accorded to incumbents should be clarified.

I agree with this suggestion. The language in Section 2 of the resolution as drafted is ambiguous with respect to whether terms served prior to 1995 are to be considered for purposes of applying the new term limitation. I strongly suggest that the committee consider the issue and reword the provision so that it is clear one way or the other.

Mr. Baldwin also states that ". . . nothing would prevent a legislator from, for example, serving three full terms as a representative and then two full terms as a senator. . ." I disagree with that statement. Although that may have been the goal of the language, I do not believe that it actually achieves that result. Note, for example, the following statement as it appears in the resolution: ". . . a senator who has served for two full consecutive terms in the legislature is not again eligible to seek office as a member of the legislature. . ." Under that language, as a literal matter, a person who served, consecutively, one term as a representative and one term as a senator would be precluded from seeking office in either the House or Senate the following term. If this is not the desired result, the section needs to be rewritten.

TBC:gc
92-127.glc

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

February 12, 1992

The Honorable Senator Rick Halford
Chairman
Senate Judiciary Committee
Alaska State Senate
Room 103, Capitol Building
P. O. Box V
Juneau, AK 99811

Re: SJR 20 relating to terms of
legislators

Dear Senator Halford:

You requested this office to construe the provisions of SJR 20 for the purpose of advising the judiciary committee as to how transition would occur if the resolution is adopted. We presume you are concerned whether the resolution would have some retrospective effect. We believe that, if adopted, the term limit would apply to incumbent legislators with enough past service to disqualify them from running for office at the first general or primary election for which term limits would apply; i.e., the 1994 primary and general elections.

It is possible that an incumbent legislator could claim that the amendment so applied would have an invalid retroactive effect in violation of Art. I, Sec. 15 of the Alaska Constitution and AS 01.10.100(b). However, legal arguments can be made in support of the contention that the resolution does not retroactively extinguish a prior vested right. To prevail, an incumbent legislator would need to show that he or she had a vested right to run for reelection.

The committee could strengthen the resolution by clarify the treatment accorded to incumbents during the transition period. An amendment could be drafted to section 2 of the resolution to remove any doubt concerning the treatment of incumbents during the first election. The committee may wish to amend the resolution to provide for a transition that either makes the limit apply to terms of incumbents served before adoption of the amendment or only to terms accrued after the amendment is adopted. Either of the foregoing approaches would be legally valid.

STEVE COWPER, GOVERNOR

REPLY TO:

- 1031 W 4th AVENUE SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 276-3550
FAX: (907) 276-3697
- KEY BANK BUILDING
100 CUSHMAN ST. SUITE 400
FAIRBANKS, ALASKA 99701-4679
PHONE: (907) 452-1568
FAX: (907) 456-1317
- P.O. BOX K— STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 463-5295

The Honorable Senator Rick Halford
EJR 20 relating to terms of legislators

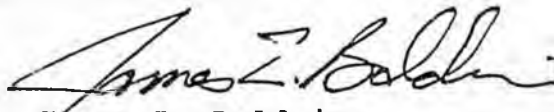
February 12, 1992
Page 2

I should point out that, under the resolution as presently drafted, nothing would prevent a legislator from, for example, serving three full terms as a representative and then two full terms as a senator (resulting in a possible total of 14 consecutive years of service). In addition, serving a partial term as an appointee filling a vacancy for an unexpired term could result in service for more than eight years if the legislator was subsequently elected and reelected to the maximum number of consecutive terms. It was not the governor's intent to attempt to limit legislative service under the foregoing situations. If you desire to change that meaning, you should amend the resolution to accomplish your intent.

I hope that you will find these comments helpful during your consideration of this resolution.

Sincerely yours,

CHARLES E. COLE
ATTORNEY GENERAL

By: 
James L. Baldwin
Assistant Attorney General

JLB:ck

CS FOR SENATE JOINT RESOLUTION NO. 20 (JUDICIARY)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A RESOLUTION

**1 Proposing an amendment to the Constitution of the State of Alaska relating to terms of
2 legislators, governors, and lieutenant governors.**

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

4 * Section 1. Article II, sec. 3, Constitution of the State of Alaska, is amended to read:

**5 SECTION 3. ELECTION AND TERMS. Legislators shall be elected at general
6 elections. Their terms begin on the fourth Monday of the January following election unless
7 otherwise provided by law. The term of representatives shall be two years, and the term of
8 senators, four years. One-half of the senators shall be elected every two years. A representative
9 who has served for four full consecutive terms or a senator who has served for two full
10 consecutive terms in the legislature is not again eligible to seek office as a member of the
11 legislature until after the next general election following the expiration of the member's
12 final consecutive term.**

13 * Sec. 2. Article III, sec. 5, Constitution of the State of Alaska, is amended to read:

**14 SECTION 5. LIMIT ON TENURE. No person who has served as [BEEN ELECTED]
15 governor for one [TWO] full term [SUCCESSIVE TERMS] shall be again eligible to hold the
16 [THAT] office of governor. No person who has served as lieutenant governor for one full**

1 term shall again be eligible to hold the office of lieutenant governor [UNTIL ONE FULL
2 TERM HAS INTERVENED].

3 * Sec. 3. Article XV, Constitution of the State of Alaska, is amended by adding a new section to
4 read:

5 SECTION 29. LIMITING TENURE OF LEGISLATURE, GOVERNOR, AND
6 LIEUTENANT GOVERNOR. The 1992 amendment to Section 3 of Article II and to Section
7 5 of Article III, limiting tenure in the legislature, office of governor, and office of lieutenant
8 governor shall first apply to the 1994 primary and general elections.

9 * Sec. 4. The amendments proposed by this resolution shall be placed before the voters of the state
10 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
11 the election laws of the state.



Formerly ERT

ENSR Consulting
and Engineering

750 West Second Avenue
Suite 100
Anchorage, AK 99501
(907) 276-1302

February 14, 1992

Senator Rick Halford
Chairman, Senate Judiciary Committee
Room 103, State Capitol
Juneau, Alaska 99801-1182

Re: SJR-20

Dear Rick:

I have attached a copy of my statement concerning the above resolution which was given via teleconference on February 13, 1992. Please see that it is made a part of the formal record of comments on SJR-20.

Thanks for your efforts in finally getting this vital issue to a hearing.

Regards,

A handwritten signature in black ink, appearing to be 'R. C. Gardner', written over the typed name.

R. C. Gardner

Attachment

February 13, 1992

STATEMENT OF ROBERT C. GARDNER

IN FAVOR OF SJR-20 LIMITING TERMS OF STATE LEGISLATORS

Good afternoon. My name is Robert Gardner. I am an 18-year resident of Alaska and am here today to declare my support for SJR-20, a resolution which would limit terms of Alaska State Legislators.

The Alaska State Constitution mandates a citizen legislature. While there may be some disagreement over the precise meaning of this term, I submit that it was never intended to condone employment as a full-time career legislator which is all too common in both the House and Senate today. Several changes need to be made to return the legislature to the citizens, including term limits and shorter sessions. The present situation encourages career politicians, enhances the influence of power brokers, and further estranges the legislative process from the ordinary citizen.

Numerous public opinion polls have shown that Alaskans overwhelmingly support term limits. If our state Constitution allowed amendment by initiative, term limits would have been a reality a long time ago. Personally, I am glad we cannot amend by initiative as it has prevented untold numbers of poorly crafted special interest issues from cluttering up every

ballot, such as is the case in California these days. The downside is that there is no recourse open to the public to address a lack of responsible legislative action on matters that have broad citizen support. Such is the case with term limit legislation. Powerful incumbents have consistently buried this legislation fearing an erosion of their power and perhaps an end to the only employment some of them have ever had.

At a bare minimum, the issue of term limits merits public debate and input. I urge you to favorably report SJR-20 so this matter can get the exposure it deserves. Continuing to bury the issue in committee by those in the legislature who are afraid to see it come to a floor vote (this issue has been introduced 19 times in the last 23 years) only serves to further erode public confidence in the legislative process.

Unfortunately, there are those in both houses of the legislature who do not care a whit about public confidence in the legislative process, but rather are primarily concerned about the perpetuation of their esteemed political careers. It will not be long before these everlasting squatters in public office will be on the trail of campaign contributions and re-election. I can assure all of you that your position on the issue of term limits will receive extensive public exposure during your bid for re-election.

Thank you.

T/C NO: 92-02-045
DATE: 02-13-92
SPONSOR: (S) JUDICIARY
SUBJECT: SB109/254, SJR23/20
MODERATOR: ROSETTA
SITE: ANCHORAGE

PARTICIPANT LIST

Same list - one person added

TESTIFIER

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. EDDIE BURKE	3413 COLLATE 99501	277-7424	SJR20 SJR23
2. GORDON (SMOKEY) CORBEIL	3307 BONIFACE SP50 99504	338-3931	SJR20
3. ART JACOB			SJR20 SJR23
4. BOB BELL/AFLA			SJR20
5. BONNIE JACK			SJR20
6. R.C. GARDNA	<i>Robert Gardner</i>		SJR20
7.			

SJR

23

DATE: 5/1/91

FURTHER: Finance

DATE TURNED INTO OFFICE: 3/17/92

Judiciary Committee considered SENATE JOINT RESOLUTION NO. 23

Proposing amendments to the Constitution of the State of Alaska creating a transportation fund.

and recommended:

- replace with CS SJR 23 (JUD) same title
- or adopt CS new title
- attached amendment(s) technical title change (HB only)
- letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to Finance

ATTACHES NEW FISCAL NOTE(S):

fiscal note(s) Revenue / 3-16-92
Dept./Date:

zero fiscal note(s)

appropriation-no fiscal note

APPROVES PREVIOUS:

fiscal note(s) Elections / 1-13-92
Dept./Date:

zero fiscal note(s)

Governor's bill w/fiscal note

SIGNING DO PASS:

[Signature]
[Signature]

OTHER RECOMMENDATIONS:

Al Adams - No Rec

Rich Harford
Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SJR 23

Revision Date: 01/13/92
Title: Amendment to the Constitution RE: Transportation Fund
Sponsor: Senator Jones
Requestor: Senate Judiciary Committee

Department Affected: Office of the Governor-Elections
BRU: Division of Elections
Component: 11-Primary and General Elections

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.2*	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	2.2*	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	2.2*	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	2.2*	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.) * This figure covers cost of inclusion of information about this issue in the Official Elections Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Prepared by: Elizabeth Ziegler, Deputy Director
Division: Elections

Phone: 465-4611
Date: 01/13/92

Approved by Commissioner: Charles E. Heckstun
Agency: Office of the Governor

Date: 01-13-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSSJR 23

Revision Date: March 16, 1992
Title: Proposing amendments to the Constitution of the State of Alaska creating a transportation fund
Sponsor: Senator Jones
Requestor: Senate Judiciary

Department Affected: Revenue
BRU: Operations
Component: Treasury Management

Component Serial No.

0	1	2	1
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		5.0	5.0	5.0	5.0	5.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	5.0	5.0	5.0	5.0	5.0

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

REVENUE FUND SOURCE						
Unrestricted General Fund		(62,000.0)	(62,000.0)	(62,000.0)	(62,000.0)	(62,000.0)
Restricted - Transportation Fund		62,000.0	62,000.0	62,000.0	62,000.0	62,000.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE Trans Fnd		5.0	5.0	5.0	5.0	5.0
TOTAL	0.0	5.0	5.0	5.0	5.0	5.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact:

ANALYSIS: Assumes an independent audit beginning in FY 94 for FY 93, the first year of funding. Contractual requirements may be more if fund accumulates substantial money requiring investment related fees. See attached schedule of transportation revenues.

Prepared by: Brian C. Andrews *BA* Phone: 465-2350
Division: Treasury Date: March 16, 1992
Approved by Commissioner: Darrel J. Rexwinkel *Darrel J. Rexwinkel*
Agency: Revenue

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Continued Analysis CSSJR 23

ANALYSIS: This legislation would reduce the unrestricted revenue to the general fund received from the State's licenses and fees for the registration, operation, and use of motor vehicles, aircraft, and watercraft and from net State taxes on fuel used for motor vehicles, aircraft and watercraft by approximately 62 million dollars. These revenues would then be used for authorized expenditures from the transportation fund.

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SJR 23

Revision Date: April 25, 1991
 Title: Proposing amendments to the Constitution of the State of Alaska creating a transportation fund
 Sponsor: Senator Jones
 Requestor: _____

Department Affected: Revenue
 BRU: Revenue Operations
 Component: Treasury Management

Component Serial No.

	1	2	1
--	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL				5.0	5.0	5.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	5.0	5.0	5.0

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

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

FUNDING: (Thousands of Dollars)



GENERAL FUND						
FEDERAL FUNDS						
OTHER: Transportation Fund				5.0	5.0	5.0
TOTAL	0	0	0	5.0	5.0	5.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: Assumes an independent audit beginning in FY 95 for FY 94, the first year of funding. Contractual requirements may be more if fund accumulates substantial money requiring investment related fees.

Prepared by: Brian C. Andrews 
 Division: Treasury
 Approved by Commissioner: _____ 
 Agency: Revenue

Phone: 465-2350
 Date: April 25, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

Revision Date: 03/10/92
Title: Proposing amendments to the Constitution
Creating a Transportation Fund
Sponsor: Senator Jones
Requestor: Senate Judiciary

Agency Affected: DOT&PF
BRU:
Components:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

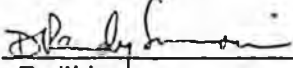
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: This resolution would put before the voters a ballot measure to amend the constitution to allow for a dedicated transportation fund. The Legislature could appropriate from the fund for maintenance and operation of the Alaska Marine Highway System, the highway system, the aviation system and for construction, maintenance and operation of the harbor system. Revenue for the fund would be derived from user fees on each system. Revenue from the Alaska Railroad Corporation and the Alaska International Airport System is exempt from the fund.

Prepared by: M. Clyde Stoltzfus
Division: Office of Strategic Management, Planning and Policy

Phone: 465-3900
Date: March 10, 1992

Approved by Commissioner: Frank G. Turpin 
Agency: Department of Transportation and Public Facilities

Date: March 10, 1992

Distribution (by preparer):

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

FY 1991 TRANSPORTATION REVENUES

Unrestricted Revenues - Preliminary (000s)

AKSAS CODE	TITLE	ACTUALS FY 91
60210/20/30	Fuel Taxes	39,917
62210	Motor Vehicle License/Registration	20,760
65311	Airspace Leases	6
64405	Landing Fee	122
64420	Oil & Gas Fee	74
64430/40	Vehicle Parking/Building Rent	(4)
64460	Concession Fee	19
64475	Land Rental	113
55100	Appropriated Unrestricted Revenue	1,008
TOTAL TRANSPORTATION FUND		62,015

Source: Treasury Division, 1/14/92.

Alaska State Legislature

Chair, Resources Committee
Vice chair, Transportation Committee
Member, Rules Committee
Member, Committee on Committees



352 Front Street
Ketchikan, AK 99901
907 225 9082
Fax: 907 225-8546


District A
Ketchikan, Wrangell, Petersburg,
Hyder, Myers Chuck, Kupreanof

P.O. Box V
Juneau, AK 99811
907 465 3743
Fax: 907 465 3022

Senator Lloyd Jones

MEMORANDUM

TO: Senator Rick Halford, Chairman
Senate Judiciary Committee

FROM: Senator Lloyd Jones 

DATE: January 23, 1992

SUBJECT: Committee hearing for SJR 23; Amending the State
Constitution to create a transportation fund

Please schedule a hearing for SJR 23 at your earliest convenience. SJR 23 is a resolution seeking a change in Alaska's constitution to allow the creation of a dedicated transportation fund. This fund would identify the amount of fuel tax dollars currently going to the general fund and mandate that these dollars be spent on transportation related projects in the state.

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 3/15/91

FURTHER: Judiciary
Finance

Date of 5-Day Notice: 4/18/91
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4/30/91

Transportation Committee considered SJR 23

Proposing amendments to the Constitution of the State of Alaska creating a transportation fund.

and recommended: **and a majority of the committee recommended DO PASS**

- replace with _____ CS _____ same title new title
- attached amendment(s)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

2 Fiscal Note ^/

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s)
Divis. of Elections / 4/8/91
Dept. of Revenue / 4/25/91

zero fiscal note(s)
Dept. of Revenue /

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

2 Don't Study No Rec

[Signature] DO PASS
Chair: Signature and Recommendation

7-LS0685V
Chenoweth
2/27/92

CS FOR SENATE JOINT RESOLUTION NO. 23 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR JONES

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska creating a transportation
2 fund.

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

4 * Section 1. Article IX, sec. 7, Constitution of the State of Alaska, is repealed and readopted to read:

5 SECTION 7. DEDICATED FUNDS PROHIBITED. The proceeds of any State tax or
6 license shall not be dedicated to any special purpose. This provision shall not prohibit the
7 continuance of any dedication for special purposes existing on April 24, 1956, and shall not
8 prohibit the dedication of revenue under Section 15 or Section 18 of this article or when required
9 by the federal government for State participation in federal programs.

10 * Sec. 2. Article IX, Constitution of the State of Alaska, is amended by adding a new section to read:

11 SECTION 18. TRANSPORTATION FUND. (a) The revenue received after June 30,
12 1993, from State licenses and fees for the registration, operation, and use of motor vehicles,
13 aircraft, and watercraft, from the use of State transportation facilities, and from State taxes on
14 fuel used for the propulsion of motor vehicles, aircraft, and watercraft, less refunds and credits
15 as provided by law, shall be placed in a transportation fund. The legislature may appropriate
16 from the fund only for the maintenance and operation of a facility that relates to the mode of

1 transportation from which the revenue was collected. The legislature may also appropriate from
2 revenue in the fund obtained from watercraft for the improvement of existing harbor facilities and
3 construction of new harbor facilities.

4 (b) This section does not apply to a tax, license, or fee that the State, by law, collects
5 on behalf of a local government. This section does not apply to revenue received by a public
6 corporation whose revenue must by federal law be retained and managed by the corporation.
7 This section does not apply to revenue received from the use or operation of a facility
8 constructed with bond proceeds to the extent required by law or by the bond covenants.

9 (c) The legislature shall provide by law for the management and investment of the fund
10 balance. The income earned from the management and investment of the fund shall be deposited
11 into the fund.

12 * Sec. 3. The amendments proposed by this resolution shall be placed before the voters of the state
13 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
14 the election laws of the state.

Alaska State Legislature

Chair, Resources Committee
Vice-chair, Transportation Committee
Member, Rules Committee
Member, Committee on Committees

District A
Ketchikan, Wrangell, Petersburg,
Hyder, Myers Chuck, Kupreanof




Senator Lloyd Jones

P.O. Box V
Juneau, AK 99811
907 465-3743
Fax: 907 465-3922

352 Front Street
Ketchikan, AK 99901
907 225-9082
Fax: 907 225-8546

MEMORANDUM

TO: Senator Rick Halford, Chairman
Senate Judiciary Committee

FROM: Senator Lloyd Jones 

DATE: February 14, 1992

SUBJECT: Work Draft version SJR 23

Attached you will find the most recent version of SJR 23 which contains the stated wishes of the Judiciary committee as discussed at yesterday's meeting. I believe this is good resolution that will meet with favorable review by the public. I appreciate the discussion in committee as I believe it has further refined the text of the resolution. I appreciate your willingness to take this resolution up again at your earliest convenience.

7-LS0685S ✓
Chenoweth
2/13/92

CS FOR SENATE JOINT RESOLUTION NO. 23 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR JONES

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska creating a transportation
2 fund.

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

4 * Section 1. Article IX, sec. 7, Constitution of the State of Alaska, is repealed and readopted to read:
5 SECTION 7. DEDICATED FUNDS PROHIBITED. The proceeds of any State tax or
6 license shall not be dedicated to any special purpose. This provision shall not prohibit the
7 continuance of any dedication for special purposes existing on April 24, 1956, and shall not
8 prohibit the dedication of revenue under Section 15 or Section 18 of this article or when required
9 by the federal government for State participation in federal programs.

10 * Sec. 2. Article IX, Constitution of the State of Alaska, is amended by adding a new section to read:
11 SECTION 18. TRANSPORTATION FUND. (a) The revenue received after June 30,
12 1993, from State licenses and fees for the registration, operation, and use of motor vehicles,
13 aircraft, and watercraft, from the use of State transportation facilities, and from State taxes on
14 fuel used for the propulsion of motor vehicles, aircraft, and watercraft, less refunds and credits
15 as provided by law, shall be placed in a transportation fund. The legislature may appropriate
16 from the fund only for the maintenance and operation of a facility that relates to the mode of

1 transportation from which the revenue was collected. The legislature may also appropriate from
2 revenue in the fund obtained from watercraft for the improvement of existing harbor facilities and
3 construction of new harbor facilities.

4 (b) This section does not apply to a tax, license, or fee levied and collected by the State
5 on behalf of a local government, to revenue received by a public corporation whose revenue must
6 by federal law be retained and managed by the corporation, or, to the extent necessary to satisfy
7 the debt obligation of the facility or to maintain the facility as a revenue producing facility, to
8 revenue received from the use or operation of a facility constructed with bond proceeds.

9 (c) The legislature shall provide by law for the management and investment of the fund
10 balance. The income earned from the management and investment of the fund shall be deposited
11 into the fund.

12 * Sec. 3. The amendments proposed by this resolution shall be placed before the voters of the state
13 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
14 the election laws of the state.

CS FOR SENATE JOINT RESOLUTION NO. 23 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATOR JONES

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska creating transportation
2 funds.

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

4 * Section 1. Article IX, sec. 7, Constitution of the State of Alaska, is repealed and readopted to read:

5 SECTION 7. DEDICATED FUNDS PROHIBITED. The proceeds of any State tax or
6 license shall not be dedicated to any special purpose. This provision shall not prohibit the
7 continuance of any dedication for special purposes existing on April 24, 1956, and shall not
8 prohibit the dedication of revenue under Section 15 or Section 18 of this article or when required
9 by the federal government for State participation in federal programs.

10 * Sec. 2. Article IX, Constitution of the State of Alaska, is amended by adding a new section to read:

11 SECTION 18. TRANSPORTATION FUNDS. (a) The revenue received after June 30,
12 1993, from State licenses and fees for the registration, operation, and use of motor vehicles,
13 aircraft, and watercraft, from the use of State transportation facilities, and from State taxes on
14 fuel used for the propulsion of motor vehicles, aircraft, and watercraft less refunds and credits
15 as provided by law, shall be placed in transportation funds established by law according to
16 transportation modes. The legislature may appropriate from the respective funds only for the

of the state's transportation system

1 maintenance and operation ~~of facilities related to the mode of transportation~~ from which the
2 revenue was collected, and may also appropriate from a fund established for boats and harbors
3 for improvement of existing harbor facilities and construction of new harbor facilities.

4 (b) This section does not apply to a tax, license, or fee levied and collected by the State
5 on behalf of a local government, to revenue received by a public corporation whose revenue must
6 by federal law be retained and managed by the corporation, or, to the extent necessary to satisfy
7 the debt obligation of the facility or to maintain the facility as a revenue producing facility, to
8 revenue received from the use or operation of a facility constructed with bond proceeds.

9 (c) The legislature shall provide by law for the management and investment of the
10 balances of the funds. The income earned from the management and investment of each fund
11 shall be deposited into that fund.

12 * Sec. 3. The amendments proposed by this resolution shall be placed before the voters of the state
13 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
14 the election laws of the state.

SENATE JOINT RESOLUTION NO. 23
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR JONES

Introduced: 3/15/91
Referred: Transportation, Judiciary and Finance

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska creating a transportation
2 fund.

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

4 * Section 1. Article IX, sec. 7, Constitution of the State of Alaska, is repealed and readopted to read:

5 SECTION 7. DEDICATED FUNDS PROHIBITED. The proceeds of any State tax or
6 license shall not be dedicated to any special purpose. This provision shall not prohibit the
7 continuance of any dedication for special purposes existing on April 24, 1956, and shall not
8 prohibit the dedication of revenue under Section 15 or Section 18 of this article or when required
9 by the federal government for State participation in federal programs.

10 * Sec. 2. Article IX, Constitution of the State of Alaska, is amended by adding a new section to read:

11 SECTION 18. TRANSPORTATION FUND. The revenue received after June 30, 1993,
12 from State licenses and fees for the registration, operation, and use of motor vehicles, aircraft,
13 and watercraft, from the use of State transportation facilities, and from State taxes on fuel used
14 for the propulsion of motor vehicles, aircraft, and watercraft less refunds and credits ^{and the cost of collection and enforcement} as provided
15 by law, shall be placed in a transportation fund ^{identified and expended according to the transport-}. The legislature may appropriate from the fund
16 established by this section only for the construction, maintenance, and operation of facilities

Amendment made. From Section 17. Revenue was collected.

1 related to transportation. This section does not apply to a tax, license, or fee levied and collected
2 by the State on behalf of a local government, to revenue received by a public corporation whose
3 revenue must by federal law be retained and managed by the corporation, or, to the extent
4 necessary to satisfy the debt obligation of the facility or to maintain the facility as a revenue
5 producing facility, to revenue received from the use or operation of a facility constructed with
6 bond proceeds. The legislature shall provide by law for the management and investment of the
7 balance of the fund established by this section. ~~In this section, "construction, maintenance, and~~
8 ~~operation" includes activities directly associated with the building, preservation, or operation of~~
9 ~~a facility, but does not include administrative activities.~~

10 * Sec. 3. The amendments proposed by this resolution shall be placed before the voters of the state
11 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
12 the election laws of the state.

→ The income earned from management and investment of the transportation fund shall be deposited into the fund.

HIGHWAYS

<u>FUNCTION</u>	<u>AGENCY</u>	<u>FY 91</u>
		<u>EXPENDITURES</u>
MAINTENANCE & OPERATIONS	DOT&PF	\$58.7
MOTOR VEHICLES	Public Safety	\$5.7
SCALE HOUSES	Commerce	\$1.2
MUNICIPAL ROADS	D CPA	\$6.9
TAX COLLECTION	Revenue	\$0.1
OPERATING EXPENDITURES		<hr/> \$72.6
		<u>REVENUES</u>
FUEL TAXES		\$25.0
LICENSE FEES ETC.		\$24.5
TRUCK WEIGHT FEES		\$0.7
MISC. REVENUE		\$0.7
TOTAL REVENUE		<hr/> \$50.9
GENERAL FUND COST FY 91		\$21.7

HARBORS

<u>FUNCTION</u>	<u>AGENCY</u>	<u>FY 91</u>
		<u>EXPENDITURES</u>
CAPITAL PROJECT APPROPRIATIONS	ALL	\$7.5
CAPITAL APPROPRIATIONS		<u>\$7.5</u>
		<u>REVENUES</u>
FUEL TAXES		\$10.0
TOTAL REVENUE		<u>\$10.0</u>
GENERAL FUND COST FY 91		(\$2.5)

AVIATION

<u>FUNCTION</u>	<u>AGENCY</u>	<u>FY 91</u>
		<u>EXPENDITURES</u>
MAINTENANCE & OPERATIONS	DOT&PF	\$17.1
OPERATING EXPENDITURES		<u>\$17.1</u>
		<u>REVENUES</u>
FUEL TAXES		\$5.5
LANDING AND LAND LEASE FEES (Landing and lease fees increased approximately \$2.0 mil in 92)		\$1.6
SPECIAL US AIRFORCE MAINTENACE		\$0.6
TOTAL REVENUE		<u>\$7.7</u>
GENERAL FUND COST FY 91		\$9.4

COPY FOR YOUR
INFORMATION

Alaska Association of Harbormasters & Port Administrators, Inc.

334 Front Street
Ketchikan, Alaska 99901

January 6, 1992

The Honorable Representative Dave Donley
Alaska State Legislature
House Judiciary Committee
Room 122, Capitol
P. O. Box V
Juneau, Alaska 99811

Dear Representative Donley:

The Alaska Association of Harbormasters and Port Administrators is an organization of the Harbormasters and Port Administrators who are responsible for the maintenance and operation of the majority of the small boat harbors and port facilities located throughout the State. Our Association is 20 years old and has over 64 members.

As stewards of the State-owned small boat harbors we are fully aware of the value of those assets to the State and her people. As professionals we take great pride in our commitment to provide the best in moorage and service to the thousands of vessel operators who use harbor and port facilities each year.

Over the years our members have expressed grave concern over the lack of dedication the State has shown toward the small boat harbors. These valuable assets are aging rapidly. Some harbors are over forty years old and require attention that is beyond the ability of the operators. This situation is the result of maintenance, expensive maintenance, that has been deferred by the State and to some extent the operators.

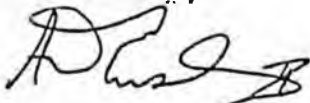
For many years the Alaska Association of Harbormasters and Port Administrators has advocated establishing a dedicated fund by which the State could fulfill its obligation to perform maintenance in its small boat harbors. On November 7, 1991, our Association unanimously approved a resolution of support for establishing such a fund.

Letters Of Support

You are currently reviewing House Joint Resolution 19 (Judiciary) which proposes amendments to the Constitution of the State of Alaska, creating a Transportation fund. Our Association supports the resolution and asks that those funds generated by the State tax on fuel used by water craft be made available to fund maintenance of the State's small boat harbors.

On behalf of the membership of the Alaska Association of Harbor-masters and Port Administrators it is requested House Joint Resolution No. 19 be passed out of committee and presented for legislative approval.

Sincerely,



A. D. Ensley II, President
Alaska Association of Harbormasters
and Port Administrators, Inc.

ADE:sd



April 30, 1991

Position Paper

SJR 23 - Transportation Fund

The Alaska Municipal League supports the purpose behind SJR 23; to ensure that Alaska's transportation system is adequately maintained. SJR 23 proposes that the Constitution be amended to allow that fees and taxes on fuel be dedicated to the maintenance and operation, as well as the construction, of transportation facilities. The AML requests that the resolution be amended to include that an equitable portion of the funds be returned to local governments for transportation purposes.

An adequate transportation system is critical to the economic and community development of the State. The origin and destination of most traffic, whether by surface, air or water, are the municipalities around the State. The majority of the fuel is purchased in municipalities. And, the network of transportation facilities within municipalities is a critical link in the State's transportation system.

While the majority of the State's transportation system is built and maintained by the State of Alaska, some of the system is built and/or maintained locally. The responsibility for local transportation system improvements and maintenance will undoubtedly increase as general state financial assistance to municipalities continues to decline. In order to provide funds for local improvements and maintenance and to gain additional support for the Constitutional amendment, the AML requests that SJR 23 be amended to provide for a equitable sharing in the dedicated funds. An equitable share to be returned to local governments, whether based on road miles, airport activity etc., can be determined upon implementation at a later date.

AML requests the following amendment on Page 1, line 15:

"...by law, shall be placed in a transportation fund. The transportation fund shall be used for the maintenance of all state-maintained Class 1, Class 2 and Class 3 roads in existence as of January 1, 1990, regardless of future ownership or maintenance responsibility. In addition, all municipal and state-owned airports and harbors, as well as the Alaska Marine Highway System, shall share equitably in the fund. The legislature may appropriate from the fund..."

sab6:tranfund

Alaska Municipal League

Policy Statement 1992

Adopted at the Business Meeting
of the 41st Annual Local Government Conference
of the
Alaska Municipal League
Fairbanks, Alaska
November 15, 1991

