

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

9071 SENATE STATE AFFAIRS

LEGAL SERVICES

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MEMORANDUM

February 16, 1996

SUBJECT: Sectional Summary of HB 490
(Work Order No. 9-LS1652\C)

TO: Representative Bettye Davis
Attn: Jonathan Sperber

FROM: *TB*
Theresa Bannister
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. Adds a reference to the new BIDCO endowment grant section created by sec. 9 of this bill. Allows the net income from the Alaska science and technology endowment to be used for the BIDCO endowment grants.

Section 2. Adds a reference to the new BIDCO endowment grant section created by sec. 9 of this bill. Includes BIDCO endowment grants in the grants that are to be made by the board of directors of the Alaska Science and Technology Foundation.

Section 3. Adds a reference to grants under the new BIDCO endowment grant section in sec. 9 of this bill. Removes BIDCO endowment grants from the preference established under the section.

Section 4. Adds a reference to the new BIDCO endowment grant section in sec. 9 of this bill. Removes the BIDCO endowment grants from the peer review requirement established by the section.

Section 5. Adds a reference to the new BIDCO endowment grant section in sec. 9 of this bill. Removes the BIDCO endowment grant awards from the consistency requirement of the section.

Section 6. Adds a reference to grants awarded under the new BIDCO endowment grant section. Removes the BIDCO endowment grants from the fiscal year distribution requirements of the section.

Representative Betty Davis

February 16, 1996

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Section 7, Adds a reference to the new BIDCO endowment grant section. Applies to the BIDCO endowment grants the requirement, among other things, that the grantor pay into the endowment a fair and reasonable return from revenue, economic value, or profits derived by the grantee from the grant project.

Section 8, Extends until June 30, 2000 the authority of the foundation to authorize new financial assistance under the BIDCO assistance program provisions without legislative approval.

Section 9, Authorizes the Alaska Science and Technology Foundation to make grants from the Alaska science and technology endowment to accomplish the purposes of AS 37.17.200.

If I may be of further assistance, please advise.

TLB:klb:pl

96-105.klb

Technology foundation poised for new challenges

By Rose Ragsdale —
Alaska Journal of Commerce

Having proven that it can nurture fledgling high-technology companies, the Alaska Science and Technology Foundation is ready to advance to the next stage of attracting capital and technology to the state.

"Alaska is starting to get some infrastructure around which we can attract some technology-based businesses," said Paula Pasmus Dede, ASTF's director of administration and finance. "We've proven we can do grants, but technology brokering — getting people interested in the things being developed here is another matter."

Robert Harris, ASTF's director of technology, said the big challenge for ASTF "is getting businesses through the doors of banks and other funding sources to get capital." Harris said an entity with the ability to link such start-up businesses with conventional financing is not readily available in Alaska. "We see ourselves developing the networks and resources for these businesses," he said.

ASTF, for example, has issued requests for proposals from parties to establish a new type of market-oriented private financing institution authorized by the Alaska Legislature that would provide risk capital and management assistance to businesses in Alaska.

Known as a ~~the~~ institution is intended to bridge the gap between traditional

bank financing and venture capital funding. While IMIXOs take substantially more risk and require higher returns than banks, they do not require their investments to offer the explosive growth and ultimate public offering of stock necessary to yield the super high rates of return sought by venture capital funds such as the Polaris Fund, according to the foundation's RFP.

Preliminary proposals are due May 15, 1995.

Created in the late 1980s to encourage research and development that would benefit Alaska and its 650,000 residents, ASTF is pursuing its mission with gusto even as foundation board members search for a new executive director.

The search, precipitated by the departure of executive director John Hubert in February, is drawing applicants from some of the best technology development hotbeds in the country, foundation officials say.

Meanwhile, they point with pride to projects that improve road construction over permafrost; strengthen concrete with waste products; make rural power generation more efficient and cost-effective; create a DNA database for the FBI; and use waste heat to create a cold storage alternative that brings to mind the old adage, "selling ice cubes to Eskimos."

Foundation officials say they are on target with their goals, having managed 102 active grants during 1994 totaling \$11 million in project funding and attracting \$27 million in

matching contributions. The foundation also concluded 30 projects during that fiscal year. In so doing, the foundation has created the equivalent of 629 direct full-time jobs in Alaska, according to an independent evaluation.

Currently, ASTF is managing 110 active grants, including a few that are generating substantial royalty checks for the foundation. In addition, the foundation awarded \$350,000 in very small grants in fiscal 1994 to science teachers statewide.

"Most people wouldn't think of Alaska as a place where cutting edge research is being done, but it is happening here. A couple of our new grantees are on the threshold of doing great things," Pasmus Dede said. "One grantee keeps sending us checks, and they are rather large checks."

But grants administration director Kay Fuller said the real payoff for ASTF is in seeing new businesses take root and grow from the seed capital surge.

"The Foundation has learned and grown in providing guidance to these companies," Fuller said. "We, at ASTF, are committed to solving rural problems in Alaska, and we would love to see more big picture thinking taking place in the state."

Among funded projects that aim to enhance or add value to Alaska resources:

- Power Generation from Alaskan Low-rank Coal-water Fuels, LRCWFs — Commercial Demonstration Program, \$185,000;
- Applicability of Siberian Placer Mining Technology to Alaska, \$32,933;
- Biological Methods of Treating Mine Waste Water for Cyanide and Heavy Metals, \$193,100;
- Commercial Development of Innovative Placer Mining Technology, \$150,000;

- Construction Uses for Alaska Coal Ash, \$99,698;

- Enhanced Resource Evaluation Using Geochronology, \$89,156;

- High-temperature Drying of Alaskan Coals, \$60,056;

- Mined Land Reclamation with Woody Browse Species, \$31,103;

- Potential Effects of North Slope Air Pollutants on Arctic Vegetation, \$363,650;

- Power Generation from Alaskan Coal-Water Fuel, \$68,770;

- Process for the Removal of Arsenic and Iron in Well Water, \$69,460; and

- Reservoir Characterization for Enhanced Oil Recovery in Schrader Bluff Pool, Milne Point Unit, \$300,000.

Another project, "New Refrigeration System for Rural Fish Processing," uses a technology that takes waste heat from a Kotzebue Electric Utility and produces more than 12 tons of ice per day for the commercial fishing industry there. ASTF put up \$317,940 which was matched with \$352,866 in public and private funds. Capital costs are a fraction of conventional refrigeration, operating costs are low, minimal training is needed to run it and no harmful CFCs are used, ASTF officials say.

Not only is the new system being used in Kotzebue, but Kodiak and Prince William Sound also are evaluating it as a low-cost alternative to provide the necessary cold storage to enhance the development of value-added fish processing, they say.

Alaska Bidco seeks funding

Finance company may provide risk, growth capital

By Rose Ragsdale
Alaska Journal of Commerce

Despite an energetic start last year, Alaska's bid to follow the lead of Michigan in developing a different type of finance company, known as a "Bidco," has slowed to a crawl.

Yet the concept, which is designed to provide capital to businesses that qualify for neither venture capital nor bank loans, has attracted a growing fan club, including a group of Alaska business specialists who plan to launch a consulting business next month under the name Alaska Bidco.

Meanwhile, proponents of a law enacted last year that authorized the creation of Bidcos in Alaska say they are busy encouraging state lawmakers to appropriate the \$10

million needed to launch one or more of the financing companies. They are also conducting a series of seminars on how Bidcos work.

Steven Rohde, a consultant who helped develop the first Bidcos, told state officials and business leaders recently the new type of finance company is designed to provide risk and growth capital for businesses that can't qualify for bank financing and lack enough growth potential to interest venture capitalists.

Since Michigan passed legislation authorizing Bidcos in 1986, Rohde said, 10 have been created in that state, including one with a focus on investing in minority businesses and another with a focus on rural enterprises. He said the eight standard Bidcos were formed with state and private funds in a 1.5 to 1

match, and the minority and rural Bidcos required minimum \$500,000 private investments.

"So far, the state of Michigan has invested \$34.9 million in 80 companies through the Bidcos, and an additional \$52.3 million in capital has been attracted for those companies from other sources," Rohde said. "But Michigan has 16 times the population Alaska has. The realistic potential in Alaska is for one Bidco, maybe two."

What makes Bidcos special?

First, they tend to invest with loans at lower than market interest rates, but they also obtain some equity interest or potential equity interest, such as warrants, in the companies in which they invest.

If they are investing with public funds, they typically offer a conversion formula where a company can convert the loan to a grant by creating a certain number of full-time, permanent jobs and by generating a certain level of

sales.

Bidcos are also typically run by people with 10 to 20 years business management experience, such as former bank presidents, Rohde said.

Among those the Bidco concept has attracted in Alaska is Fred G. Brown, a Fairbanks attorney and hearing officer for state Workers' Compensation. Brown and Pat Shier, a Fairbanks auditor, have seized the opportunity they perceive in the Bidco law to start Alaska Bidco, a consulting firm tailor-made to fit the specifications of the new financial entity.

"My basic thesis is there's a lot of opportunity in Alaska and if a Bidco enables us to realize them, then great," Brown said.

A Bidco could help him and others in the consulting group pursue lucrative investment opportunities in Alaska mining, timber, tourism and transportation in the near future, he said.

Brown's efforts to pull together a strong and diverse management team has netted a group with weighty resumes and accomplishments, including a mining expert, two CPAs, a timber expert, a former state senator, two former bankers, an economist and several business management specialists.

Brown's own background includes running his own farm in Oregon and organizing a national network of farm borrowers. A resident of Alaska since 1983, he said he has served on the North Star Borough Agriculture Commission where he helped get a meat processing plant back in operation and on the board of the Northern Alaska Health Resources Association. Brown said he also helped negotiate a contract for state public employees, co-edited a procedural manual on workers' compensation, and taught business classes at one of the Fairbanks military bases.

John Sibert, executive director of the Alaska Science & Technology Foundation, said Brown is the only Alaskan, so far, who has begun putting together a management team that could qualify to run a Bidco.

Still, Bidcos have an uphill climb in Alaska to gain widespread understanding of how they work, Sibert said.

Alaska Journal of Commerce

3/27/93

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**RISK CAPITAL FORMATION
AND
BUSINESS AND INDUSTRIAL DEVELOPMENT CORPORATIONS
ECONOMIC DEVELOPMENT FINANCE
OPTIONS FOR ALASKA**

Prepared for:

~~ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY~~ **BOARD OF DIRECTORS
ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY**

by

GREGORY L. CARR

February 1993

THE "CAPITAL GAP"

As public policy makers in Alaska struggle to find solutions that will expand the state's relatively narrow economic base, they have come to focus on the problem of the lack of investment capital in general and risk or venture capital in particular.

The national and international lending environment limits access to development and operating capital for many businesses in the United States. This trend has been magnified in Alaska due to the small size of the market, a relatively narrow economic base, the lingering effects of the recent recession, and geographic isolation. As a result, Alaska businesses are faced with several severe capital problems:

- 1) Commercial bank and institutional lenders are often unwilling (or unable due to regulation) to provide long term lending for major capital expansions. Only those projects that are financially feasible with very short (5 to 7 year) loan amortization can be financed.
- 2) Regulatory pressure is forcing some commercial banks to divest loans because they represent unwanted industry or geographic concentration in the lender's portfolio. Other regulations force loans to be called because certain rigid performance criteria are not being met – even though the borrower is profitable and the loan has a perfect performance record.
- 3) Many private sources of venture capital have curtailed their financings of start-up companies or have concentrated on a narrow band of industries (biomedical, etc.). Overall venture capital availability is significantly diminished from the high levels of the mid to late 1980's.

This constricted capital environment inhibits potential establishment of both large and small Alaska businesses. AIDEA's programs have provided, and will continue to provide, an essential alternative source of needed capital for these businesses. As a result of these market conditions, AIDEA will face financing demand from several directions for the foreseeable future: 1) long term loans and leases for major economic development facilities (roads, airports, ports, utilities), 2) business working capital, acquisition, expansion, equipment and facility loans (either new loans or as a replacement for existing bank loans), and 3) venture/start-up capital for small businesses throughout Alaska, but particularly in rural areas.*[1]

Such capital is badly needed to support both existing business expansions and new business start-ups, particularly in high growth entrepreneurial business ventures. To solve this "capital gap" problem, the state has created a new development finance program—Business and Industrial Development Corporations (BIDCOs).

Patterned after the Michigan Strategic Fund's BIDCO Program, Alaska's BIDCO Program is an ambitious initiative designed to catalyze the formation of a new industry of private financial institutions. It will help meet the financing, managerial support, and technical assistance needs of emerging, small, and medium sized businesses in Alaska.

The purpose of this paper is to provide AIDEA's Board of Directors with information, assistance, and advice about BIDCOs and the potential for AIDEA's involvement with BIDCOs such that the Board may make informed decisions about AIDEA's future role and involvement, if any, with BIDCOs. In addition, a series of general recommendations both for improving the structure and operations of existing state "economic development finance programs" and for establishing new programs where none currently exist will also be offered.

A primary working hypothesis of this paper is that state-managed economic development finance and risk capital programs may never function effectively without having substantial private sector venture, and venture-type, e.g. BIDCO capital resources available for coinvestment purposes. Hence, a major emphasis throughout will be on the private venture capital industry; how it works, and how it can complement state development finance programs.

Risk or venture capital has become increasingly popular as a solution to economic development financing problems. Yet, publicly sponsored programs are too often founded on an inadequate understanding of how the venture capital investment industry operates, and how it should fit into an overall capitalization continuum at both state and regional levels.

Economic development infrastructural hurdles, which are particularly acute in a state like Alaska, are too often ignored. For example, it can be extremely difficult to launch and sustain entrepreneurial and advanced technology-based business development not just because of a lack of risk capital, but just as importantly because of a lack, and/or ignorance of, managerial talent and entrepreneurial support resources (i.e., accountants, marketing consultants, securities attorneys).

Both of these resources are critical to a proactive entrepreneurial business development climate, and must be readily accessible in order to nurture such companies through successive stages of growth and development. If not, companies can feel increasing pressure as they develop and move to larger metropolitan areas where such talent and services can be found more easily.

Then too, the availability of conventional debt capital through banks and related institutions is almost as critical as managerial talent and support resources. Equally important is the contribution of risk capital to the development of a vigorous entrepreneurial business development climate.

This is particularly the case when entrepreneurial companies reach a stage of maturity where it would make greater sense for them to obtain conventional debt capital rather than venture capital. Many such private financial institutions are very reluctant to make loans, to rapidly growing manufacturing or service companies, particularly for working capital purposes. Thus, a very important downstream source of capital is usually only available to such companies after the point at which they really need it.

As previously stated, no state development finance or risk capital effort is ever going to be successful in stimulating and facilitating entrepreneurial economic development without substantial amounts of private risk capital being relatively accessible to emerging entrepreneurial companies.

Public policy makers should continue to provide a wide array of entrepreneurial support and financing mechanisms, while at the same time increasingly concentrating their efforts on seeking ways to stimulate larger amounts of private risk capital. This can be accomplished both through the creation of new sources of capital, e.g. BIDCOs, and through increased attention paid to investment opportunities in the Pacific Northwest region by existing venture funds located in metropolitan areas in, and around, the region.

THE ENTREPRENEURIAL ECONOMY DEFINED

Over the past twenty years, the United States economy has been undergoing a major industrial restructuring. While the primary catalyst for this restructuring process was the oil-induced inflation of the 1970s and early 80s, increasing competition from our trading partners and the birth of technology-based products and services in the marketplace played a major role.

The bottom line is that during the past 15 years, Fortune 500 manufacturing companies, the traditional sources of most of the jobs in our economy, have experienced a decline in the number of workers employed in U.S. facilities.

However, the U.S. economy during that same time period actually experienced a net increase in the total number of jobs available. It is well-known by now that these new jobs, some 40 million in number, have come from small, entrepreneurial companies which have formed and grown during the seventies and eighties.

As Peter Drucker has pointed out, these new jobs have been created primarily by "small and medium-sized institutions, most of them small and medium-sized businesses, and a great many of them, if not the majority, new businesses that did not even exist twenty years ago." [2] From Drucker's standpoint, the most critical driving force behind this shift in economic vitality—from the large to the small institution—is the advent not of "high technology," but of "entrepreneurial management." [3]

"Management," says Drucker, "is the new technology (rather than any specific new science or invention) that is making the American economy into an entrepreneurial economy. It is also about to make America into an entrepreneurial society." [4]

In considering economic development based in significant measure on entrepreneurial companies, however, it is important to distinguish between such companies and what economist David Birch calls "income substitution" companies.

The difference between the two, according to Birch, is the difference between making a living and making money. "If you want to earn a living then you start up a small business. You get two or three employees and you stay at that level forever. If you want to make money...you start with three employees and you attempt to make that into 3,000 employees as quickly as possible." [5]

About 90 percent of the new companies which are formed each year are income substitution companies—the kind that earn a living; the other ten percent are entrepreneurial companies, and are also creating virtually all the new jobs. "It's not whether you have a lot of small businesses that count; it's whether or not you have a lot of entrepreneurial businesses that count. Therefore, the climate for entrepreneurial businesses is what's crucial to whether or not you grow or decline in the next 10 to 15 years." [6]

FINANCING ENTREPRENEURIAL COMPANIES

Entrepreneurial companies by definition seek rapid growth and substantial size. As a result, they typically have a seemingly insatiable appetite for large quantities of cash in order to finance their rapid growth. The availability of investment capital in the form of large amounts of cash is perhaps the most important requirement in fostering a positive entrepreneurial business climate.

20
10	Mechanical Inspection Equipment	70,000 70,000
21	Purchase (ED 99)	
22	Occupational Safety and Health	67,000 67,000
23	Equipment Purchase (ED 99)	
24	Labor Standards and Safety Program	170,000 170,000
25	Automation (ED 99)	
26
27 + Department of Commerce and Economic Development
28

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MCB CSED 101(FIN), Sec 10

1 Department of Commerce and Economic Development (cont.)			
2		Appropriation	Appropriation Fund Sources
3	Allocations	Items	General Fund Other Funds
4	Economic Development Matching	500,000	500,000
5	Grant Program (ED 99)		
6	Small Business Assistance and	500,000	500,000
7	Development (ED 99)		
8	Gold Bush Centennial	80,000	80,000
9	Commemorations (ED 99)		
10	Regional Marketing Grants (ADORS)	97,000	97,000
11	(ED 99)		
12	Visitor Statistics Study (ED 99)	100,000	100,000
13	Coal Initiatives/Test Shipments	150,000	150,000
14	Project (ED 99)		
15	Business Industrial Development	1,000,000	1,000,000
16	Corporation Capitalization (ED 99)		
17	It is the intent of the legislature that the Alaska Science and Technology Foundation		
18	transfer 1,000,000 the foundation's investment earnings to the SIDCO fund		
19	(AS 37.17.210) as funds become available during fiscal years 1994 and 1995. The foundation		
20	shall schedule and make the transfers only to the extent that they do not decrease the		
21	foundation's ability to meet its appropriation obligations during fiscal year 1994.		
22	Alaska Energy Authority		
23	Operation, Technical and Emergency	1,300,000	1,300,000
24	Assistance (ED 99)		
25	Rural Utility Reorganization,	375,000	370,000
26	Consolidation and Business		
27	Management Training (ED 99)		
28	Statewide Electric and Power	500,000	500,000
29	Project Development (ED 99)		
30	Rural Power System Upgrade (ED 99)	2,000,000	2,000,000
31	Emergency Bulk Fuel Repairs and	1,000,000	1,100,000
32	Spill Prevention (ED 99)		
33	Component Renewal and Replacement,	250,000	250,000
34	Alaska Energy Authority - Owned		
35	Facilities (ED 99)		
36	Electrical System Life, Health and	750,000	750,000
37	Safety Improvements (ED 99)		
38	Bulk Fuel System Upgrades (ED 99)	2,000,000	2,000,000

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MCB CSED 101(FIN), Sec 10

1993 SLA CH. 79

743

HCR

1

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

NO. _____
BILL VERSION: CSHCR1
PUBLISH DATE: _____

Revision Date: _____
Title: Creating the Long Range Financial
Planning Commission.
Sponsor: Representative Phillips
Requestor: House Finance Committee

Department Affected: Legislative Affairs Agency /
Council & Subcommittees
BRU: _____
Component: Council & Subcommittees

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0	0	0	0	0
TRAVEL	27.8	0	0	0	0	0
CONTRACTUAL	23.5	0	0	0	0	0
SUPPLIES		0	0	0	0	0
EQUIPMENT	0.0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	51.3	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	51.3	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	51.3	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: _____

ANALYSIS: (Attach a separate page if necessary)

It is anticipated that the Long Range Financial Planning Commission will begin work March 15, 1995. FY95 Commission travel costs for the public and legislative members will be absorbed within existing legislative operating and session budgets. Travel costs for Executive Branch members will be absorbed within their Department budgets. FY 95 Contractor costs will be absorbed within the legislative operating budget.

Prepared By: Karla Schofield, Deputy Director Phone: 465-3852
Division: Administrative Services Date: 1/31/95

Approved By: Pamela A. Vami, Executive Director Date: 1/31/95
Agency: Legislative Affairs Agency

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

Travel

Travel costs for Executive Branch members will be absorbed within their Department budgets.

Estimated travel for Public Members

For purposes of estimating travel costs, 3 members are assumed to be from Anchorage, 3 from Fairbanks, and 3 from Southeast.

3 Hearings, one in each of the following communities - Anchorage, Fairbanks, Juneau, Bethel, Nome, Wasilla, Kenai, Ketchikan.

6 additional Hearings will be held by teleconference. The cost of teleconference meetings will be absorbed within the Legislative Affairs Agency budget.

FY95 Travel Costs	27.8
FY96 Travel Costs	27.8

Contractual

	FY95	FY96
F.of Svc. Contract	15.0	15.0
Phones	2.0	2.0
Postage	1.5	1.5
Advertising	5.0	5.0
	<u>23.5</u>	<u>23.5</u>

Supplies, printing, equipment and office space will be provided within existing budgets.

0.0

SENATE COMMITTEE REPORT

DATE: 2/2/95

FURTHER: Finance

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered CS HOUSE CONCURRENT RESOLUTION NO. 1(FIN)
 Creating the Long Range Financial Planning Commission.

and recommends:

- be replaced with SENATE CS for CS HCR 1 (STA)
- adopt previous: _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 technical change
 new: SCR# _____

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>Bill E. Kelly</i>		✓		
<i>David Dunder</i>			✓	
<i>John H. ... - needs change in Appointment of Commission</i>		✓		
CHAIR: <i>[Signature]</i>			✓	

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):* FY96

Department	Date	Zero	Fiscal
<i>LAA</i>	<i>1/31/95</i>		<i>51.3</i>

9-LS0021M -
Bannister
2/6/95

SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES Phillips, B.Davis, Green, Rokeberg, Navarre, James, Williams, Bunde, Kohring

A RESOLUTION

1 **Creating the Long Range Financial Planning Commission.**

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

3 **WHEREAS** state spending has exceeded recurring revenue to the state; and

4 **WHEREAS** the state must eliminate the fiscal gap; and

5 **WHEREAS** the state is currently forced to deal with an unpredictable and declining
6 revenue stream; and

7 **WHEREAS** the state must find a means of stabilizing revenue and expenditures at a
8 sustainable level; and

9 **WHEREAS** the state's system of budgeting and spending must be analyzed and
10 reevaluated by the legislature; and

11 **WHEREAS** the citizens of the state should have an opportunity to consider these topics,
12 offer comments, and participate in developing a long-range financial plan for the state; and

13 **WHEREAS** it would be beneficial to the state and its citizens to implement a long-range
14 financial plan to promote economic stability by diversifying the state's economy and lessening
15 dependence on oil revenue;

1 **BE IT RESOLVED** that the Alaska State Legislature establishes the Long Range
2 Financial Planning Commission in order to develop and recommend to the governor and the
3 legislature a long-range financial plan for the state; and be it

4 **FURTHER RESOLVED** that the commission shall consist of the following voting
5 members:

6 (1) nine members of the public, not to include members of the legislative,
7 executive, or judicial branches; the Speaker of the House of Representatives, the President of the
8 Senate, and the Governor shall each appoint three of these members;

9 (2) two members of the House of Representatives appointed by the Speaker of
10 the House;

11 (3) two members of the Senate appointed by the President of the Senate; and

12 (4) two members of the executive branch appointed by the Governor; and be it

13 **FURTHER RESOLVED** that the commission shall select a chair and vice-chair from
14 among the public members of the commission, shall meet as frequently as the commission
15 determines necessary to perform its work, may meet during the interim, and may meet and vote
16 by teleconference; and be it

17 **FURTHER RESOLVED** that the public members of the commission shall serve
18 without compensation but are entitled to travel expenses and per diem as authorized under
19 AS 39.20.180 for boards and commissions; and be it

20 **FURTHER RESOLVED** that the commission may hire staff to carry out its duties; and
21 be it

22 **FURTHER RESOLVED** that the commission shall

23 (1) review and evaluate state fiscal policy and strategy recommendations and
24 assumptions from reports and publications from similar efforts in the past made by the executive
25 branch, the legislative branch, the University of Alaska, nonprofit organizations, and private
26 individuals and organizations;

27 (2) identify and evaluate all current state income sources and assets, including
28 recurring revenue, reserves, physical resources, and investments;

29 (3) identify and prioritize systemic changes to stabilize the state's revenue stream;

1 (4) identify and prioritize major reductions in state expenditures, to include
2 formula and nonformula programs, and to include proposed consolidation, transfer, or
3 elimination of governmental services or programs;

4 (5) evaluate forward funding of the budget;

5 (6) identify and prioritize new sources of revenue;

6 (7) project a sustainable long-range financial plan for the next three years, five
7 years, and 10 years, based on a stable revenue stream;

8 (8) evaluate constitutional, statutory, and regulatory language relating to the
9 budget process and recommend changes;

10 (9) consider the division of responsibility for providing services and raising
11 revenue between the state and local governments and evaluate the effect of the long-range
12 financial plan on local governments;

13 (10) submit a preliminary report to the Governor and the Legislature by July 15,
14 1995;

15 (11) disseminate information and solicit public comment;

16 (12) submit a final report to the Governor and the Legislature by October 1, 1995,
17 recommending a long-range financial plan for the state, including specific actions and legislation
18 needed to implement and monitor the plan; and be it

19 **FURTHER RESOLVED** that the commission is authorized to begin work immediately
20 upon the appointment of its full membership or March 15, 1995, whichever date is earlier, and
21 is terminated upon the convening of the Second Regular Session of the Nineteenth Alaska State
22 Legislature.

Alaska State Legislature



Official Business
Fax: (907) 465-3472

Speaker of the House of Representatives

State Capitol
Juneau, Alaska 99801-1182
(907) 465-3720
(907) 465-2689

SPONSOR STATEMENT HCR 1 LONG-RANGE FINANCIAL PLANNING COMMISSION

The concept of creating a special Long-Range Financial Planning Commission charged with proposing a plan to organize the state's finances was proposed during the last legislative session. Recognizing that state spending has consistently exceeded recurring revenue to the state and that the state is faced with an unpredictable and declining revenue stream, several thoughtful plans for dealing with the state's budget crisis were proposed to the last legislature. Notable among these was the plan to forward fund the state's budget developed by Roger Cremo.

The Cremo plan was presented to the last legislature (HJR 48) and received extensive consideration by the House Judiciary Committee. As a part of that consideration, House Judiciary Committee Chairman Brian Porter convened a subcommittee, chaired by myself, to evaluate the underlying premises of the Cremo plan.

The Judiciary Subcommittee on HJR 48 met several times and commissioned several studies of the Cremo plan to forward fund the state budget. While each of the members of the subcommittee believed that the concept of forward funding the budget was a sound one, we all had significant questions about how best to achieve that goal. Therefore, expanding on a proposal made by Representative Willis, the subcommittee recommended to Chairman Porter that a Long-Range Financial Planning Commission be convened to review and identify anticipated state expenditures, recurring revenue and potential revenue sources, existing reserves, and to investigate implementing forward funding of the budget.

Long-range financial planning is essential if we are to attain some financial stability for Alaska's future. I believe that creating the Long-Range Financial Planning Commission is a crucial first step in that direction, and I ask for your support of HCR 1.

State of Alaska
Office of the Governor

TONY KNOWLES
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
NEWS RELEASE



Bob King
Press Secretary
907-465-3500
FAX: 907-465-3533

FOR IMMEDIATE RELEASE: February 1, 1995

94-24

**GOVERNOR APPLAUDS HOUSE PASSAGE OF LONG-RANGE
FISCAL PLANNING COMMISSION**

Governor Tony Knowles commended House members for today's passage of legislation (CSHCR 1) to create a long-range fiscal planning commission.

"In my campaign I emphasized the need for budgetary leadership, accountability, and discipline and also evaluating our long-range goals," Knowles said. "Failure to plot a long-range budget course will leave us at the edge of a financial cliff, our bank accounts empty. I'm pleased that legislative leaders have worked cooperatively with the Administration to make creation of such a long-range fiscal planning commission both a priority and a reality."

Under the House bill, the commission will develop and recommend to the legislature a long range financial plan for the state that includes goals and specific actions to be taken by the end of the first three, five, and ten years of the plan. The commission will look at both revenues and spending. The commission will be asked to submit a written report on their recommendations by October 1, 1995.

Under the House bill, the commission would include 15 members - nine members of the public to be selected by the unanimous agreement of the Speaker of the House, Senate President and the Governor and two representatives each from the House, Senate and Administration.

"The people chosen to this important commission will bring a basic understanding of fiscal policy along with their own expertise and sensitivity to the long-range economic and social impacts of state government budgeting," Knowles said.

CSHCR 1 passed the House Wednesday morning by a vote of 37 to 1. The Senate is considering a similar resolution (SCR 3).

-30-

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit



P. O. Box 113300
Juneau, AK 99811-3300
(907) 465-3830
FAX (907) 465-2347

MEMORANDUM

TO: The Honorable Drue Pearce
President of the Senate

The Honorable Gail Phillips
Speaker of the House

FROM: Randy S. Welker *Randy*
Legislative Auditor

Mike Greany *Mike*
Legislative Fiscal Analyst

DATE: January 23, 1995

We have reviewed the proposed make-up of the Long Range Financial Planning Commission as contained in your respective concurrent resolutions. We agree that staff from the Legislature's financial resource agencies should be represented on the Commission and appreciate your confidence in our ability to contribute in this positive effort.

Our interpretation of the Commission's mission, as established in the resolutions, is to make recommendations to the legislature, and therefore, serves in an advisory capacity. This advisory role is well within the purpose of both our divisions' authority.

It should be brought to your attention that both the Legislative Finance Division and the Division of Legislative Audit are subject to a statutory provision (AS 24.20.291) that precludes our serving on any board, commission or other administrative agency of state government.

Since the Commission does not have any regulatory or rule-making administrative authority, informal discussions with the Division of Legal Services indicates that we can likely serve in this legislative advisory capacity. However, they suggest that a statement of the advisory nature of the Commission and an acknowledgement on the record that the Legislature does not perceive this as a conflict, would be beneficial. We believe this statement could simply be made as part of the testimony before a legislative committee.

We look forward to serving on the Commission.

MEMO FROM LBA

Alaska State Legislature
House of Representatives

(F.)
Cremo

Official Business



State Capitol
Juneau, Alaska 99801-1182
(907) 485-3718

House Majority Leader

DATE: March 30, 1994

TO: Representative Brian Porter *Brian*
Chair, House Judiciary Committee

FROM: Representative Gail Phillips *Gail*
Chair, Judiciary Subcommittee on HJR 48

RE: Subcommittee report/recommendations

After carefully evaluating the premises of HJR 48 and comments of individuals knowledgeable in evaluating financial proposals, the subcommittee decided that more consideration must be given to the future funding requirements of the State by way of a long-term financial plan.

Therefore, the subcommittee is proposing that a Letter of Intent accompany HJR 48 (Restructuring the Permanent Fund) in moving it out of Judiciary Committee and on to the House Finance Committee. This letter would include a synopsis of policy issues we feel must be addressed before the legislature can embark on a new method of budget funding, various opinions we have received on the subject and a proposal for further action by the Legislature. The key to our proposal would be the establishment of a highly technical blue ribbon task force that would thoroughly investigate the concept contained in HJR 48 and other feasible long-term financial plans. The subcommittee feels that a thorough investigation of the feasibility of any plan must be undertaken before it can be presented to the general public, and that there isn't time for such an analysis during this legislative session.

We feel further action on this issue falls under the purview of the Finance Committee.

SUBCOMMITTEE RECOMMENDATION

DRAFT

LETTER OF INTENT

After reviewing HJR 48 (Restructuring the Permanent Fund) the subcommittee decided that before the legislature embarks on a new method of budget funding many policy issues must first be addressed. Our decision was made after carefully evaluating the premises of HJR 48 coupled with information provided from individuals knowledgeable in evaluating financial proposals. This Letter of Intent contains 1) A Basic Outline of HJR 48, 2) Policy Questions That Must Be Asked and 3) A Proposal For Further Action by the Legislature.

1) A Basic Outline of HJR 48 "The Cremo Plan"

The purpose of the plan is to stabilize state resource revenues at a sustainable level, to increase the size of the Permanent Fund, and to minimize the negative consequences of the fiscal gap. The plan requires this session's legislature to propose - and the voters in the fall election to approve - an amendment to the State Constitution to provide that beginning July 1, 1995 and henceforth, all natural resource revenues be deposited in the Permanent Fund along with the assets of the state's two budget reserve accounts and the Railbelt Energy Fund. All future income earned by the Fund would be retained in the Fund, but there would be an annual withdrawal from the Fund based on its average market value over the past 12 quarters. The first year, the withdrawal would equal 20 percent, but then would be reduced geometrically each year until the permanent withdrawal rate of 6 percent is reached in the year 2006.

2) Policy Questions That Must Be Asked

There are major policy and technical questions which must be thoroughly researched and answered before we are in a position to present any plan to the voters. Those issues include:

1. Appointments to the Board of Directors - The directors of the corporation should not be subject to confirmation. Under the present approach used in the constitution, only department heads and the heads of quasi-judicial boards are subject to confirmation. The corporation would be the trustee of the source of most of the expendable money of the state. There could be an inherent conflict of interest if the legislature shares the power to make appointments to the board.

2. Revenue Allocation - If only resource revenues are used to determine the budget amount available, and our entitlement programs continue to grow, won't most of the available revenues eventually go into the entitlements and less into resource development, thereby reducing the revenue source which funds the cycle? Additionally, what about the negative impact to natural resource development by encouraging high severance and other taxes in order to generate enough income to support the growing needs of an expanding population?

3. Effect on Bonds - How will a budgetary funding mechanism such as this affect the State's current bond rate? If adopted, could it impair the State's credit and, thereby impair the ability of the State, state agencies and local governments to fund capital improvements through bonds?

4. The Transition Period - The plan provides for a higher but gradually reduced withdrawal rate during a 10-year transition period in order to minimize the negative consequences of the fiscal gap. The proposed constitutional amendment states that the withdrawal rate shall decrease geometrically throughout the transition period, but does not provide specific details. This ambiguity should be cleared up. We lack sufficient information to know whether the percentages proposed beginning in fiscal year 1996 and thereafter will have the effect of depleting the corpus, or leave it unprotected from the effects of inflation.

5. Emergency Relief - The amendment makes perhaps 90 percent or more of the recurring unrestricted revenue of the state "not appropriable." The amendment then prescribes a set percentage for expenditure each year. There is no allowance of amounts necessary to meet unforeseen disaster emergencies. The State needs to have a rainy day fund for atrocities such as earthquakes and other natural disasters.

6. Assumptions - The plan is based on the Department of Revenue's fall 1973 mid-case revenue projections, and assumes an annual total rate of return for the Permanent Fund of 10 percent and an annual

7.

inflation rate of 4 percent. The Alaska Permanent Fund Corporation's projections are based on the low-case revenue projections, and assume a long-term average rate of return for the Permanent Fund of 9 percent and a long-term average rate of inflation of 6 percent. Long term market history does not support conservative investments returning 2 1/2 times the inflation rate. The "Cremo" plan assumes some combination of state spending cuts and revenue increases. Given the plan's assumptions, a 12 percent annual increase in conventional revenues and a \$30 million cut in annual state spending would eliminate the fiscal gap. This is a tremendous statement when no one has the ability to predict future deposits into the fund up to the year 2006.

3) A Proposal For Further Action By the Legislature

Before the legislature and the citizens of this state will approve this plan, they need to be convinced that it is clearly an improvement over the status quo. While there are some positive and intriguing aspects of HJR 48 there are also a number of undesirable outcomes which might occur should actual conditions in the future vary significantly from the assumptions upon which the plan is based. Indeed, the consequences for Alaska of this plan are too serious to rush a study. The subcommittee believes that it would be beneficial to the state and its citizens to establish a long-range plan that organizes the state's approach to handling its finances. It is for these reasons and the aforementioned concerns that the subcommittee proposes the establishment of a blue ribbon task force comprised from all branches of government, as well as technical experts in the field, that would thoroughly investigate the concept contained in HJR 48 and other feasible long-term financial plans. Unfortunately, there is not time enough during the current legislature to complete the study and think the task force should meet during the interim. We feel that further action. at this time, on this issue falls under the purvue of the Finance Committee.

HCR

5

SENATE COMMITTEE RE

DATE: 2/9/95

FURTHER:

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 5

Commemorating the attack on Pearl Harbor by establishing Pearl Harbor Remembrance Day.

and recommends:

- | be replaced with _____ CS _____ (_____)
- | adopt previous _____ CS _____ (_____)
- | attached amendment(s)
- | adopt Letter of Intent by _____ Committee
- | further referral to the _____ Committee

Senate Bill:

- | same title
- | new title
- House Bill:
- | technical change
- | new: SCR^e _____

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>John J. Lemmon</i>	✓				
<i>David Donley</i>	✓				
<i>Wenck</i>	✓				
<i>Kell & Kelly</i>	✓				
CHAIR: <i>Bob Hays</i>	✓				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
MVA	1/25/95	✓	
DOT - PF	1/26/95	✓	
GOV	1/25/95	✓	

| APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

**HOUSE MILITARY AND VETERANS AFFAIRS
COMMITTEE**

TO: Senator Bert Sharp
Chair, Senate State Affairs Committee

FROM: Representative Pete Kott
Co-Chair, House Military and Veterans Affairs Committee

RE: HCR 5

DATE: February 16, 1995

HCR 5 recently passed the House with no dissenting votes. I request that it be scheduled for a hearing in Senate State Affairs as soon as is convenient.

HCR 5 declares December 7, 1995 Pearl Harbor Remembrance Day and calls upon the Governor to issue an appropriate proclamation.

Attached hereto, please find the following:

- (a) HCR 5;
- (b) Fiscal Statements;
- (c) Sponsor Statement;
- (d) Sectional Analysis;
- (e) Backup Material.

Thank you in advance for your prompt consideration of this matter. Should you have any questions, or if I can be of any assistance, please do not hesitate to contact me.

HOUSE MILITARY AND VETERANS AFFAIRS COMMITTEE

SPONSOR STATEMENT HCR 5

On Sunday, December 7, 1941, Japan launched a surprise attack against the United States forces located at Pearl Harbor and nearby military facilities. This attack came without warning and without a declaration of war. Over 2,000 Americans were killed, and many others suffered grievous injuries. A major portion of the United States Pacific fleet was decimated, leaving many other Americans in the Pacific exposed to attack and capture.

Japan's action on this date ushered in our involvement in World War II. Thereafter, for over four years, the United States was engaged in a great global conflict, marked by the unimaginable suffering of untold millions, both military and civilian. The lives of an entire generation were disrupted, and many still bear scars from this conflict.

Over fifty years have elapsed since the attack on Pearl Harbor. Those Americans who were then old enough to remember that day are aging, and many are no longer with us. Someday, that generation will be gone, and no one will be available to bear witness to that pivotal event in our history.

As a people, we can not afford to forget what happened. Lessons were learned which remain relevant to this day. Suffering was endured for our freedom, and this cries out for recognition. Blood was spilled by a heroic generation so that we, today, can enjoy freedom. It would be a sacrilege to fail to acknowledge our continuing debt to those who gave so much to us.

Accordingly, it is proper---indeed, necessary--- to continually remind ourselves and future generations of the events of December 7, 1941. HCR 5 does just that, by designating that day as Pearl Harbor Day and calling on the Governor to issue an appropriate proclamation. Your support is appreciated.

FISCAL NOTE

BILL NO. HCR 5

STATE OF ALASKA

1995 LEGISLATIVE SESSION

Revision Date: _____

Department Affected: Office of the Governor

Title: "Commemorating the attack on Pearl Harbor..."

BRU: Executive Operations

Sponsor: _____

Component: Executive Office

Requestor: Special Committee on Military and Veterans' Affairs

COMPONENT SERIAL NO. 0006

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN						
-----------	--	--	--	--	--	--

FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: _____

ANALYSIS: (Attach a separate page if necessary.)
No fiscal impact

Prepared by: Michael A. Nizich, Director *M. Nizich*

Phone: 465-3876

Division: Division of Administrative Services

Date: 1/25/94

Approved by Commissioner: Jim Ayers, Chief of Staff *J. Ayers*

Agency: Office of the Governor

Date: _____

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FISCAL NOTE

STATE OF ALASKA

BILL NO. HCR 5

1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: DOT&PF
 Title: A Resolution commemorating the attack on Pearl Harbor DRU: Office of the Commissioner
by establishing Pearl Harbor Remembrance Day Component: _____
 Sponsor: Special Committee on Military and Veteran's Affairs
 Requester: George Doser COMPONENT SERIAL NO. 530

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary)

Any impact to Department of Transportation and Public Facilities would be negligible.

Prepared by: Sam Kito III Phone: 465-3904
 Division: Office of the Commissioner Date: 01/25/95
 Approved by Commissioner: *Joseph P. Durkin* Date: 1/26/95
 Agency: Department of Transportation and Public Facilities

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HCR 5

Revision Date: 1/25/95 Dept. Affected: Military and Veterans Affairs
 Title: Establishing Pearl Harbor Remembrance Day BRU: Alaska National Guard
 Sponsor: House DMVA Committee Component: Commissioner's Office
 Requestor: House DMVA Committee, Rep. Kott COMPONENTY SERIAL NO. 414

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	00	00	00	00	00	00
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	00	00	00	00	00	00

CAPITAL EXPENDITURES

--	--	--	--	--	--	--

CHANGE IN REVENUES ()

--	--	--	--	--	--	--

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	00	00	00	00	00	00
1005 GF/Program Receipts						
1006 GF/AMTIA						
Other						
TOTAL	00	00	00	00	00	00

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared by: Jeff Morrison Director Phone: 485-4730
 Division: Administrative Support Services Division Date: 1/25/95
 Approved by Commissioner: [Signature] for MG Joe Leonard Date: 1/25/95
 Agency: Military and Veterans Affairs

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DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

130 Seward Street, Suite 409
Juneau, Alaska 99801-2103

MEMORANDUM

January 24, 1995

SUBJECT: Sectional Summary of HCR 5 relating to Pearl Harbor Remembrance Day (9-LS0388\C)

TO: Representative Pete Kott
Attn: George

FROM: ^{JB} Theresa Bannister
Legislative Counsel

You have requested a sectional summary of the above-described resolution.

As a preliminary matter, note that a sectional summary of a resolution should not be considered an authoritative interpretation of the resolution and the resolution itself is the best statement of its contents.

1. The "Whereas" provisions give the background and reasons for establishing Pearl Harbor Remembrance Day.
2. The "Resolved" provision declares December 7, 1995, to be Pearl Harbor Remembrance Day and urges the Governor to issue a proclamation calling on state citizens to observe the day.

If I may be of further assistance, please advise.

TLB pl
95-015 plm

THE SEVENTY-SIXTH CONGRESS
of the
United States of America

AT THE SECOND SESSION

Open and held at the City of Washington on Tuesday,
the twenty-fifth day of January, one thousand nine hundred and ninety-four

Joint Resolution

Designating December 7 of each year as "National Pearl Harbor Remembrance Day"

Whereas, on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the armed forces of the United States stationed at Pearl Harbor, Hawaii;
Whereas more than 2,000 citizens of the United States were killed and more than 1,000 citizens of the United States were wounded in the attack on Pearl Harbor;
Whereas the attack on Pearl Harbor marked the entry of the United States into World War II;
Whereas the veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor; and
Whereas commemoration of the attack on Pearl Harbor will instill in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the armed forces of the United States during World War II: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That December 7 of each year is designated as "National Pearl Harbor Remembrance Day" and the President is authorized and requested—

(1) to issue annually a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities; and

(2) to urge all Federal agencies, and interested organizations, groups, and individuals, to fly the flag of the United States at half-staff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor.

Thomas S. Foley

Speaker of the House of Representatives

Robert C. Byrd

President of the Senate pro tempore

APPROVED

AUG 23 1994

William J. Clinton

STATE OF ALASKA



Executive Proclamation
by
Walter J. Hickel, Governor

December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the armed forces of the United States stationed at Pearl Harbor, Hawaii.

More than 2,000 citizens of the United States were killed and more than 1,000 were wounded in the attack on Pearl Harbor, which marked the entry of the United States into World War II.

The veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor.

Commemoration of the attack on Pearl Harbor will result in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the armed forces of the United States during World War II.

NOW, THEREFORE, I, Walter J. Hickel, Governor of the State of Alaska, do hereby proclaim December 7, 1994, as:

PEARL HARBOR REMEMBRANCE DAY IN ALASKA

and encourage all citizens and groups to observe the day with appropriate ceremonies and activities.

DATED: November 14, 1994

Done by ___



Walter J. Hickel

Walter J. Hickel, Governor
who has also authorized the seal
of the State of Alaska
to be affixed to this proclamation.

HCR

8

SENATE COMMITTEE RE

DATE: 2/16/95

FURTHER:

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 8
 Designating the month of March as "Women's History Month."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:

same title
 new title

House Bill:

technical change
 new: SCR* _____

<u>SIGNING DO PASS</u>	<u>DP</u>	<u>OTHER RECOMMENDATIONS</u>	<u>NR</u>	<u>DNP</u>	<u>AM</u>
<i>Wendy Donley</i>	✓	<i>Thomas J. Fennell</i>	✓		
<i>Alvin</i>	✓	<i>Wendy Donley</i>			
<i>Robert E. Kelly</i>	✓				
CHAIR:		<i>Bob Ross</i>	✓		

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
LAA	1/30/95	✓	

APPROPRIATION -- no fiscal note

*Include fiscal notes accompanying Governor's bill

ALASKA STATE LEGISLATURE

1055 FOURTH AVE. SUITE 470
ANCHORAGE, ALASKA 99501
907 258-8761
FAX 907 258-7771
STATE CAPITOL
JUNEAU, ALASKA 99801-1102
907 465-1873
FAX 907 465-2292



MINORITY WHIP
CHAIR
CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS
DISTRICT 21

MEMORANDUM

TO: Senator Bert Sharp, Chairman
Senate State Affairs Committee

FROM: Representative Bettye Davis

DATE: February 16, 1995

=====

I respectfully request a committee hearing of HCR8 at your earliest convenience. Attached please find a sponsor statement, fiscal note, copy of the bill, and background information.

ALASKA STATE LEGISLATURE

216 W. FOURTH AVE., SUITE 470
ANCHORAGE, ALASKA 99501
PHONE (907) 258-8161
FAX (907) 258-3371

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
PHONE (907) 465-3875
FAX (907) 465-2294



MINORITY WHIP
CHAIR
CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS
DISTRICT 21

SPONSOR STATEMENT

HCR8: *Designating the month of March as 'Women's History Month'*

March is National Women's History Month, where across the country people are discovering the vastness of women's historic contributions.

The theme this year is "Women's History: Promises to Keep." We have many promises to keep to those early women who cleared the way for future generations to reach new heights and accomplish great tasks.

We have promises to keep to these women, to ourselves and future generations. Promises to live a life of principle and purpose, to achieve, to be counted, to speak out and be heard.

American women of every race, class, and ethnic background served as leaders of every major social change crusade throughout our country's history.

Therefore I propose that the state of Alaska designates the month of March as Women's History Month.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

NO. _____
BILL VERSION: HCR 8
PUBLISH DATE: _____

Revision Date: _____
Title: Designating the month of March as
"Women's History Month."
Sponsor: Representative B. Davis
Requestor: Representative B. Davis

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
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: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 465-3852
Division: Administrative Services Date: 1/30/95

Approved By: Pamela A. Varni, Executive Director *Pamela A. Varni*
Agency: Legislative Affairs Agency Date: 1/30/95

THE HISTORY OF NATIONAL WOMEN'S HISTORY MONTH

As recently as the 1970s, women's history was virtually an unknown topic in the K-12 curriculum or in general public consciousness. To address this situation, the Education Task Force of the Sonoma County (California) Commission on the Status of Women initiated a "Women's History Week" celebration for 1978. We chose the week of March 8 to make International Women's Day the focal point of the observance. The activities that were held met with enthusiastic response, and within a few years dozens of schools planned special programs for Women's History Week, over one-hundred community women participated in the Community Resource Women Project, an annual "Real Woman" Essay Contest drew hundreds of entries, and we were staging a marvelous annual parade and program in downtown Santa Rosa, California.

Local Celebrations

In 1979, Molly MacGregor, then the director of the Sonoma County CSW, was invited to participate in a Women's History Institute at Sarah Lawrence College, attended by the national leadership of organizations for women and girls. When MacGregor told the other participants about our county-wide Women's History Week celebration, these leaders decided to initiate similar celebrations within their own organizations and school districts. They also agreed to support our efforts to secure an official Congressional Resolution declaring a "National Women's History Week." Together we achieved success! In 1981, Sen. Orrin Hatch (R-Ut) and Rep. Barbara Mikulski (D-Md) co-sponsored the first such Joint Congressional Resolution.

Overwhelming Response

As word spread rapidly across the nation, equity specialists in many state departments of education encouraged celebrations of National Women's History Week as an effective means to achieving equity goals within classrooms. Maryland, Pennsylvania, New York, Oregon, Alaska, and other states developed and distributed curriculum materials and program ideas to thousands of schools. Community-based women's organizations sponsored essay contests and other special programs in their local areas. Within a few years, thousands of schools and communities were celebrating National Women's History Week, supported and encouraged by resolutions from governors, city councils, school boards, and the U.S. Congress.

The Entire Month of March

In 1987, at the request of museums, libraries, and educators across the country, the National Women's History Project asked Congress to expand the national celebration to the entire month of March, allowing more time to explore the increasingly accessible field of women's history. Since then, the National Women's History Month Resolution has been approved with bipartisan support in both the House and Senate. Each year, programs and activities in schools and communities have become more extensive as information and program ideas have been developed and shared.

Growing Interest In Women's History

The popularity of women's history celebrations has sparked a new interest in uncovering women's forgotten heritage. Many states and cities have instituted a "Women's Hall of Fame," or have published biographical materials about prominent women in the history of their particular locale. In many areas, state historical societies, women's organizations, and groups such as the Girl Scouts have worked together to develop joint NWHM programs. The efforts of educators, workplace program planners, parents and community organizations in thousands of American communities have turned National Women's History Month into a major focal celebration, and a springboard for celebrating women's history all year 'round.

For more information about National Women's History Month, or to receive a copy of the Women's History Resources catalog, contact: NWHM, 7738 Bell Road, Windsor, CA 95492, or call 707/838-6000.

.....



National Women's History Project
7738 Bell Road, Windsor, CA 95492
707-838-6000 Fax: 707-838-0478

FOR IMMEDIATE RELEASE

November 1, 1994

FURTHER INFORMATION:

Mary Ruthsdotter
(707)838-6000

NOTE TO EDITOR: A b/w or color glossy of the '95 commemorative poster can be provided for illustration.

THEME AND POSTER FOR 1995 NATIONAL WOMEN'S HISTORY MONTH

WINDSOR, CA: The National Women's History Project has just announced the theme for National Women's History Month, March 1995 - ~~"Women's History: Promises to Keep."~~ Nineteenth- and early twentieth-century women forged paths for women in many fields, creating unlimited promise for the generations to come. Women today are keeping those promises alive by taking leadership roles in all areas of society. The 1995 commemorative poster issued by the NWHP for National Women's History Month features the theme as it honors sixteen remarkable women.

The theme, "Women's History: Promises to Keep," reminds us of our foremothers' ground-breaking accomplishments and the many options now open to women because of the perseverance of women from our shared past. In their memory, today's generations have an obligation to continue confronting all obstacles placed in the road to women's full participation in American life.

Two women in each of eight fields have been selected to exemplify the 1995 National Women's History Month theme. In journalism - Nellie Bly and Katharine Graham; women's rights - Lucy Stone and Anita Hill; government - Mary Anderson and Carol Moseley Braun; community - Alicia Montemayor and Annie Wauneka; law - Belva Lockwood and Ruth Bader Ginsburg; literature - Willa Cather and Toni Morrison; advocacy - Ethel Andrus and "Sox" Kitashima; and science/medicine - Alice Hamilton and Gertrude Elion. A booklet of their biographies is available to accompany the poster.

The full-color 1995 National Women's History Month commemorative poster is available for \$6 (plus \$3.50 s/h); the "Promises to Keep" biographies booklet for \$2.50 (plus \$3.50 s/h). To order these, or to request a 48-page Women's History Catalog, contact the National Women's History Project, Dept. P, 7738 Bell Road, Windsor, CA 95492, or call (707)838-6000.

- END -

A NONPROFIT EDUCATIONAL CORPORATION

Women's History: Promises to Keep

March is National Women's History Month. Throughout the United States, people are discovering the vastness of women's historic contributions. Women's history celebrations take many forms – some are holding parades, putting up displays, and performing plays and skits. Books on women's lives are being read, speeches given, and articles published in newspapers and magazines. Women's history is being enthusiastically celebrated coast-to-coast in schools and universities, in communities and in corporate offices, as well as by federal, state, and local agencies.

During National Women's History Month, we honor women who lived long ago and women who are alive today. We remember these women not only to honor their actions, but also to gain inspiration and confidence for our own lives. This year the National Women's History Month commemorative poster features sixteen women from a wide range of fields. Each of these women has lived a life of courage, determination, and promise.

As we honor these women and their achievements, let us not forget that we, too, have promises to keep. Promises that are rooted in a rich and varied history of accomplishments and perseverance by legions of women. Promises that spring from the struggles, sacrifices, and successes of generations of women.

Women who overcame gender, race, and class discrimination. Women who cleared the way for future generations to reach new heights and accomplish great tasks. Women whose words and actions are sources of inspiration, and strength.

We have promises to keep to these women, to ourselves, and to future generations. Promises to live a life of principle and purpose, to achieve, to be counted, to speak out, and to be heard.

For generations, countless women have worked and are continuing to work to fulfill the promises of their foremothers – many doing so by first and foremost seeking the truth. In this tradition, the intrepid, late 19th-century investigative reporter Elizabeth Cochrane Seaman, known as Nellie Bly, pretended to be insane in order to get committed to the notorious Blackwell's Island Women's Lunatic Asylum. Why? So she could report on the brutal and inhumane treatment of inmates from a firsthand perspective. Nellie Bly's bold style frequently put her in difficult situations, but the outcome of her work was purposeful. Nellie Bly's authentic reports and exposés led to reforms and legislative changes in many states.

In the 20th century, the promise to seek the truth, even under the most difficult professional circumstances, was kept by Katharine Graham, while she was publisher of *The Washington Post*. In 1971, Graham disregarded a threat of prosecution from the Nixon Administration's Department of Justice and went ahead with her courageous decision to publish excerpts from the

top-secret *Pentagon Papers*. Graham's action revealed that our government had lied about the extent of our country's involvement in Vietnam. Then, from 1972 to 1974, Katharine Graham again stood alone as she supported her staff's aggressive investigation of the politically motivated Watergate break-in.

The promise of telling the truth has been well kept by generations of women writers. Writers whose stories reflect, inspire and explore the truth about the female experience.

Consider the author Willa Cather. Willa Cather grew up in a small town on the Nebraska prairie, observing closely the lives of people around her. Cather's award-winning novels portray the lives of strong, independent women on the harsh midwestern landscape a century ago.

Today the promise of telling the truth is kept by writers like Nobel and Pulitzer Prize winner Toni Morrison, whose detailed novels touch on issues of history, family, identity, and racial prejudice. Toni Morrison grew up in a family steeped in the richness of Black culture. At the heart of her writing are Black women, whose lives and experiences have been largely invisible to the majority of Americans.

(pause)

We also have promises to keep to work toward equal opportunity for all people. To help bring this promise of equal opportunity closer to reality, Alicia (Ah lee see ah) Dickerson Montemayor (Moan tay mah yor) challenged traditions within the Mexican-American community that had excluded women from public leadership roles. In the 1930s, after winning a national position within the League of United Latin American Citizens, Montemayor (Moan tay mah yor) devoted her attention to lessening the impact of discrimination against Mexican Americans. She argued forcefully for increased Mexican-American involvement in the electoral process, raised funds for social concerns, and promoted English language proficiency.

Understanding the importance of empowering others to pursue the promise of equal opportunity, Montemayor (Moan tay mah yor) actively trained women and young people to assume leadership roles themselves.

The promise to work for equal opportunity for all is also being kept by the first African-American woman in the United States Senate, Carol Moseley Braun (Brahn). As a teenager, Braun (Brahn) staged a daring, one-woman sit-in at a restaurant where she had been refused service. As an adult her community activism continued, leading to her successful grass-roots campaign for the Senate in 1992. As a Senator, Carol Moseley Braun (Brahn) continues her strong advocacy for those who traditionally have been underrepresented in the American political system.

(pause)

Another promise that is ours to keep is that of improving the quality of human life. At the beginning of the 20th- century, Dr. Alice Hamilton set her sights on this goal, and kept a steady course throughout her entire professional career. Dr. Hamilton investigated the physical hazards faced by industrial workers who labored without protection in factories rife with carbon monoxide, lead, and other poisonous substances.

With her carefully documented research, she challenged hostile factory owners to reduce workers' exposure to hazardous materials, at a time when taking such interest in workers' welfare was considered un-American. Dr. Alice Hamilton's research paved the way for workers' compensation laws in several states.

Another strong leader who both made and kept promises to improve the quality of life for working people was Mary Anderson. Mary Anderson emigrated from Sweden to America in 1889, when she was just 16. Through diligence she rose from the ranks of miserably treated garment workers to a full-time position in the Women's Trade Union League. When the Women's Bureau was created within the Department of Labor, Mary Anderson was appointed its first director. The Women's Bureau was formed to investigate the condition of women in the workplace and to recommend necessary reforms. Anderson served as director from 1920 to 1944, proving herself to be a tireless advocate for increased opportunities and protection for female workers.

The promise of improving the quality of life for older Americans became the personal mission of Ethel Percy Andrus. Ethel Percy Andrus pioneered nursing home reform legislation, fought against mandatory retirement laws, and was successful in bringing about federal legislation to help empower the elderly.

An educator, organizer, and skilled executive, Ethel Percy Andrus founded two powerful organizations to help improve the situations of senior citizens - the National Retired Teachers Association and the American Association of Retired Persons, or A.A.R.P.

(pause)

Keeping the promise to improve the quality of human lives by effectively combatting diseases has been a long and difficult undertaking. As a child, Gertrude Elion (Eily-un) voiced her promise to seek the cure for cancer when that dreaded disease took her beloved grandfather. Elion's (Eily-un's) years of patient research resulted in improved treatment for an extraordinary range of illnesses, including leukemia, herpes, and kidney disease, saving or improving the lives of countless numbers of people. For her outstanding contributions to medicine, Gertrude Elion (Eily-un) was awarded the Nobel Prize in 1988.

Working to keep the promise of better health in a very different way is Annie Wauneka (Wah nah kuh), a Navajo Indian tribal leader and health-care advocate. When a tuberculosis epidemic threatened the Navajo people, Annie Wauneka (Wah nah kuh) helped convince the Navajo that this "white man's disease" required treatment from medical practitioners from outside their own culture. Her leadership brought about a dramatic decline in the Navajo death rate from tuberculosis.

Annie Wauneka (Wah nah kuh) also recognized the promise of personal empowerment, and took steps to increase Navajo women's education and political involvement. For her lifelong work, Annie Wauneka (Wah nah kuh) was the first American Indian to receive the Medal of Freedom Award, the highest nonmilitary award given to American citizens.

(pause)

Keeping promises alive often involves directly confronting long-held ideas and traditions. As we honor the women of yesterday and today, and think about promises to be kept, we must certainly include the women who have helped bring about changes in laws and social practices that discriminate against women. That is what Lucy Stone, a 19th-century abolitionist and women's rights activist, did. When she was young, Lucy Stone strongly objected when her parents gave preferential treatment to her brothers. Years later, in her marriage ceremony, Lucy Stone and her husband read a protest against the laws that discriminated against women, and then they exchanged their own egalitarian marriage vows. In 1859, Lucy Stone co-founded the American Woman Suffrage Association, and continued to actively campaign for women's right to vote until the end of her life.

In the area of women's rights we also remember another 19th-century woman, Belva Lockwood, who campaigned for five years to win the right for women attorneys to argue cases before the U.S. Supreme Court. Years later in 1906, Belva Lockwood herself argued a case before the Supreme Court. She won a five million dollar settlement for the North Carolina Cherokees, money that had been promised in an 1835 land purchase treaty that had never been honored.

And today, in the 20th century, Ruth Bader Ginsburg is hearing cases as a Supreme Court Justice. Ruth Bader Ginsburg is a pioneer in combatting discrimination on the basis of sex. As an attorney with the American Civil Liberties Union, her legal arguments creatively and effectively focused upon the "equal protection" clause of the Fourteenth Amendment, clarifying its application for women's rights issues.

Tsuyako (Tsu yah ko) "Sox" Kikashima (Kee lah sh mah) lobbied forcefully for legislation that benefited Japanese-American women and men. During World War II, she and her family, and 10,000 others of Japanese ancestry, had been removed from their homes and forced to live in remote internment camps.

Tsuyako (Tsuu yah ko) Kitashima (Kee lah sh mah) knew that this action clearly violated the promise of due process that applied to her as an American citizen. She was one of the first to step forward, bravely breaking the tradition of silence, to tell the story of the internment. She then spearheaded the ten-year effort to convince Congress that reparations and redress were owed to Japanese Americans who had been illegally imprisoned. The Entitlement Bill of 1989 was subsequently passed to compensate surviving internees for the loss of their possessions, property, and livelihoods. Congress also formally apologized for the action taken by the U.S. government against its own citizens.

(pause)

Every woman has promises to keep. Both in their personal lives and in the most public of arenas, women have walked new paths and demanded dignity for themselves and their sisters.

The promise of dignity demonstrated by one woman encourages other women to make and keep future promises.

A prime example of this ongoing process is Anita Hill's courageous testimony before the all-white, all-male Senate Judiciary Committee. Her testimony brought the issue of sexual harassment in the workplace to the forefront of public debate.

Anita Hill's actions validated the experience of women around the country and gave them the courage to begin speaking out, and to take action in their own lives. That empowerment led to the election of unprecedented numbers of women to government positions, from town councils to the United States Congress.

Each of these women's lives, the actions they took, and the promises they kept alive expands the possibilities for our own lives. The courage and determination of women from our shared past can inspire each of us to make and keep promises to build a stronger, better tomorrow.

As we celebrate National Women's History Month, let us join with the women and men, girls and boys across the land who are honoring women by telling their stories. And while we are honoring them, let us remember that we, too, have work to do, actions to take, and promises to keep.

HCR

11

DATE: 3/2/95

FURTHER:

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 11

Designating March 1995 as Sobriety Awareness Month, commonly referred to as "SAM."

and recommends:

- | be replaced with _____ CS _____ (_____)
- | adopt previous _____ CS _____ (_____)
- | attached amendment(s)
- | adopt Letter of Intent by _____ Committee
- | further referral to the _____ Committee

Senate Bill:
 same title
 new title
House Bill:
 technical change
 new: SCR* _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Louis A. Arcane</i>	✓				
<i>John D. Buley</i>	✓				
<i>John D. Buley</i>	✓				
<i>Reed E. Kelly</i>	✓				
CHAIR: <i>BA May</i>	✓				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
HSS	2/27/95	✓	
LAW	2/23/95	✓	

| APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HCR 11

Revision Date: _____ Dept. Affected: Department of Law
 Title: *Designating March 1995 as Sobriety Awareness BRU: Legal Services
 Month, commonly referred to as "SAM." Component: Operations
 Sponsor: Representative Nicholia
 Requester: Representative Nicholia COMPONENT SERIAL NO. 0093

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

HCR 11 designates March 1995 as Sobriety Awareness Month to endorse sobriety as a solution to the substance abuse problem in the state and to pay tribute to the thousands of men, women and children who are doing their part through sobriety to improve the quality of life and the health of themselves, their families, and their communities.

The resolution further urges the Governor to issue a proclamation for the month and to direct state agencies in the executive branch to engage in suitable activities during Sobriety Awareness Month, and urges the citizens of the state to engage in suitable activities during March 1995 to observe Sobriety Awareness Month.

The resolution will not have a fiscal impact.

Prepared by: Richard I. Pegues, Director
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Botelho, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: 2/23/95
 Date: 2/23/95

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

HCR 11

AFNSM JOURNAL

Volume 1 Issue 2

FEBRUARY 1995

SOBRIETY: A POSITIVE, HEALTHY AND PRODUCTIVE WAY OF LIFE...

For AFNSM SAM is MARCH

During a planned statewide call-in teleconference, Tuesday, January 31, 1995,

in an unprecedented move to focus more on the solution rather than the problem. The AFN Sobriety Movement (AFNSM) Council, its Charter Groups & Honor Societies (CGHS), passed AFNSM resolution 95-01 designating the month of March as Sobriety Awareness Month (SAM); calling for the AFN Board of Directors, the 19th Alaska State Legislature and Honorable Governor Tony Knowles to proclaim March as Sobriety Awareness Month.

Having March known as SAM will generate the much needed recognition of the thousands of men, women and children whose sobriety signatures will travel on the Iditarod trail in Nicoloy Emyne's dog sled, a Chukchi Eskimo from the Northeastern region of Siberia. Also, it will generate greater appreciation to the merits of sobriety which are resultant in what AFNSM identifies as the ABC's: a) To improve the quality of life and health of individuals, families and communities; b) To reduce the incidences of alcohol and drug related crimes; c) To reduce the burden on local, state and federal governments to exhaust their resources on the problems caused by alcohol and drug abuse.

It is so easy to forget or take for granted that, while our society is in the grip of



Our Symbol: The raven is a spiritual creature, representing the creator. The figures sheltered by its wings represent the people standing together for a purpose.

dealing with the problems of alcohol and drug abuse, that there is a segment of our society who live under the banner and lifestyle of sobriety. Curiously, this segment of our society is not crowding our prison system; nor, are they or their children crowding the justice system. These are people, neighbors even, who are unseen, unheard and unappreciated by the institutions and positions - and for some reason felt it noble to name after - who deal with only the problems of substance abuse. Having a month known as SAM could change all that.

Congressional Senators & AK Senate President back AFNSM

US Alaskan Congressional Senators Stevens and Murkowski, and Alaska Senate President Drue Pearce, backed AFNSM's plea to First Lady Hillary Rodham Clinton to write a personal letter in support and in recognition of AFNSM's efforts to: 1) become non-dependent of state & federal subsidies; 2) honor thousands of people whose sobriety signatures are being carried on the Iditarod trail; 3) further what AFNSM identifies as the ABC's.

If, and when, Mrs. Clinton's letter is received it will be carried on the Iditarod trail in this years Iditarod.

Inside This Issue

1&2 SAM is MARCH; Senators back AFNSM

3&4 AkANG & AFNSM work together

5&6 ACC; AFNSM Iditapledge Kick-off

7&8 Native Inmates; Teleconference 2/14-3pm

9 KTBY FOX 4 Kids Club - Blanket Toss

News

Sobriety: A solution as easy as the ABC's

COMMENTARY from the Alaska Federation of Natives.

Without argument the resultant problems of substance abuse (alcohol and drug) have resolutely been identified by government agencies for decades. Three questions we, as Alaskans and as a society, must concern ourselves with are: "What is the best method of approach to solving the problems of substance abuse? Is it better to maintain a status quo of focusing on the problems of substance abuse? Or, is it better to focus on the merits of a common, yet identifiable, solution?" For the AFN Sobriety Movement (APNSM), it is the latter.

The principle strategy for solving the indisputable problems of substance abuse have been met mostly from the vantage point of "naming" positions and programs after the problem, e.g., Alcohol Counselor, Department of Alcohol and Drug Abuse, Mothers Against Drunk Drivers, Alcohol Awareness Month, etc..

By virtue of these titles, although well intentioned, give more attention to a commodity and its abuses than to advocating or creating an unanimity of purpose to a com-

mon solution which results in socially appropriate behaviors and choices.

Behaviors and choices which empower people to nurture what APNSM has identified as the ABC's: a) To improve the quality of life and health of individuals, families and communities; b) To reduce the incidences of alcohol and drug related crimes; c) To reduce the burden of local, state and federal government to exhaust their resources to pay for the problems caused by substance abuse.

Aside from APNSM, its 55 Charter Groups and Honor Societies (two of which are the National Family Partnership and its affiliate Alaskans for Drug-Free Youth), no other agency in the field of prevention, has identified or advocated head-on the particular lifestyle known as sobriety, a lifestyle known, shared and practiced by millions of Americans.

It is so easy to take for granted, that, while our society is in the grip of dealing with the problems of substance abuse, there is a segment of our populous who live under the banner and lifestyle of sobriety. Curiously, this populous is not

crowding our prison system; nor, are their children crowding the juvenile and justice system. These are people, neighbors even, who represent a segment of our society who are unseen, unheard and unappreciated by the grandiose institutions and positions we have created - and for reason felt it noble to name after - to deal with the pervasive problems of substance abuse.

For APNSM the optimum word is sobriety. It refers to a lifestyle: a positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.

Prevention, on the other hand, although an intricate part of sobriety, only refers to the task(s) in which attain or maintain sobriety. The sooner we understand this, the sooner we will come to appreciate the difficult role and responsibility we, as a society, have to reinforce a lifestyle which empowers and nurtures the "ABC's" identified by APNSM into becoming a reality.

The current mind-set within the "prevention field" is so rigid in its bureaucracy that it is hard to see them openly acknowledge that APNSM's definition of sobriety

has a lot to do with why they even exist. Which brings up a very important point.

That is, APNSM is not the sobriety movement, per se. The sobriety movement is, and can be construed as, the culmination of effort of every public and private agency affected by and working toward the prevention of substance abuse. Only these public and private agencies do not realize this, yet. Because they have not yet fully ascribed to or taken public ownership of sobriety as a solution, in so much as they have taken public ownership of only identifying substance abuse as a problem. Identifying a problem is only half the answer.

Meanwhile, until the time that more prevention programs begin accepting sobriety in their public vocabularies, APNSM will continue to collect sobriety pledges, signatures and give them to an Iditarod Musher to carry up to Nome; not so much for their symbolic value, as much as a way to pay homage to the thousands of men, women and children, who are already doing their part to accomplish the aforementioned ABC's.

Mr. Nickoly Eityno, a Chukchi (Eskimo) for the Northeastern region of Siberia, who has been identified as the Iditarod Musher to carry APNSM's sobriety signatures to Nome this year, has given APNSM an opportunity to share its message internationally.

Mr. Rany Brooks, an Athabascan Indian from Fairbanks, who was later found out to be also racing in this year's Iditarod has pledged his full support in the effort to ensuring that those signatures make it to Nome.

Before the "sobriety movement" was ever identified, we, as a society, judged ourselves by our intentions to support those who live what APNSM defines as sobriety. However, we cannot escape our actions or ineptitude to socially and publicly identify, reward and reinforce sobriety as a socially acceptable and appropriate lifestyle.

This March, we, as a society, with prevention field looking on, have an opportunity to "walk our talk" as an Iditarod Musher(s) take APNSM's sobriety signatures to Nome.

It is as easy as ABC; wait and see.

STATE OF ALASKA



Executive Proclamation by Tony Knowles, Governor

Public and private agencies have identified substance abuse (alcohol/drugs) as a gateway to the many social problems confronting Alaskans, their families and communities for decades.

A principle strategy for solving these problems has been by developing programs named after the problem and too often focusing more on the problem rather than the solution.

This strategy, although well intentioned, may give too much attention to a community and its abuses than to focusing on a solution that results in socially appropriate behaviors and choices which (a) improve the quality of life and health of individuals, families and communities, (b) reduces the incidence of alcohol and drug related crimes and, (c) reduces the burden on local, state and federal governments to exhaust their resources on the symptoms and problems of substance abuse.

The Alaska Federation of Natives (AFN) created the AFN Sobriety Movement (AFNSM), as a way to focus on a mutual solution for sobriety—a positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.

The AFNSM Council and the 55 AFNSM Charter Groups and House Societies, made up of various local, regional, statewide and nationwide agencies have designated the month of March as Sobriety Awareness Month (SAM) in recognition of the thousands of men, women and children, whose signatures for sobriety are being carried to Home on the Iditarod Trail, and who are already doing their part to accomplish the aforementioned AHC's.

NOW, THEREFORE, I, Tony Knowles, Governor of the State of Alaska, do hereby proclaim March 1995, as

Sobriety Awareness Month (SAM)

in Alaska, and urge all Alaskans and every agency in the prevention field to embrace sobriety and join the thousands of men, women and children who are doing their part to improve the quality of life and health for themselves, their families and communities.

DATED February 28, 1995



I have by

Tony Knowles

HCR

25

FISCAL NOTE

No. 1
 Bill Version: HCR 25
 (H) Publish Date: 2/15/96

STATE OF ALASKA
 1996 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Office of the Governor
 Title: "A Resolution Declaring May 15, 1996, BRU: Executive Operations
381st Intelligence Squadron Logistics Division Day Component: Office of the Lt. Governor
 Sponsor: House Spec. Comm. Military and Veterans Affairs
 Requester: _____ COMPONENT SERIAL NO. 11

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: John Lindback, Chief of Staff *John Lindback* Phone: 465-3522
 Division: Office of the Lt. Governor Date: 2/8/96
 Approved by Commissioner: Lt. Governor Frans Ulmer *Fran Ulmer* Date: _____
 Agency: _____

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SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 4/19/96

FURTHER:

DATE TURNED INTO OFFICE: 5/2/96

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 25 am
 Declaring May 15, 1996, 381st Intelligence Squadron Logistics Division Day.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
 same title
 new title
- House Bill:**
 same title
 technical title
 new: SCR# _____

SIGNING DQ PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
Lt. Gov.	7/8	0	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

HCR

32

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HCR 32

Revision Date: _____ Dept. Affected: Office of the Governor
 Title: *A Resolution Establishing YUKLA 27 BRU: Executive Operations
 Remembrance Day: _____ Component: Executive Office
 Sponsor: House Labor and Commerce Committee
 Requester: _____ COMPONENT SERIAL NO. 6

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

POSITIONS	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Michael A. Nizich, Director Phone: 465-3876
 Division: Division of Administrative Services Date: 3/11/96
 Approved by Commissioner: Jim Ayers, Chief of Staff Date: 3/11/96
 Agency: Office of the Governor

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House Labor & Commerce Committee

State Capitol
Juneau, Alaska 99801-1182
907-465-4954

TO: Senator Bert Sliemers
Chair
Senate State Affairs Committee

FROM: Representative Pete Kolbe
Chair

DATE: March 28, 1996

RE: HCR 32: Request for Committee Action

I respectfully request that HCR 32, which declares September 22 of each year to be YUKLA 27 Remembrance Day, be scheduled for committee action at your earliest convenience. I enclose herewith a copy of the resolution, a fiscal note, a sponsor statement, and some backup material.

Thank you for your kind assistance in this matter. Should you have any questions, or if I can be of any assistance, please do not hesitate to contact me.

Thanks in Advance!

Handwritten notes and signatures:
A large signature at the top right.
Below it, "OK" and "DWA" written in large letters.
To the right, "Colson" written vertically.
Below "OK", the word "on" is written.
At the bottom, "11/7/96" is written.

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 3/28/96

FURTHER:

DATE TURNED INTO OFFICE: 4/11/96

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 32
Establishing YUKLA 27 Remembrance Day.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

SIGNING; DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Ron A. Arman</i>	✓				
<i>Paul E. Spill</i>	✓				
<i>Michael J. Bailey</i>	✓				
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>Gov. - Admin. Serv.</i>	<i>3/1/96</i>	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

House Labor & Commerce Committee

State Capitol
Juneau, Alaska 99801-1182
907-465-4954

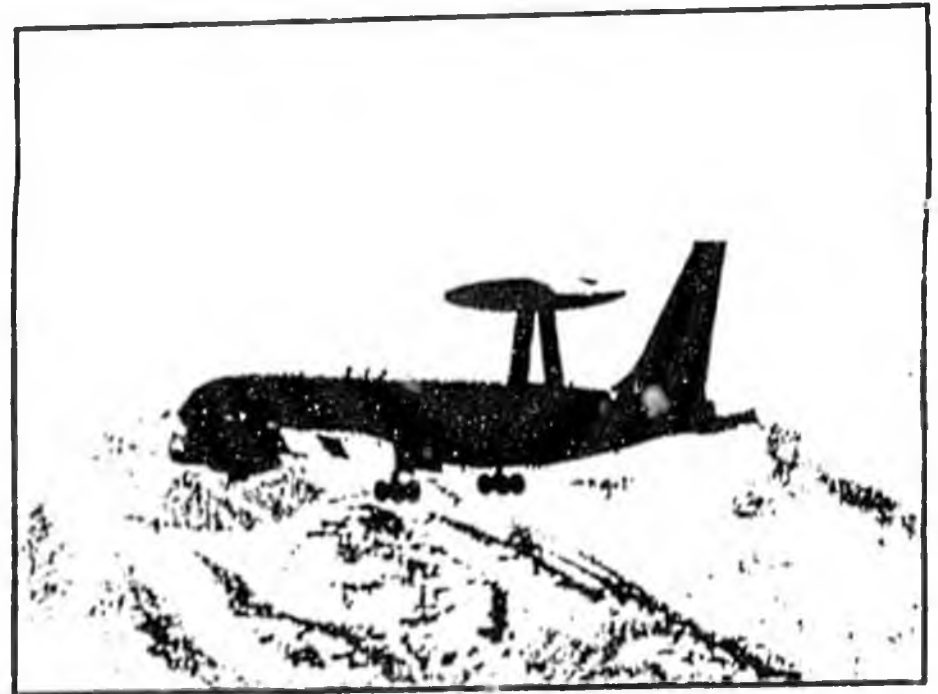
SPONSOR STATEMENT HCR 32

On September 22, 1996, an AWACS plane, with a call sign of YUKLA 27, crashed shortly after taking off from Elmendorf Air Force Base. Tragically, its entire crew of twenty-four young men perished in this catastrophic event.

HCR 32, which is sponsored by the House Labor and Commerce Committee, would establish September 22 of each year as YUKLA 27 Remembrance Day. It also calls upon the Governor to issue a proclamation to commemorate the day and direct that Alaska flags be flown at half-staff.

It is only right and proper that we honor the memory of those who sacrificed so much for us. The Committee respectfully urges your support.

In Memory of
the Crew of
YUKLA 27



"YUKLA," the call sign for all
962nd AACCS flights, is from
an Alaskan dialect meaning
"EAGLE."

CREW MEMBERS OF YUKLA 27

Richard G. Leary, Lieutenant Colonel, USAF
Navigator

Richard P. Stewart II, Major, USAF
Mission Crew Commander

Marlon R. Thomas, Major, USAF
Mission Crew Commander

Steve Tuttle, Major, USAF
Airborne Surveillance Officer

Glenn "Skip" Rogers, Captain, USAF
Pilot

Robert John Long, Captain, USAF
Senior Director

Bradley W. Paakola, Captain, USAF
Pilot

Carlos Alberto Arriaga, First Lieutenant, USAF
Weapons Director

Stephen C. O'Connell, Master Sergeant, USAF
Advanced Air Surveillance Technician

Bart L. Holmes, Technical Sergeant, USAF
Flight Engineer

Ernest R. Parrish, Technical Sergeant, USAF
Area Specialist

Dave Pitcher, Sergeant, CAF
Battle Director Technician

Charles D. Sweet, Jr., Technical Sergeant, USAF
Airborne Radar Technician

Brian K. Vanleer, Technical Sergeant, USAF
Advanced Air Surveillance Technician

Mark Alan Bramer, Technical Sergeant, USAF
Flight Engineer

Timothy B. Thomas, Technical Sergeant, USAF
Computer Display Maintenance Technician

Mark A. Collins, Technical Sergeant, USAF
Communications Systems Operator

J. P. Legault, Master Corporal, CAF
Communications Technician

Scott A. Bresson, Staff Sergeant, USAF
Airborne Radar Technician

Raymond O. Spencer, Jr., Staff Sergeant, USAF
Airborne Surveillance Technician

Joshua N. Weter, Senior Airman, USAF
Computer Display Maintenance Technician

Lawrence E. DeFrancesco, Senior Airman, USAF
Communications Systems Operator

Darien F. Watson, Airman, USAF
Airborne Surveillance Technician

Jeshua C. Smith, Airman, USAF
Airborne Surveillance Technician

HJR

9

FISCAL NOTE

No. 1
 Bill Version: CSHJR 9 (MLV)
 (H) Publish Date: 3/22/95

**STATE OF ALASKA
 1995 LEGISLATIVE SESSION**

Revision Date: _____ Dept. Affected: Department of Law
 Title: "Requesting the governor to file suit in the BRU: Legal Services
United States Supreme Court..." Component: Operations
 Sponsor: Representative James
 Requester: Representative James COMPONENT SERIAL NO. 0093

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

Estimate of any current year (FY95) cost: \$ 00

POSITIONS

FULL-TIME	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX	XXXXX
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

HJR 9 requests the governor to file suit in the United States Supreme Court against the United States government alleging violations of the civil rights of Americans listed as prisoners of war or missing in action in Southeast Asia. The resolution further requests that the suit demand that the Department of Defense, the intelligence agencies, and the governments of Vietnam, Laos, Kampuchea, Russia, North Korea, and China be ordered to turn over all documents concerning Americans listed as POWs or MIAs as a result of the Vietnam War. It is a purpose of the resolution that the lawsuit is not intended to solicit a ruling or an opinion definitively declaring the POW/MIA issue moot, but rather that it is intended to mandate that the fate or location of all Americans listed as POWs or MIAs be determined as missing beyond a reasonable doubt and on an individual basis. The resolution also requests that other states to join in the suit.

The Department of Law has no comment to offer concerning the merits of the resolution. However, we do note that if the intent of the resolution is carried out it will be necessary to hire outside counsel skilled in

Prepared by: Richard T. Pegues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 3/17/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 3/17/95
 Agency: Department of Law

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 For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HJR 9

ANALYSIS CONTINUATION:

U.S. Supreme Court proceedings. Outside counsel would be needed to advise the state concerning preparation of the suit, requirements of federal and international jurisdiction, to provide liaison with the National Association of Attorneys General and the other states, and to represent the state in formal proceedings before the U.S. Supreme Court. At this early juncture we cannot determine what costs might be required. We caution, however, that the U.S. Supreme Court costs could eventually reach \$50,000 or more.

SENATE COMMITTEE REPORT

DATE: 4/19/95

FURTHER:

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered CS HJR 9(JUD)

Requesting the governor to file suit in the United States Supreme Court against the United States government alleging violations of the civil rights of Americans listed as prisoners of war or missing in action in Southeast Asia.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 same title
 technical change
 new: SCR# _____

SIGNING: DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Wren A. Leelan</i>	✓				
<i>Rob E. Kelly</i>	✓				
CHAIR: <i>Bob Shroy</i>					

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
LAW	3/17	✓	

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

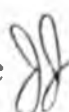
P.O. Box 56622
North Pole, Alaska 99705
(907) 488-1546
FAX (907) 488-9006

While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381

House of Representatives

House District 14

DATE: April 20, 1995

TO: Senator Bert Sharp
State Affairs Committee 

From: Representative Jeannette James

RE: Hearing for HJR 9

This is a request for the Senate State Affairs Committee to hear HJR 9 at your earliest convenience. This resolution would request the governor to file suit in the United States Supreme Court regarding POW's and those listed as missing in action in Southeast Asia. See attached sponsor statement.

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

P.O. Box 56622
North Pole, Alaska 99705
(907) 488-1546
FAX (907) 488-9006



While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381

House of Representatives

House District 34

SPONSOR STATEMENT

3-10-95

HJR 9

**Requesting the Governor to file suit against the U.S.
and others over POW/MIA's from Alaska**

There is continuing controversy concerning the presence of American servicemen, who were listed as Prisoners of War or Missing in Action and may be being held against their will in the Southeast Asian nations of Vietnam, Laos, and Kampuchea (formerly Cambodia).

The United States government has stated that all of our Prisoners of War have been returned from Vietnam. A top secret Vietnamese report, dated 1972, by General Tran Von Kwang, Deputy Chief of Staff for the North Vietnamese Army, reported that in September of 1972 Hanoi held 1,205 American prisoners. Only 591 American Prisoners of War have been released under the 1973 Peace Settlement.

There are two missing and unaccounted for servicemen in Southeast Asia from Alaska.

I request that the Alaska State Legislature hereby require the Governor of the state of Alaska, on behalf of the people of this state, to file in the United States Supreme Court a cause of action against the government of the United States. Defendants in this suit would include the Department of Defense and the intelligence agencies, the ambassadors or other public ministers and consuls of the governments of Vietnam, Laos, Kampuchea, Russia, and China, alleging violation of civil rights of the people of Alaska.

Especially, alleging the violation of the right to life, liberty and the pursuit of happiness of the following named citizens of the State of Alaska, **Thomas E. Anderson, U.S.M.C. Spenard and Howard M. Koslosky U.S.N. Anchorage.**

HJR

20

SENATE COMMITTEE REPORT

DATE: 3/9/95

FURTHER: Judiciary
Finance

DATE TURNED INTO OFFICE: 5/2/96

State Affairs Committee considered CS HJR 20(STA)

Relating to unfunded federal mandates and the Conference of the States.

and recommends:

- be replaced with § CS CS HJR 20 (STA)
- adopt previous CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:
- same title
 - new title
- House Bill:
- same title
 - technical change
 - new: SCR 33

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Brew D. Ferman</i> (State Affairs CS only)	✓	<i>W. D. ...</i>	✓		
<i>Roll C. ...</i> <small>Sen. S.A. C.S. Only</small>	✓				
CHAIR: <i>Brew D. Ferman</i>	✓				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

legislature	5/2/96	0	

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Gov	1/26/95	0	1
LHA	1/20	0	11.0
Gov.	1/20	0	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 20(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES BARNES, Grussendorf, Foster, Mulder, Kubina

SENATOR Hoffman

A RESOLUTION

1 Urging the Congress of the United States to pass S. 1629, the Tenth Amendment
2 Enforcement Act of 1996.

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

4 WHEREAS the United States Congress, by its authority to regulate commerce among
5 the states, has repeatedly preempted state laws, including those relating to health, welfare,
6 transportation, communications, banking, environment, and civil justice, reducing the ability
7 of state legislatures to be responsive to their constituents; and

8 WHEREAS more than one-half of all federal laws preempting states have been
9 enacted by the Congress since 1969, intensifying an erosion of state power that leaves an
10 essential part of our constitutional structure -- federalism -- standing precariously; and

11 WHEREAS the United States Constitution anticipates that our American federalism
12 will allow differences among state laws, expecting people to seek change through their own
13 legislatures without federal legislators representing other states preempting states to impose
14 national laws; and

15 WHEREAS constitutional tension necessary to protect liberty arises from the fact that
16 federal law is "the supreme Law of the Land" while, in contrast, powers not delegated to the

1 federal government are reserved to the states or to the people, and that tension can exist only
2 when states are not preempted and, thus, remain credible powers in the federal system; and

3 **WHEREAS** less federal preemption means states can act as laboratories of democracy,
4 seeking novel social and economic policies without risk to the nation; and

5 **WHEREAS** S. 1629 is designed to create mechanisms for careful consideration of
6 proposals that would preempt states in areas historically within their purview through
7 procedural mechanisms in the legislative, executive, and judicial branches of government,
8 namely

9 (1) in the legislative branch, by requiring a statement of constitutional authority
10 and an expression of the intent to preempt states;

11 (2) in the executive branch, by curbing agencies that may preempt beyond their
12 legislative authority;

13 (3) in the judicial branch, by codifying judicial deference to state laws where
14 the Congress is not clear in its intent to preempt;

15 **BE IT RESOLVED** that the Alaska State Legislature urges that

16 (1) the congressional delegation of this state cosponsor S. 1629 in order to
17 show its support for a decisive role for states within the federal system;

18 (2) the United States Congress enact S. 1629, the Tenth Amendment
19 Enforcement Act of 1996, in order to strengthen the political safeguards of federalism as
20 anticipated under the United States Constitution; and

21 (3) the President of the United States sign S. 1629 as a means of ensuring full
22 consideration of federalism principles within the exercise of executive powers.

23 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
24 United States; the Honorable Al Gore, Jr., Vice-President of the United States and President
25 of the U.S. Senate; the Honorable Newt Gingrich, Speaker of the U.S. House of
26 Representatives; the Honorable Bob Dole, Majority Leader of the U.S. Senate; to the
27 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the
28 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

SENATE CONCURRENT RESOLUTION NO. 33

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Introduced:

Referred:

A RESOLUTION

1 Suspending Uniform Rules 24(c), 35, 41(b), and 42(e) of the Alaska State
2 Legislature concerning House Joint Resolution No. 20, relating to unfunded federal
3 mandates and the Conference of the States.

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

5 That under Rule 54 of the Uniform Rules of the Alaska State Legislature, the
6 provisions of Rules 24(c), 35, 41(b), and 42(e) of the Uniform Rules, regarding changes to the
7 title of a resolution, are suspended in consideration of House Joint Resolution No. 20, relating
8 to unfunded federal mandates and the Conference of the States, so that the title, as changed,
9 may read: "Urging the Congress of the United States to pass S. 1629, the Tenth Amendment
10 Enforcement Act of 1996."



Official Business

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Alaska State Legislature

Office of World Trade And State/Federal Relations

REPRESENTATIVE
RAMONA L. BARNES
District 22

Anchorage
P.O. Box 103362
Anchorage, AK 99510
(907) 337-7737
(907) 250-8163

State Capitol
Juneau, AK 99801-1182
(907) 465-3438

SPONSOR STATEMENT SCS CS HJR 20(STA)

Senator Stevens has introduced S.1629, The Tenth Amendment Enforcement Act of 1996. This bill would curtail unnecessary preemption of state laws.

The states have been suffering from federal coercion and S.1629 would aid in restoring a functional federalism that respects diversity without causing division and that fosters unity without enshrining uniformity.

States can govern with responsibility, innovation and responsiveness to their constituencies without the heavy hand of the federal government.

The National Conference of State Legislators has requested all states with legislatures still in session to consider this resolution and asks their congressional delegations to co-sponsor the legislation now before Congress.

I hope you will all support this resolution and I welcome any of you to sign on as co-sponsors.

FISCAL NOTE

No. 3

STATE OF ALASKA
996 LEGISLATIVE SESSION

Bill Bill Version: SCSCS HTR 20(SM)
(S) Publish Date: 5/2/96

Dept. Affected: Legislature
BRU: _____
Components: _____
Senal #: _____

Title: Urqing Congress to pass S. 1629,
10th Amendment Enforcement Act of 1996
Sponsor: Rep. Barnes
Requestor: _____

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
Personal Services	0	0	0	0	0	0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (THOUSANDS OF DOLLARS)

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

POSITIONS:

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

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

See attached analysis

Prepared by:

[Signature]

Appropriations, Aide to Senate State
Affairs Committee

Date: May 2, 1996

Phone: 465-4522

[Signature]

Senator Bert Sharp, Chairman
Senate State Affairs Committee

Phone:

Senator Bert Sharp, Chairman
Senate State Affairs Committee