

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672

9754 SENATE STATE AFFAIRS

392

HB



Alaska State Legislature

Representative Beverly Masek

Chair, Military & Veterans Affairs

Vice Chair, Transportation

Vice Chair, Resources

Legislative Council

During Interim:

600 East Railroad Avenue
Wasilla, AK 99654
907-376-2679
907-376-6180 (fax)

During Session:

State Capitol
Juneau, AK 99801-1182
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SPONSOR STATEMENT – HOUSE BILL 362

Regarding the Use of Military Lounges in State Owned & Controlled Airports

House Bill 362 amends A.S. 02.15.090(a) by adding language to allow the State of Alaska to provide space within its airports for use as military lounges free of rental charges, if those lounges are operated by non-profit agencies.

Even though only token rent is now being collected, this arrangement skirts on the periphery of FAA regulations. The Anchorage International Airport Director is doing a balancing act by dividing the square footage cost for the lounge between the other airport tenants. The Federal Aviation Administration frowns upon these arrangements and without codifying the "no rent" provision, the potential exists for this arrangement to change should the FAA decide to push the issue.

For many years, the Anchorage Armed Services YMCA have operated the Military Courtesy Lounge on Concourse B at the Anchorage International Airport. This operation is conducted at no expense to the State. More than 23,000 travelers took advantage of the lounge's services in 1996. A squadron booster club provides volunteers to staff the lounge.

Given that thousands of military personnel travel to and from Alaska each year, and that the total economic contribution to the State from military activities exceeds \$2.7 billion, it is the best interest of the State to protect the continued operation of rent free courtesy lounges in our state airports.

Passage of HB 362 will provide airport directors with the statutory justification to continue the "no rent" arrangements, which have served us so well in the past.



ANCHORAGE
ARMED SERVICES YMCA OF THE USA

Post Office Box 272
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Telephone: (907) 753-2121
FAX (907) 552-4651



Honorary
Life Member
Robert B. Atwood
Alvin H. Feelywood

February 2, 1998

Representative Beverly Masck
State Capitol
Juneau, AK 99801-1182

Dear Representative Masck,

For more years than anyone knows, the Armed Services YMCA has been quietly and competently serving the traveling military through the Military Courtesy Lounge located on Concourse B at Anchorage International Airport. A safe and secure place has been dedicated to the Armed Forces, at no expense to the State or to the Military. Reaching over 22,000 visitors in 1997, squadron booster clubs provide volunteers to staff this lounge 365 days a year, meeting the needs of domestic and international traveling military members and their families. Alaska continues to be of strategic importance in the training of our military and defense of the nation. The military has always been there for us, we should not shirk our duties to them.

The existing statute does not allow the Armed Services YMCA to provide these services without a rental charge. So that we may continue to meet the needs of the traveling military in Alaska, the Armed Services YMCA supports House Bill No. 362, "An Act relating to the use of space for military lounges in state-owned or state-controlled airports" with the amended changes to Section 1. AS 02.15.090(a).

This change will allow us to continue our work and at the same time, authorize the Anchorage International Airport to offer the space rent free.

Please contact us if the "Y" can offer any assistance.

Serving Those Who Serve America

Tom Morgan
Executive Director

ja/tm

We're in the MILITARY PEOPLE Business

HB

408

Alaska State Legislature

Member
House Finance Committee

Legislative Budget Subcommittee
University of Alaska
Natural Resources
Environmental Conservation



119 N. Cashman Street Suite 207
Fairbanks, Alaska 99701
(907) 456-8172
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While in Session
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FAX (907) 465-3519
1-800-928-4457

Representative John Davies District 29

SPONSOR STATEMENT

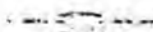
House Bill 408

"An act establishing the Alaska Seismic Hazards Safety Commission"

A Seismic Hazards Safety Commission needs to be established to address the pressing need to provide a consistent policy framework and a means for ongoing coordination of programs and public safety practices related to seismic hazards. Currently this need is not being addressed by any continuing state government organization. The Seismic Hazards Safety Commission would encourage long-term progress toward mitigating the effects of earthquakes.

Alaska is on the edge of the Pacific Plate, which acts like a relentless conveyor belt, moving about six centimeters a year. It is inevitable that there will be large earthquakes; the only question is when will they occur, not if they will occur. Although the state has made great improvements in disaster preparedness there has been little corresponding improvement in measures to reduce the disaster potential of major earthquakes and, consequently, to reduce dependence on disaster relief. Creating a seismic commission patterned after those in California, Oregon, Washington and other states on major fault lines will help address these issues. If you prepare for a major earthquake ahead of time and prepare appropriately, when the earthquake does occur less damage will occur, less lives will be lost and so the cost of recovery obviously will be less.

Through ten years experience as state seismologist I have extensive knowledge in this subject area. I have first hand experience with the difficulty of coordinating earthquake information for the university and state, federal, and municipal governments. Anchorage does have an active geo-tech advisory commission, but the state needs to strengthen that work while broadening efforts throughout the state. A Seismic Safety Hazards Commission can provide that strength.



The scientific community is working hard on earthquake prediction, but it is not yet a reality, except in the most general sense. We can predict in a probabilistic way where earthquakes are likely to occur so we can focus resources in those areas, but in terms of knowing the date and time of the occurrence of earthquakes we will not have that information for some time.

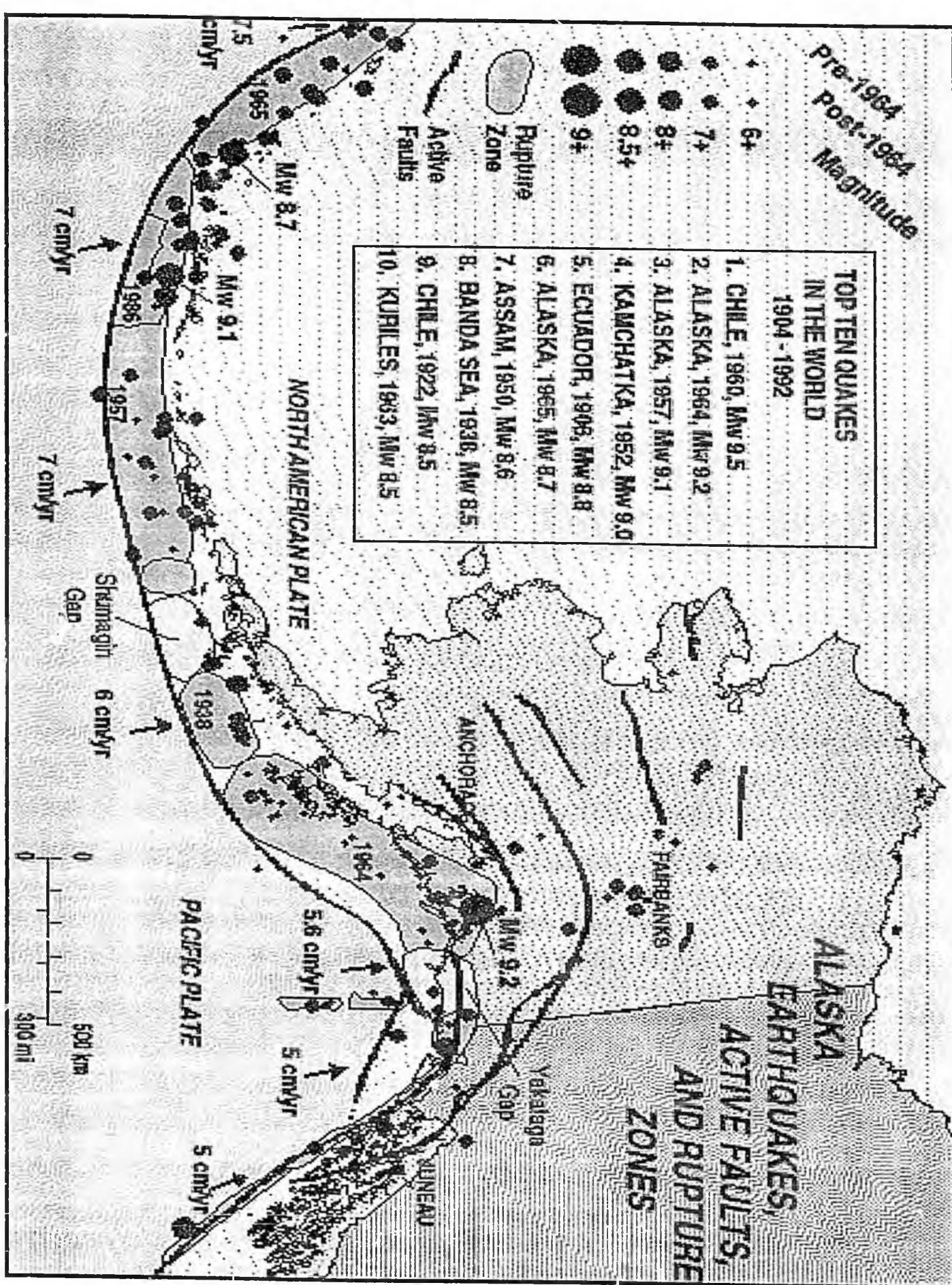
The state needs to mitigate possible effects of earthquakes by encouraging appropriate land use and building design so it can reduce loss of life, and property, as well as the costs of recovery when earthquakes occur. It costs a lot of money to rebuild after a large earthquake and, of course, there is no way to replace lost lives; so it is clearly worth spending some time and money before earthquakes occur to prepare for them. This commission would help us as a state to get better prepared.

Members of the commission would be appointed by the governor to represent the university and governmental agencies, as well as members of the public who are knowledgeable in earthquake hazard mitigation. The commission would recommend to the public and governmental sector goals and priorities for reducing earthquake effects. The commission will accept grant contributions and appropriations from public agencies, private foundations, and individuals. The authorities and responsibilities of other state agencies, boards, councils, commissions or of local governments are not intended to transfer to the Alaska Seismic Hazards Safety Commission.

Pre-1964
Post-1964
Magnitude



- TOP TEN QUAKES IN THE WORLD 1904-1992**
1. CHILE, 1960, Mw 9.5
 2. ALASKA, 1964, Mw 9.2
 3. ALASKA, 1957, Mw 9.1
 4. KAMCHATKA, 1952, Mw 9.0
 5. ECUADOR, 1908, Mw 8.8
 6. ALASKA, 1965, Mw 8.7
 7. ASSAM, 1950, Mw 8.6
 8. BANDA SEA, 1938, Mw 8.5
 9. CHILE, 1922, Mw 8.5
 10. KURILES, 1863, Mw 8.5





ALASKA STATE
SEISMOLOGIST

GEOPHYSICAL INSTITUTE
UNIVERSITY OF ALASKA

Fairbanks, Alaska 99775-0800

Voice: (907) 474-5539

FAX: (907) 474-5618

MEMO: April 21, 1998

TO: Rep. John Davies
FROM: Dr. Roger A. Hansen
RE: Seismic Hazards Safety Commission
CC:

I would like to express my strong support for House Bill 408, "An Act establishing the Alaska Seismic Hazards Safety Commission." Because our urban areas are expanding, and because we know that measures can be taken to reduce casualties and economic losses from the next large earthquake in Alaska, it is important that we improve our mitigation efforts. Establishing an Alaska seismic hazards safety commission is an important first step in coordinating state and local efforts in this area.

Alaska spans 4,800 km of the seismically active boundary between the oceanic Pacific and continental North American plates and is one of the world's most active regions of earthquake activity associated with subduction and volcanism. Nearly the entire state is seismically active. The greatest concentration of earthquakes is along the Pacific margin where the Pacific plate is being subducted beneath southern Alaska and the Aleutian Islands. The historical record indicates that magnitude 7 and larger shocks are about three times more frequent in southern Alaska than in California. Three of the six largest earthquakes in the world this century originated in Alaska on the boundary between the Pacific and North American plates. In 1964, the eastern end of the Aleutian subduction zone spawned the moment magnitude (M_w) 9.2 Prince William Sound earthquake, the second largest earthquake of this century. Alaska's other two great earthquakes occurred in the central and western parts of the Aleutians Islands -- the 1957 M_w 8.6 Andreanof-Fox Islands earthquake and the 1965 M_w 8.7 Rat Islands earthquake. The seismicity of Alaska stems primarily from the interaction of the Pacific and North American plates. The northwestward motion of the Pacific plate relative to the North American plate is accommodated by faulting in southeast Alaska on the Queen Charlotte-Fairweather fault system (similar to the San Andreas fault), and by underthrusting and subduction of the Pacific plate along the Aleutian megathrust, which crops out on the seafloor at the Aleutian trench. The seismicity related to various tectonic elements can be divided into five distinct source zones as follows: 1) Plate-boundary earthquakes along the interface between the Pacific plate and the North American plate; 2) subsea earthquakes within the Pacific plate beneath or seaward of the trench; 3) Wadati-Benioff Zone earthquakes within the subducted part of the Pacific plate landward of the trench; 4) North American plate earthquakes; and 5) volcanic-axis earthquakes within the North American plate along the axis of active volcanoes.

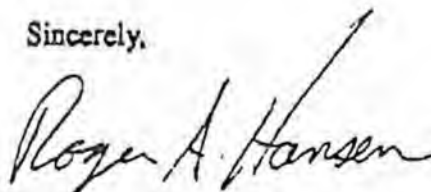
Within the seismology lab at the University of Alaska Fairbanks, Geophysical Institute, there is a strong seismology program with elements of earthquake and volcano monitoring, real-time processing and notification of seismic events, participation in a Federal/State tsunami hazard mitigation initiative, interaction with the engineering community, public and community outreach to

K-12 school programs, state fairs, and public lectures, and research into a variety of seismology and earthquake hazard related subjects: i.e. earthquake prediction, tectonic systems, seismic energy propagation in complex environments like Alaska, energy attenuation from strong earthquake shaking, and structural studies into the reasons for mountain building and fault behavior.

I bring up these issues as a way to speak strongly in favor of the formation of a seismic safety commission. I see such a board as a positive extension to the scientific and technological aspects of the seismology lab currently under way. It would be very complimentary to have a body who can take the results of the many and varied investigations into seismology in Alaska and translate the basic information into a coordinated effort between the scientists, the engineering community, the building industry, and such state agencies as DOT, ADDGS, and ADES. There is clearly a need for such integration into proper land use and building codes for the very potentially dangerous areas throughout Alaska. Within the tsunami program mentioned above, we have taken the position that a small amount of mitigation effort up front, has the potential for huge savings of both lives and economic loss in the event of a large earthquake. When (not whether) the next tsunamigenic earthquake strikes in the Aleutians, thousands of lives would be at risk in Sand Point, Akutan City, and Dutch Harbor. Since these communities are some of the largest fishing ports in the entire country, hundreds of millions of dollars of fishing industry infrastructure would be damaged or destroyed. A like situation exists within our largest cities in Alaska where we have known significant potential for destructive earthquakes, yet no strong framework for mitigating the hazards ahead of time.

It is time for Alaska to take steps toward reducing future earthquake losses. We can begin by passing HB 408.

Sincerely,



Roger A. Hansen

State Seismologist

Phone: 907 474-5533



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April 17, 1998

Representative Gene Therriault
Co-Chair, Finance Committee
Alaska State Legislature
Juneau, AK

Dear Mr. Therriault:

Subject: HB408-Seismic Hazards Safety Commission

This correspondence is written in support of Dr. John Davies' HB408 which would establish a Seismic Hazards Safety Commission for the State of Alaska.

As you know, Alaska is located in the most seismically active area in the world with many areas of the State having the potential for extensive damage from a strong motion earthquake. It is essential that we recognize the fact that it is not a question of "whether" a damaging event will occur but rather "when" it will happen.

It is incumbent upon us to be proactive in strengthening earthquake safety in the State by developing and improving public policies related to reducing hazards and mitigating the effects of potentially damaging earthquakes. This approach is totally superior to being reactive after the event and having to concentrate our people and financial resources on victim assistance, debris removal, and reconstruction activities because of inadequate prior planning.

A Commission, as proposed in HB408, could be instrumental in setting State goals and priorities, devising criteria to promote seismic safety, recommending programs to reduce earthquake hazards, gathering, analyzing and disseminating information, encouraging research, sponsoring training, coordinating seismic safety activities at all government levels, and could review reconstruction activities after a damaging earthquake.

I would like to commend Dr. Davies in his efforts to establish this Commission and urge members of the Legislature to support him in this important endeavor.

Sincerely,

CH2M HILL

John L. Aho, Ph.D.
Vice President

HB408/DOCUMENT2

c: Representative John Davies
Rod Combellick

DOWL **ENGINEERS**

A Division of DOWL, Incorporated

March 18, 1998

W.O. D00001

The Honorable John Davies
House of Representatives
State Capitol Building
Room 422
Juneau, Alaska 99801-1182

Subject: House Bill 408
Alaska Seismic Hazards Safety Commission

Dear Representative: *JOHN*

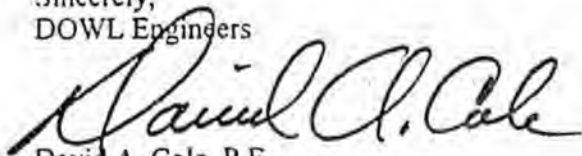
As a practicing civil engineering in the State of Alaska I wholeheartedly support HB 408 pertaining to the establishment of a state Seismic Hazards Safety Commission. I have been practicing my profession in Alaska for over 22 years. My technical specialties are geotechnical engineering and earthquake engineering, so I routinely deal with the problems associated with seismic hazards and their mitigation throughout the state. Moreover, I have been a member of the Municipality of Anchorage Geotechnical Advisory Commission (GAC) for nearly 20 years (currently Chairman). In that role, I and my fellow commissioners have routinely advised the Municipality regarding identification and mitigation of seismic hazards in Anchorage.

Although major earthquakes seemingly are "rare" events, their consequences literally can be disastrous, as was demonstrated by the 1964 great Alaska earthquake. Because of the damage and loss of life that occurred in Anchorage in 1964, and due to the concerns of local engineers and earth scientists, Anchorage established the Geotechnical Advisory Commission to advise our local government officials and citizens about earthquake hazards that can affect our community. The GAC generally has been the only real resource in those matters Anchorage has been able to rely upon consistently and effectively through the years. I believe the commission has had a positive effect on how our community has developed, and how it has taken appropriate steps to mitigate the seismic hazards with which we must live. Most of these efforts have been, and continue to be, through identification and mapping of the local hazards, and recommending mitigation measures to preserve life safety and to minimize economic impacts when the next major quake impacts our city.

I believe it is imperative that the State Legislature of one of the most seismically active regions in the world establish a statewide Seismic Hazard Safety Commission to help its citizens and those responsible for their general well being understand the seismic environment in which they live, and how best to deal with the Hazards that can affect them.

John, I applaud your sponsorship of this bill and give it my full support. If there is anything else I can do for you in this matter, please feel free to call me.

Sincerely,
DOWL Engineers



David A. Cole, P.E.
Principal

D00001 RepDavies.DAC.031898.kmp

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF GEOLOGICAL & GEOPHYSICAL SURVEYS

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April 16, 1998

The Honorable Gene Therriault
Alaska State Legislature
State Capitol, Room 511
Juneau, AK 99801

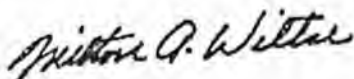
Dear Representative Therriault:

Representative Davies' recently-proposed legislation, HB 408, "An Act establishing the Alaska Seismic Hazards Safety Commission" has come at a good time to position Alaska with respect to federal disaster insurance legislation currently being drafted in Congress. While no one can predict the final form of legislation that will emerge from Washington, there is a growing resistance in Congress to federally fund recovery from disasters that might have been avoided or mitigated. This may take the form of requiring states to have seismic hazard mitigation policies or reviews of some kind in place in order to participate in federal seismic disaster recovery programs.

Alaska has long acknowledged the need for having contingency plans in place for responding to hazardous earthquakes, however, less policy attention has been given to systematic seismic hazard mitigation programs. A seismic hazards safety commission acting in coordination with Alaska's Emergency Response Commission would provide a pre-event mitigation overview now lacking in the state's efforts to protect its citizens from seismic risks.

I enclose a previous letter to Representative Davies in regard to HB 408. I believe this is good legislation for the people of Alaska.

Sincerely,



Milton A. Wiltse
State Geologist and Director

cc: Representative John Davies
Marty Rutherford, Deputy Commissioner

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska



CH2MHILL

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April 17, 1998

Representative Gene Therriault
Co-Chair, Finance Committee
Alaska State Legislature
Juneau, AK

Dear Mr. Therriault:

Subject: HB408-Seismic Hazards Safety Commission

This correspondence is written in support of Dr. John Davies' HB408 which would establish a Seismic Hazards Safety Commission for the State of Alaska.

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It is incumbent upon us to be proactive in strengthening earthquake safety in the State by developing and improving public policies related to reducing hazards and mitigating the effects of potentially damaging earthquakes. This approach is totally superior to being reactive after the event and having to concentrate our people and financial resources on victim extraction, debris removal, and reconstruction activities because of inadequate prior planning.

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I would like to commend Dr. Davies in his efforts to establish this Commission and urge members of the Legislature to support him in this important endeavor.

Sincerely,

CH2M HILL

John L. Aho, Ph.D.
Vice President

HB408 / DOCUMENTZ
cc Representative John Davies
Rod Combellick

JOHN C LAHR

Representative John Davies
Alaska State Legislature
State Capitol, Room 422
Juneau, AK 99801-1182

Dear John,

I am writing to lend my support to your effort to establish an Alaskan Seismic Hazards Safety Commission. Given that Alaska is the most seismically active state in the US and that many areas are growing rapidly or being developed for resources that are critically needed by the entire nation, it is important that the State makes every effort to mitigate the effects of future earthquakes. The ASHSC could play an important role in focusing and coordinating private, state, and federal efforts on the most critical areas.

I certainly hope you are successful in establishing this commission.

John C. Lahr

John C. and Jan H. Lahr
join-jan@lahr.org
914 10th Street
Golden, Colorado 80401
(303) 215-9913

D DOWL **ENGINEERS**

A Division of DOWL, Incorporated

March 18, 1998
W.O. D00001

The Honorable John Davies
House of Representatives
State Capitol Building
Room 422
Juneau, Alaska 99801-1182

Subject: House Bill 408
Alaska Seismic Hazards Safety Commission

Dear Representative: *JOHN*

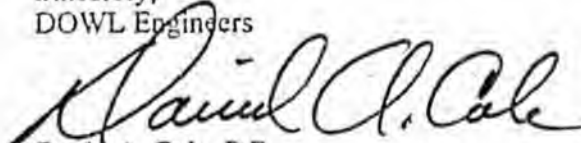
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I believe it is imperative that the State Legislature of one of the most seismically active regions in the world establish a statewide Seismic Hazard Safety Commission to help its citizens and those responsible for their general well being understand the seismic environment in which they live, and how best to deal with the Hazards that can affect them.

John, I applaud your sponsorship of this bill and give it my full support. If there is anything else I can do for you in this matter, please feel free to call me.

Sincerely,
DOWL Engineers



David A. Cole, P.E.
Principal

D00001 RepDavies.DAC 031898.kmp

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF GEOLOGICAL & GEOPHYSICAL SURVEYS

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April 1, 1998

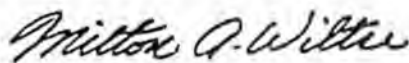
The Honorable John Davies
Alaska State Legislature
State Capitol Rm 430
Juneau, AK 99501-2133

Dear Representative Davies:

House Bill 408 "An Act establishing the Alaska Seismic Hazards Safety Commission" is a timely legislative initiative for protecting Alaska's growing population both physically and financially. Mitigation of natural disasters has become a national priority in the wake of devastating flood storm, and earthquake events in the contiguous United States. There is increasing federal reluctance to fund recovery efforts and increasing reluctance of private insurers to take on the potential liability for damages suffered from events that could have been mitigated but were not.

Seismic hazards are part of the reality of Alaska, and there is much that can be done to mitigate their effects. In coordination with the state's Emergency Response Commission, a well qualified oversight group charged to review and prioritize Alaska's seismic mitigation efforts can save lives and money. Effectiveness of a seismic safety commission has been frequently demonstrated in California, a state having many seismic similarities to Alaska. House Bill 408 is an important step in improving seismic hazard mitigation in Alaska, thereby reducing casualties and costs of responding to earthquake disasters.

Sincerely,



Milton A. Wiltse
Director & State Geologist

MAW/vjb

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF GEOLOGICAL & GEOPHYSICAL SURVEYS

TONY KNOWLES, GOVERNOR

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April 16, 1998

The Honorable Gene Therriault
Alaska State Legislature
State Capitol, Room 511
Juneau, AK 99801

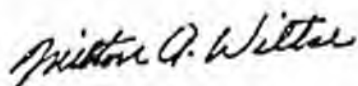
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Alaska has long acknowledged the need for having contingency plans in place for responding to hazardous earthquakes, however, less policy attention has been given to systematic seismic hazard mitigation programs. A seismic hazards safety commission acting in coordination with Alaska's Emergency Response Commission would provide a pre-event mitigation overview now lacking in the state's efforts to protect its citizens from seismic risks.

I enclose a previous letter to Representative Davies in regard to HB 408. I believe this is good legislation for the people of Alaska.

Sincerely,



Milton A. Wiltse
State Geologist and Director

cc: Representative John Davies
Marty Rutherford, Deputy Commissioner



STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF GEOLOGICAL & GEOPHYSICAL SURVEYS

March 16, 1998

Rep. John Davies
State Capitol, Room 422
Juneau, AK 99801-1182

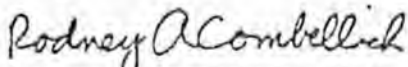
Dear Rep. Davies:

I would like to express my strong support for House Bill 408, "An Act establishing the Alaska Seismic Hazards Safety Commission." Seismic activity in Alaska is among the highest in the world and it is only a matter of time before another potentially destructive earthquake will strike one of our urban areas. Because these urban areas are expanding, and because we know that measures can be taken before an event to reduce casualties and economic losses, it is important that we improve our mitigation efforts. Establishing an Alaska seismic hazards safety commission is an important first step in coordinating state and local efforts in this area.

Much progress has been made in Alaska toward improving emergency-response planning, through the state Disaster Act and local preparedness exercises. However, less progress is evident in pre-disaster efforts to prevent losses and thereby reduce emergency-response needs. Such loss reduction can occur, for example, through more rigorous design and construction standards in areas more subject to earthquake damage. Although we cannot predict when and where the next large earthquake will occur, we can identify areas that will be most severely affected, and we can plan development accordingly. A seismic safety commission will help coordinate state and local efforts toward achieving these loss-reduction goals.

The California Seismic Safety Commission evolved from state advisory groups that were established as a result of Alaska's 1964 earthquake. This commission has been highly successful in initiating programs that have proven effective in reducing losses from numerous recent earthquakes. One recent article states that if there had been no seismic design standards in place prior to the 1994 Northridge earthquake, economic losses would have been 60% greater. The analysis further states that if today's standards had been strictly followed, losses would have been further reduced by 40%. Considering that the cost of complying with these standards is less than 5% of construction cost, implementing such loss-reduction measures is clearly worthwhile. Now that 34 years have passed since our last destructive earthquake, and before development expands further, it is time for Alaska to take similar steps toward reducing future earthquake losses. We can begin by passing HB 408.

Sincerely,



Rodney A. Combellick, Chief
Engineering Geology Section
Phone: 907-451-5007
Email: rod@dnr.state.ak.us

TONY KNOWLES, GOVERNOR

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APR 18 1998 11:24 AM 3000 3221 10200

JOHN C. LAHR
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914 Teuth Street
P.O. Box 1529
Golden, CO 80402

April 15, 1998

Representative Gene Therriault
Alaska State Legislature

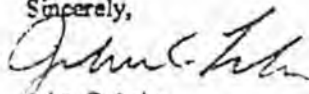
Dear Mr. Therriault:

I am pleased to learn that House Bill 408B to establish the Alaska Seismic Hazards Safety Commission was passed out of the House State Affairs committee in March and was referred to the Finance Committee, which you chair. Since I highly recommend that this legislation move forward quickly, I hope you will be able to schedule a hearing on it during the short time that remains this session.

From the late 1960's through just last year the focus of my seismology research has been on Alaska, so I am keenly aware of the hazards that earthquakes pose there. Although Alaska is far more tectonically active than California, it has the advantage of being less fully developed at this time. The Alaska Seismic Hazards Safety Commission can therefore have a profoundly positive effect in mitigating the effects of earthquakes on the infrastructure to be built in the future. This is much more cost effective in the long run than remedial efforts that often are begun only after disastrous losses have occurred.

Thank you for your careful consideration of this matter.

Sincerely,


John C. Lahr

HEB

449

Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
FAX: (907) 488-4271

While in Session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
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House Of Representatives

House District 33

House Bill 449

"An Act relating to certain individual retirement accounts."

SPONSOR: Representative Gene Therriault

SPONSOR STATEMENT:

Under the Alaska Exemptions Act, retirement plans are protected from creditor claims. However, it does so by listing each type of retirement plan by reference to the Internal Revenue Code section governing that plan. HB 449 will expand the list to include the newly created Roth IRA.

The 1997 Taxpayer Relief Act passed by Congress created the Roth IRA account under Internal Revenue Code section 408A. Contributions and earnings from traditional IRAs can be rolled over into a new Roth IRA. However, when the rollover is done, the taxes must be paid on the capital gains realized. To soften this potential tax bite, Congress has allowed all of the the taxable income stemming from rollovers done in 1998 to be spread over a four year period.

This is a great opportunity to convert all future IRA account earnings into tax-free income and spread the current tax bite over four years. However, those Alaskans who take advantage of this are removing their assets from the list of those protected under state law.

This option is available only during 1998. Beginning in 1999, distributions from regular IRA accounts that are rolled into Roth IRAs will be fully taxed in the year of the rollover. In order for Alaskans to maintain their protection while taking advantage of this opportunity legislation must be passed this session.

Walsh Kelliher & Sharp

A Professional
Corporation

January 30, 1998

The Honorable Gene Therriault
119 North Cushman
Fairbanks, AK 99701

Dear Mr. Therriault:

We need your help to sponsor a bill which will benefit many Alaskans. Specifically we need you to sponsor a bill to amend Alaska statute 09.38.017 to include Internal Revenue Code Section 408A.

The Alaska statutes provide various "homestead" type exemptions, listing the amounts and types of assets which may not be attached by creditors. The Alaska statute specifically exempts retirement plan interests from creditor claims. Unfortunately, it does so by listing each type of retirement plan by reference to the Internal Revenue Code section governing that type of plan. Individual Retirement Accounts (IRA's) are described and governed by Internal Revenue Code Section 408. When Congress made changes to IRA's in 1997 they did so by adding the changes to a new section, IRC 408A. However by definition, 408A is a separate code section and currently is not included in the definition of retirement plans listed as exempt in A.S. 09.38.017.

The 1997 Taxpayer Relief Act created the Roth IRA account under code section 408A. This section will allow taxpayers to make nondeductible contributions to a Roth IRA and then later take all distributions from the account tax free subject to certain specified conditions. These qualified distributions must be included in gross income but, for 1998 only, the distributions will be taken into income over four years rather than the customary one year. This is a great opportunity to convert all future IRA account earnings into tax free income and spread the current tax bite over four years. This option is available only during 1998. Beginning in 1999 distributions from regular IRA accounts that are rolled into Roth IRAs will be fully taxed in the year of the rollover.

Because of the unique opportunity available in 1998 to spread these distributions over four years, it is imperative that legislation be passed as soon as possible in 1998 giving Roth IRA's the same creditor protection as regular IRA's and all other retirement plans. In many cases IRA accounts represent a person's major retirement savings. While a Roth IRA is a great tax planning tool it would be unwise to convert creditor protected assets into unprotected assets.



Mr. Gene Theirrault
January 30, 1998
page 2

Roth IRA's are not allowed to high income individuals. This is a provision which was intended by Congress to benefit the low and middle income taxpayer. As such it will have broad appeal to many Alaskans.

We are concerned that many people will be converting their existing IRA's to Roth IRA's without knowing that they are removing these assets from the list of those protected under state law. The popular press and many financial advisors who are not familiar with Alaska's creditor protection law will be advising taxpayers to start or convert to Roth IRA's.

We need legislation now. The window of opportunity will have passed come January 1, 1999 when those same distributions will become taxable all in one year instead of four years. Please take steps to amend the A.S. 09.38.017(e)(3) (copy enclosed) as soon as possible.

If you need any further information please let me know.

Sincerely,

Walsh, Kelliher and Sharp, APC



Kevin J. Walsh, CPA

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LAWYERS WEEKLY USA

The National Newspaper for Practicing Lawyers

Feb. 9, 1998

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'Roth IRA' May Lack Protection From Creditors

By James L. Dam

The popular new Roth IRA has a serious danger -- it may not be protected from creditors, experts tell *Lawyers Weekly USA*.

This is true for two reasons:

- Many state statutes that protect IRAs refer to Sect. 408 of the Tax Code. Roth IRAs are covered by Sect. 408A. Section 408A is *not* a subsection of Sect. 408, but stands alone as a separate section, says Seymour Goldberg of Garden City, N.Y., author of *J.K. Lasser's How to Pay Less Tax on Your Retirement Savings* and apparently the first person to discover this problem.
- Some state statutes that protect IRAs don't protect "non-deductible contributions" to an IRA or the earnings on those contributions. With a Roth IRA, *all* contributions are non-deductible, says Natalie Choate of Boston, author of *Life and Death Planning for Retirement Benefits*.

It appears that 24 states have the first of these two problems and 10 have the second, including five that have both.

In those states, the potential lack of protection will be a major factor in deciding whether to convert a regular IRA to a Roth IRA, says Goldberg.

For example, a doctor in a high-risk practice probably won't want to convert, he says.

Anybody who faces a high risk of being sued "should think twice about it," says Gideon Rothschild, an estate planning attorney in New York.

Clients may want to wait until the end of 1998 before converting, since they won't lose much by waiting, and by the end of the year their state's statute may have been amended, suggests New York estate planning attorney Bruce Steiner.

Most states will probably amend their laws to correct these problems, lawyers say. But of course that won't happen

immediately, and there's no guarantee it will happen at all.

If a state's statute isn't amended by the end of 1998, the client could face a dilemma. That's because a client who waits to convert until Jan. 1, 1999 will lose a special tax break that allows the income generated by the conversion to be spread out over four years for tax purposes.

Of course, if a client's IRA is just a small portion of his or her overall wealth, protection from creditors is probably not an issue, notes Steiner. For example, it probably wouldn't be an issue if the client has a \$20,000 IRA and \$3 million of other assets.

It probably isn't an issue if a client is just looking to set up a Roth IRA and make annual contributions, instead of converting an existing IRA, says Marvin Rotenberg, national director of retirement services at BankBoston.

Roth IRAs became available on Jan. 1, 1998. Apart from the asset protection issue, they have a number of tax advantages over regular IRAs that make them a much better deal for many people. These advantages were discussed in detail at 97 LWUSA 733; [Search words for LWUSA Archives: Juggle and Grapes.](#)

'A Fighting Issue'

It's not absolutely clear that a Roth IRA won't be protected from creditors even if your state has one of the "problem" statutes.

If a statute refers to Sect. 408, there's an argument that it impliedly covers Roth IRAs under Sect. 408A, says James Caher of Eugene, Ore., who has written two books on bankruptcy law.

This argument is supported by language in Section Sect. 408A which defines "Roth IRA" by referring to Sect. 7701(a)(37) of the Tax Code, which in turn refers to Sect. 408, says Noel Ice of Fort Worth, Texas, the author of an IRA planning manual.

If a statute covers only deductible contributions and their earnings, there's an argument that money rolled over from a regular IRA to a Roth IRA is covered because the original contributions to the regular IRA were deductible, says Goldberg.

However, whether Roth IRAs are covered will "certainly be a fighting issue that creditors can raise and possibly win on," says Caher.

What the Statutes Say

Most of the states provide some creditor-protection to regular IRAs, although the level of protection varies a lot.

In general, they exempt the IRA assets and payments from attachment, execution or garnishment by creditors of the IRA owner or beneficiaries.

Some states limit the exemption to a dollar amount; others limit it to an amount "reasonably necessary for the support" of the debtor and his or her dependents. Some say the exemption doesn't apply to debts for child or spousal support.

The 24 states that refer specifically to Sect. 408 typically do so with language such as that in Florida's statute, which covers only "a retirement or profit-sharing plan that is qualified under S. 401(a), S. 403(a), S. 403(b), S. 408, or S. 409 of the Internal Revenue Code."

They go beyond providing that the plans covered *include* plans under Sect. 408, says Goldberg.

The 10 states that limit protection to deductible contributions (and earnings on those contributions) generally say they don't protect contributions that weren't "exempt from federal income tax" or that "exceeded the deductible amount allowed under Sect. 408." Some also say this limitation doesn't apply to amounts that weren't deductible because they were rolled over to the IRA from another IRA.

However, the language in the statutes varies greatly, and the effect of it on the protection of Roth IRAs may vary even more, lawyers say.

The Federal Exemption

In a number of states, a debtor who goes bankrupt can choose between the state's exemptions and those in the Bankruptcy Code. And the Code has an exemption (Sect. 522(d)(10)(E)) that some courts have said protects regular IRAs, although others have disagreed.

If a court has held that the exemption covers regular IRAs, it will probably say that it also covers Roth IRAs, because the language in the exemption is broad enough to cover both, says Boston bankruptcy attorney Mark DeGiacomo.

The exemption covers a "stock bonus, pension, profitsharing, annuity, or similar plan or contract."

The courts that have held that this exemption covers regular IRAs have focused on the phrase "similar plan or contract," says DeGiacomo.

However, the federal exemption allows a debtor to keep only as much as is "reasonably necessary for the support of the debtor and any dependent of the debtor." So even if it covers Roth IRAs, it may not be much help.

The States That Have a 'Problem' Statute

Here are the state exemption statutes covering IRAs and other retirement benefits, listed according to whether they appear to have one, both or neither of the problems that may cause Roth IRAs to be

unprotected:

States That Refer to Sect. 408

Alaska: Alaska Stat. Sect. 09.38.017.
Arizona: Ariz. Rev. Stat. Ann. Sect. 33-1126(C).
Connecticut: Conn. Gen. Stat. Sect. 52-321a.
Delaware: Del. Code Ann. tit. 10, Sect. 4915.
Florida: Fla. Stat. Ann. Sect. 222.21.
Hawaii: Haw. Rev. Stat. Sect. 651-124.
Idaho: Idaho Code Sect. 55-1011.
Kansas: Kan. Stat. Ann. Sect. 60-2308.
Minnesota: Minn. Stat. Sect. 550.37.
Missouri: Mo. Rev. Stat. Sect. 513.430.
Nebraska: Neb. Rev. Stat. Sect. 25-1563.01.
Nevada: Nev. Rev. Stat. Sect. 21.090(1)(q).
New York: N.Y. Civ. Prac. L. & R. Sect. 5205(c).
North Dakota: N.D. Cent. Code Sect. 28-22-03.1(3).
Oregon: Or. Rev. Stat. Sect. 23.170.
Tennessee: Tenn. Code Ann. Sect. 26-2-104.
Utah: Utah Code Ann. Sect. 78-23-5(1).
Virginia: Va. Code Ann. Sect. 34-34.
Washington: Wash. Rev. Code Sect. 6.15.020.

States That Protect Only Deductible Contributions

Arkansas: Ark. Code Ann. Sect. 16-66-220.
Indiana: Ind. Code Sect. 34-2-28-1.
Kentucky: Ky. Rev. Stat. Ann. Sect. 427.150(2)(f).
Oklahoma: Okla. Stat. tit. 31, Sect. 1(A)(20).
Texas: Tex. Prop. Code Ann. Sect. 42.0021.

States With Both Problems

Louisiana: La. Rev. Stat. Ann. Sects. 20-33(1) and 13-3881(D).
Maryland: Md. Code Ann. Cts. & Jud Proc. Sect. 11-504(h).
Michigan: Mich. Comp. Laws 600.6023.
Pennsylvania: 42 Pa. Cons. Stat. Sect. 8124.
Rhode Island: R.I. Gen. Laws Sect. 9-26-4.

States With Neither Problem

These are the remaining states. They vary greatly as to the protection they give to regular IRAs -- some may give none. But all appear to give the same protection (or lack thereof) to Roth IRAs that they give to regular IRAs.

(Some refer to Sect. 408, but just say that they cover retirement plans *including* plans under Sect. 408.)

Alabama: Ala. Code Sect. 19-3-1(b).
California: Cal. Stat. Sect. 704.115.
Colorado: Colo. Rev. Stat. Sect. 13-54-102.
District of Columbia: D.C. Code Ann. Sect. 15-503.
Georgia: Ga. Code Ann. Sect. 44-13-100.
Illinois: Ill. Rev. Stat. ch. 735, para. 5/12-1006.

Iowa: Iowa Code Sect. 627.6.
Maine: Me. Rev. Stat. Ann. tit. 14, Sect. 4422(13)(E).
Massachusetts: Mass. Gen. L. ch. 235, Sect. 34A.
Mississippi: Miss. Code Ann. Sect. 85-3-1.
Montana: Mont. Code Ann. Sect. 31-2-106(3).
New Hampshire: (No exemption statute).
New Jersey: N.J. Stat. Ann. Sect. 25:2-1(b).
New Mexico: N.M. Stat. Ann. Sect. 42-10-1 and 42-10-2.
North Carolina: (No exemption statute).
Ohio: Ohio Rev. Code Ann. Sect. 2329.66(A)(10).
South Carolina: S.C. Code Ann. Sect. 15-41-30.
South Dakota: (No exemption statute).
Vermont: Vt. Stat. Ann. tit. 12, Sect. 2740(19)(J).
West Virginia: W. Va. Code Sect. 38-10-4.
Wisconsin: Wis. Stat. Sect. 815.18(3)(j).
Wyoming: Wyo. Stat. Sect. 1-20-110.

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[GO TO TOP OF PAGE](#)

HB

462

Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

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99801-1182
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Fax: (907) 465-3884

House Of Representatives

House District 33

CSHB 462 (STA)

"An Act relating to the contents of certain state documents."

Sponsor

Representative Gene Therriault

Sponsor Statement

House Bill 462 is designed to curtail the increasingly prevalent practice of using state publications to further personal political agendas. HB 462 would place a number of these publications off-limits to elected state officials for personal purposes. In the past, these documents have been used to disseminate legitimate programmatic and deadline information, but I believe have deteriorated recently into materials used primarily for self promotion. While any elected official would relish the opportunity to send political and personal messages to the electorate at state expense, this sort of message should be restricted to individual stationery or newsletter format purchased through the appropriate budgets. The use of routine publications for this has the potential of politicizing the underlying programs.

Alaska State Legislature

REPRESENTATIVE
GENE THERRIALT

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State Capitol
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House Of Representatives

House District 33

CSHB 462 0-LS1527K

"An act relating to the contents of certain state documents"

SPONSOR: Representative Gene Therriault

Sectional Analysis

Section 1

Amends AS 44.99 by adding a new section that prohibits state agencies from placing a picture of an elected state official on an application form, warrant, or direct deposit notice provided by the agency. It prohibits elected state officials from placing a message on or with an application form, warrant, or a direct deposit notice provided by an agency, and limits messages from state agencies to those required by law, necessary for the operation of the document, related to seasonal health issues, or limited to stating the requirements or deadlines of a program or activity of a state agency.

The bill defines "elected state official" as the governor, lieutenant governor, a lieutenant governor who serves as acting governor or who succeeds to the office of the governor, or a legislator, including a person who has been appointed a member of the legislature by the governor to fill a vacancy in the legislature.

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

May 1996

Tripp, P. M.

Legislators left Juneau without performing their most basic responsibility - passing a balanced budget. The result is a gaping \$400 million hole in the budget and cuts to vital programs, including such medical services for the elderly such as eyeglasses, hearing aids and acute dental care.

Alaskans Deserve better. I am urging your lawmakers to adopt my Safe Landing Budget Plan that balances the budget in three years and also protects your basic services.

Dear Longevity Bonus Recipient:

Last month my administration put forth the 1997 Capital Budget which includes millions of dollars worth of capital budget requests for construction of senior citizen housing and renovations to existing structures.

Pioneer's Homes in Ketchikan, Sitka, Juneau, Anchorage, Palmer and Fairbanks will see \$2.3 million dollars in repairs and renovations. More than \$6 million is earmarked for the Golden Towers housing complex in Fairbanks. I have allocated \$3.5 million for construction of assisted living centers and \$4 million for deferred maintenance projects.

I want to keep senior housing safe and accessible. I am counting on the legislature to pass my proposed Capital Budget plan during this legislative session.

Sincerely,
tk

February 1996

Dear Longevity Bonus Recipient:

Our greatest challenge this legislative session is to navigate Alaska's economy toward a safe economic landing. I believe any long-term budget plan must be based on five principles. We must close the budget gap and balance our budget. We must continue to cut the budget. We must protect and enlarge the Permanent Fund. Any plan to raise taxes and fees to pay for our essential services must be fair. And finally, there must be no tinkering without a vote of the people.

We can make Alaska a better place for our families. Lets work together to make this safe landing successful. Lets eliminate the budget gap in the next six years!

Sincerely,
tk

July 1970

Dear Longevity Bonus recipient;

I recently signed a new law that should interest you, Senate Bill 304, which becomes effective July 1. The new law will permanently disqualify a bonus recipient who is absent from the state for 180 days or more in any 12-month period. But it also allows you to take a sabbatical from the state for up to a year without losing eligibility. You would not receive the bonus while out of state, but would still be eligible upon your return to Alaska. Remember that you must notify the department 30 days in advance of starting the sabbatical. The Longevity Bonus staff will be sending more information soon, but I wanted to give you an early heads up to this important change.

Sincerely,
Governor Tony Knowles

September 1997

Dear Longevity Bonus Recipient,

September is not too early to begin preventative winter health care. Flu shots should be available free from any medical provider that accepts Medicare. Check with your doctor.

Thanks to all of you who took the time to speak with me this summer while I visited communities from Barrow to Ketchikan, from Fairbanks to Emmonak. Your words of wisdom have meant much to me.

Sincerely,
Governor Tony Knowles

appropriate

inappropriate

Appropriate

August 1997

Dear Longevity Bonus Recipient,

The Longevity Bonus checks are mailed on the last working day of every month. Please allow sufficient time for the mail to reach your area. It is not unusual for checks mailed to one address to arrive on different days. If you have not received your payment by the 15th of the month please call the Longevity Bonus office at 907 465 4416 and one of the technicians will advise you of your options.

Sincerely,

The Longevity Bonus Staff

1998

PERMANENT FUND

Dividend Application Booklet

Dear Alaskan,

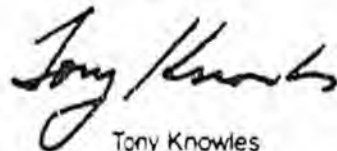
The booklet you hold is unique. It represents your opportunity to directly benefit from an Alaska program whose success is the envy of every state and province in North America. Others have tried, but none have equaled the stability and growth of our Alaska Permanent Fund. I'm pleased to present your application to share in the benefits of Alaska's publicly owned resources.

Over \$23 billion has been saved in the Permanent Fund since it was started more than 20 years ago. This program helps Alaska to maintain a stable statewide economy and provides a source of great pride and security for all of us, for our children, and for generations to come.

My family, like yours, has benefited from receiving the Permanent Fund dividend that has been paid annually since 1982. It's money Alaska's families can use to buy important household goods and services or to save for a college education.

Be sure to fill out your application today, and if you know someone who might need help with this application, please lend a hand. The deadline for filing is Tuesday, March 31, 1998.

Sincerely,

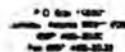


Tony Knowles
Governor

PS: The Knowles Administration is working to make the application process easier and more efficient. If you have questions or comments, please contact the dividend information office nearest you (see page 2 for telephone numbers). And don't forget: the deadline to file is March 31!



Your Permanent Fund Dividend Program 1997 Household Application Booklet



Dear Alaskan,

One of the best things about being Governor is this chance to send you your application for the Permanent Fund Dividend. It's a unique program that lets all of us share the benefits of our publicly owned resources. I'm especially pleased this year to join other Alaskans in celebrating the 20th anniversary of the Permanent Fund. We should all be proud of the \$19 billion we've set aside so far to help keep our economy stable in the days of declining state revenues.

I have asked the folks at the Dividend Division to find better ways to serve you in the years ahead. They are exploring taking applications by computer or telephone, and are considering other streamlining ideas. It's my commitment to make the process easier, more efficient and understandable for everyone. Please note that this booklet also contains a voter registration application. If you need to register or update your voter registration address, please take this opportunity to do so. If you have questions about any part of this booklet, contact the dividend information office nearest you (see Page 2 for telephone numbers).

Our Permanent Fund is one of the most successful public policy programs in the world today. As we mark this special anniversary, let us also reaffirm the commitment of all Alaskans to protect the Fund for future generations.

Sincerely,

Tony Knowles
Governor

15 YEARS OF PERMANENT FUND DIVIDENDS

Year	Amount	Year	Amount
1982	\$1,000.00	1990	952.63
1983	386.13	1991	931.34
1984	531.24	1992	915.84
1985	404.00	1993	949.46
1986	546.26	1994	953.90
1987	705.14	1995	990.30
1988	826.45	1996	1,130.65
1989	573.16		

Application Deadline March 31, 1997

Alaska Permanent Fund Dividend
1989 Household Application
Filing Deadline: June 30, 1989

Applicants are responsible for filing by the deadline.

Dear Alaska Resident:

Here is the form you need to apply for a 1989 Permanent Fund Dividend. These dividends come from a portion of the earnings of the Alaska Permanent Fund. The Permanent Fund was created by the voters in 1976 to save part of the oil revenues for every Alaskan, now and in the future. Permanent Fund Dividends are a direct return to Alaskans from the Permanent Fund which they own.

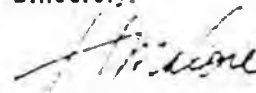
The dividend program has several purposes. The dividends help Alaska's economy. Since the program began in 1982, more than \$2.1 billion has been paid directly to Alaska residents. The dividends give each Alaskan a personal reason to support the Permanent Fund, to make sure that we continue to save for the future. The dividends put the Permanent Fund in the public eye. This "watchdog" effect helps protect the Fund, and is welcomed by the Fund's managers.

The 1988 dividend was \$826.93. The 1989 dividend amount will be announced October 1.

The Department of Revenue is proud to pay dividends each year to qualified Alaskans who apply. Before you apply for the dividend, carefully read the instructions in this booklet. Then answer each question truthfully. Those who are not honest in their answers are prosecuted for fraud.

Alaskans should take pride in the prudence they have shown in creating and maintaining their Permanent Fund. Permanent Fund Dividends are the rewards Alaskans reap every year for their foresight.

Sincerely,



Hugh Malone, Commissioner

Need Help? Contact one of our offices.

JUNEAU • Phone 465-2326
Alaska Department of Revenue
Dividend Information Office
State Office Building, 11th Floor
P.O. Box S-0464
Juneau, Alaska 99811-0464

ANCHORAGE
1016 West 6th Avenue
Phone (907) 276-2678

FAIRBANKS
675 Seventh Avenue
Phone (907) 451-2820

NEED MORE FORMS? You may pick up dividend forms at the Revenue offices listed above. Forms are also available at each Office of the Governor, Legislative Information Office, and city clerk's office. If you prefer to write, please send your request to the Juneau Dividend Information Office.

Alaska Department of Revenue

Filing Deadline: June 30, 1992

Dear Alaskans

Under the Alaska Constitution, the natural resources of Alaska belong to the people of Alaska, not to state officials. As such, we have an ownership share in the revenues generated from those natural resources and placed in the Permanent Fund.

Permanent Fund dividends are the way that we, the owners, share in the Permanent Fund's earnings. They are a natural outgrowth of the owner-ship.

Dividends give each resident of Alaska a personal reason to guard and to build the Permanent Fund, and to keep watch on how the Fund is managed.

- Since 1982, when the dividends began, over \$3.5 billion has been injected into Alaska's economy. This has created thousands of new jobs and provided many families with income for basic needs. Dividends now add more to our economy than the seafood industry, construction, or the combined effects of agriculture, mining and tourism.
- Since 1982, the typical Alaska family of four has received \$27,880 in dividends
- The amount of the 1992 dividend will be announced Thursday, October 1, 1992

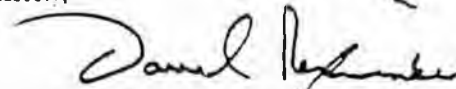
Permanent Fund Dividend

Year	Amount
1982	\$1,000.00
1983	186.15
1984	331.29
1985	404.00
1986	556.26
1987	708.19
1988	826.93
1989	873.16
1990	952.63
1991	931.24

Before you apply for the dividends, read the instructions in this booklet carefully. If you or someone you know needs help in applying, let us know. Answer each question truthfully. Those who are not honest in their answers are prosecuted for fraud.

Alaskans should take pride in creating and protecting their Permanent Fund. Dividends are the reward Alaskans reap every year for their foresight and vigilance.

Sincerely,


Darrel J. Rexwinkel, Commissioner

Need Help? Perhaps you or someone you know needs help with the dividend application. If so, call or visit the Dividend Information Office which is nearest you between the hours of 8 am and 5 pm, Monday through Friday. Persons calling from Fairbanks may call 451-2820.

ANCHORAGE - Phone (907) 276-2678
Alaska Department of Revenue
Dividend Information Office
Corner of 6th and K
1016 West Sixth Avenue, Suite 100
Anchorage, Alaska 99501

JUNEAU - Phone (907) 465-2326
Alaska Department of Revenue
Dividend Information Office
State Office Building, 11th Floor
P.O. Box 110461
Juneau, Alaska 99811

NEED MORE FORMS? You may pick up dividend forms at the Revenue offices listed above. Forms are also available at each Office of the Governor, Legislative Information Office, and city clerk's office. If you prefer to write please send your request to the Juneau Dividend Information Office.

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

DIVISION OF ELECTIONS
P.O. BOX 110017
JUNEAU, ALASKA 99811-0017
PHONE: (907) 465-4811

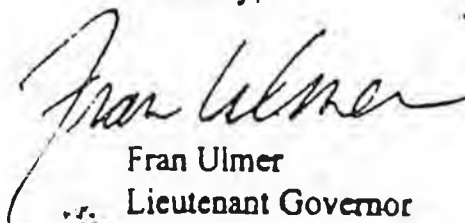
October 1996

I am pleased to provide you with the 1996 election pamphlet, your official guide to the November election. The ballot will be very full this year. You will have an opportunity to cast your vote for the president and vice president of the United States; for your U.S. senator and representative, and for the persons you wish to represent you in the state Senate and House of Representatives. In addition, you will find numerous justices and judges seeking retention on the bench, as well as four important ballot measures.

As Lieutenant Governor, and as a mother, I'd like to recommend that you make voting a "family affair" at your house. If you have children, encourage them to learn about the candidates. Discuss the issues with them. They're never too young to learn that voting is both a privilege and a responsibility.

As you read through this pamphlet, take time to notice the photographs depicting Native Alaskan culture. It is appropriate that, as we make our decisions about where future will lead us, we remember where we've been. Native Alaskans are the proud and resilient foundation of Alaska, bringing a wealth of traditions and values to enrich our lives.

Sincerely,



Fran Ulmer
Lieutenant Governor

STATE OF ALASKA

OFFICE OF THE GOVERNOR
Capitol Building, 3rd Floor
P.O. Box 110001
Juneau, Alaska 99811-0001
(907)465-3500



DIVISION OF ELECTIONS
Director's Office
Court Plaza Bldg., 4th Floor
P.O. Box 110017
Juneau, Alaska 99811-0017
(907)465-4611

October 1994

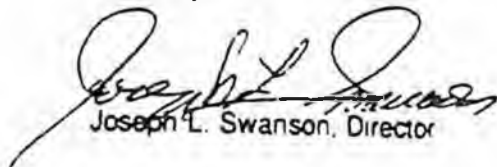
Dear Alaska Voter:

I am pleased to provide you with the 1994 Official Election Pamphlet. It will provide you with biographical and political information about each candidate, profiles and evaluations on the judges, information about the ballot measures and voter services available to you.

This year we are making the Official Election Pamphlet more individualized by providing information pertaining to your election district. The only candidates in this pamphlet are the candidates you will see on the ballot for your district on November 8. You will find your polling place location on the inside back cover of this pamphlet.

The Division of Elections would like to thank Judy Hargis, Publications Technician II, Department of Community and Regional Affairs, for her assistance in the design and preparation of the cover for the 1994 Official Election Pamphlet.

Sincerely,


Joseph L. Swanson, Director

STATEWIDE SUPPORT STAFF

Juneau Location
240 Main Street, 4th Floor
P.O. Box 110017
Juneau, Alaska 99811-0017
(907)465-4611

Anchorage Location
Dimond Center Towers
800 East Dimond Boulevard, Suite 3-570
Anchorage, Alaska 99515
(907)522-3809

REGIONAL OFFICES

Region I Elections Office
240 Main Street, 4th Floor
PO Box 110018
Juneau, Alaska 99811-0018
Phone (907)465-3021
House Districts 1-6
Senate Seats A-C

Region II Elections Office
800 East Dimond Boulevard,
Suite 3-580
Anchorage, Alaska 99515
Phone (907)522-8683
House Districts 7-28
Senate Seats D-N

Region III Elections Office
675 7th Avenue, Station H3
Fairbanks, Alaska 99701-4594
(907)451-2835
House Districts 29-36
Senate Seats O-R

Region IV Elections Office
Alaska State Office Building
PO Box 577
Nome, Alaska 99672-0577
(907)443-5285
House Districts 37-40
Senate Seats S-T

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS
PO BOX AF
JUNEAU ALASKA 99811-0105
PHONE (907) 465-4611

The Official Election Pamphlet is prepared and distributed by the Division of Elections each State General Election.

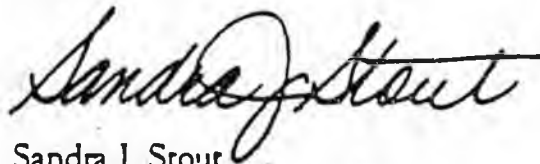
October 1986

Dear Alaskan Voters:

I am pleased to provide you with the 1986 edition of the Official Election Pamphlet and hope you will find the information contained in the pamphlet useful when exercising your right to vote in the General Election on November 4, 1986.

In the pamphlet you will find sample ballots, information about each of the ballot measures, the bonding proposition, professional review materials submitted by the Alaska Judicial Council on each judicial retention candidate, maps of districts, a list of polling places and absentee ballot information. In addition, candidates have provided biographical information and personal statements on issues. These pages are written and purchased by the candidates themselves. Those candidates who do not appear in this pamphlet have chosen not to purchase space.

Sincerely,



Sandra J. Stout
Director of Elections

HB

464

Alaska State Legislature

CHAIR:
REPRESENTATIVE
JEANNETTE JAMES

State Capitol
Room 102
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2361



House of Representatives
HOUSE STATE AFFAIRS

MEMBERS:
REPRESENTATIVES
IVAN IVAN
AL VEZEY
FRED DYSON
MARK HODGINS
KIM ELTON
ETHAN BERKOWITZ

SPONSOR STATEMENT

HOUSE BILL 464,

"An Act relating to state veterans' home facilities"

4/3/98

House Bill 464 amends Chapter 98 SLA 1992. This special law of Alaska allows Alaska to have an Alaskan Veterans' Home and includes verbiage identifying domiciliary care. However, in order for the state to recuperate approximately 65% of the construction costs of the home from the Veterans Administration if one is eventually built, the law must include nursing facilities. Without them, the state would have to shoulder the burden of all construction costs.

Further, Veterans Homes in other states are self sufficient in many cases because they contain nursing facilities. The nursing facility allows the state to collect medical fees from Medicare, Medicaid, and other third party health insurance. This offsets any state operating costs.

Please note that this bill does not request funding for a veterans home, it merely changes the law to allow one should it be deemed feasible. Currently the Veterans' organizations are raising money for a study to determine the feasibility and the logistics of having such a home in Alaska. HB 464 simply clears the way.

Please note also that HB 464 is now accompanied by two zero fiscal notes.

HB

481

Alaska State Legislature

CHAIR:
REPRESENTATIVE
JEANNETTE JAMES

State Capitol
Room 102
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381



House of Representatives
HOUSE STATE AFFAIRS

MEMBERS:
REPRESENTATIVES
IVAN IVAN
AL VEZEY
FRED DYSON
MARK HODGINS
KIM ELTON
ETHAN BERKOWITZ

SPONSOR STATEMENT HOUSE BILL 481

"An Act relating to application for and payment of permanent fund dividends of certain deceased individuals; and providing for an effective date."

House Bill 481 corrects an inequity in the categories of individuals who may receive Permanent Fund Dividends (PFDs). Currently, eligible individuals fall under numerous categories. Besides those physically present in the state for the entire period of eligibility, categories include individuals absent from the state for military reasons, educational advancement or medical treatment. Additionally, individuals accompanying those who are absent from the state for medical treatment are also eligible to receive a dividend.

One category of eligible individuals, however, has been deprived of the opportunity to receive PFDs. Those are the individuals who, though eligible to receive a PFD, do not because they died during the application period before applying. In other words, they do not receive a permanent fund dividend simply because they died at the wrong time of the year.

The application deadline for permanent fund dividends is March 31 of the year following the year for which the dividend applies. This dividend is normally paid sometime the following October. If an eligible individual applies for and receives a dividend and then dies, the individual's estate has access to the permanent fund dividend. Similarly, although by regulation rather than statute, the PFD of an eligible individual who applies for a PFD but dies before receiving it, is also given to the individual's estate. However, if an eligible individual dies during the application period prior to applying, the estate's representative is unable to apply on the individual's behalf. This creates a class of individuals based solely on the date of their deaths.

House Bill 481 corrects this inequity. It puts into statute that the estate of an individual who applies for a PFD but dies before receiving it may keep the PFD. It also provides that as long as an individual was eligible for and would have received a permanent fund dividend had the individual continued to live, the individual's estate is eligible to apply for and receive the dividend. This correction could be a great assistance in many circumstances.

The dividend of an individual who died unexpectedly could be used by the family to help pay the funeral expenses and any medical expenses that may have been incurred. It could be used to pay for the support of an individual's offspring or to assist with other costs. The family of a deceased individual should not be deprived of the Permanent Fund Dividend simply because of the time of year during which the individual died. Nor, on a less compassionate note, should an individual's creditors be deprived if no heirs exist.

House Bill 481 requires no additional funding. Its effect on the amount of individual permanent fund dividends would be negligible; however the advantages to the family of the deceased individual would be great.

Alaska State Legislature

CHAIR:
REPRESENTATIVE
JEANNETTE JAMES

State Capitol
Room 102
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381



House of Representatives
HOUSE STATE AFFAIRS

MEMBERS:
REPRESENTATIVES
IVAN IVAN
AL VEZEY
FRED DYSON
MARK HODGINS
KIM ELTON
ETHAN BERKOWITZ

SECTIONAL ANALYSIS

HOUSE BILL 481

"An Act relating to application for and payment of permanent fund dividends of certain deceased individuals; and providing for an effective date."

- Section 1:** Adds a new subsection to AS 43.23.005, Eligibility, which provides that the permanent fund dividend of an individual eligible to receive a dividend who applied for, but died before receiving, the dividend may be paid to the deceased individual's estate. Also provides that the personal representative of the estate, or a successor claiming personal property under AS 13.16.680, Formal Testacy Proceedings Order, Foreign Will, may apply for the dividend of an individual eligible to receive a dividend who dies during the application period before applying for the dividend.
- Section 2:** Amends AS 43.23.025(a), Amount of Dividend, to specify that the number of estates and successors eligible to receive a dividend payment for the current year be included with the number of individuals eligible to receive a dividend for that year.
- Section 3:** Makes Section 1 retroactive to January 1, 1998.
- Section 4:** Provides an immediate effective date for Sections 1 and 3 of the bill.
- Section 5:** Section 2 of the legislation becomes effective January 1, 1999.

HCR

7

Alaska State Legislature

WHILE IN SESSION
CAPITOL BUILDING
JUNEAU, ALASKA 99801-1182
907-465-4931
1-800-870-4931
907-465-4316 FAX

INTERIM ADDRESS
715 WEST 4TH AVENUE
ANCHORAGE, ALASKA 99501
907-258-8198
907-258-6171 FAX



CHAIRMAN, JUDICIARY COMMITTEE
VICE CHAIRMAN, HEALTH, EDUCATION,
SOCIAL SERVICES COMMITTEE
MEMBER, RESOURCES COMMITTEE
FINANCE SUBCOMMITTEES
DEPT. OF COMMERCE & ECONOMIC
DEVELOPMENT
ALASKA COURT SYSTEM

Representative Joe Green
District 10

Sponsor Statement

HCR 7 - Amending Rule 23(a) of the Uniform Rules

HCR 7 addresses the problem of meeting the public notice requirement of the Uniform Rules during the first week of the first legislative session.

Problem: Uniform Rule 23 (a) states that "the person who chairs the committee" shall provide public notice of a meeting "by 4:00 p.m. on the preceding Thursday." Under this requirement it is technically impossible for a chairman to hold a meeting during the first week of the first legislative session. A member is selected to serve as a chairman (or co-chairman) by the Committee on Committees. Under normal circumstances the Committee on Committees report is in effect until the members of the next legislature are sworn in. So the previous chairman has no authority beyond his/her term as chairman, and the new chairman has already missed the preceding Thursday deadline and can therefore not meet during the first week.

In order to mobilize the committee, prospective new chairmen have for some years dutifully noticed meetings planned for the first week of session by the preceding Thursday deadline, even though they do not yet preside over the committee. The alternative, of course, would be to give notice on the first day of session, and then wait until the following week to hold the first meeting.

Solution: HCR 7 amends the Uniform Rules to allow for a hearing during the first week of the first session to be held after 24 hours notice. Under such a rule, a meeting could be held on the second day of session if notice was given immediately after swearing in and approval of the Committee on Committees report. Such a hearing could only be held for the purposes of an overview or committee organization, as the requirement in Rule 23(a) that a bill or resolution be noticed for a least five days before the first public hearing would still apply.

HCR 7 - Amend Uniform Rule 23(a) by Representative Joe Green

Problem #1: The member who is chairman on the preceding Thursday CEASES to be the chairman on Legislative Day 1 when the new legislature is sworn in.

Problem #2: The chairman selected on Legislative Day 1 had no authority on the preceding Thursday to notice the meeting.

Result: Under strict adherence to the rule meetings scheduled during the first week of the first session fail to meet the public notice requirement.

Solution: HCR 7 allows meetings to be held with 24 hours notice during the first week of session.

M	T	W	Preceding Thursday	F	S	S
M Legislative Day 1	T Legislative Day 2	W Legislative Day 3	TH Legislative Day 4	F Legislative Day 5	S Legislative Day 6	S Legislative Day 7

HCR

8

Alaska State Legislature



Official Business
Fax: (907) 465-3472

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

Speaker of the House of Representatives

SPONSOR STATEMENT DEFERRED MAINTENANCE TASK FORCE

Deferred maintenance is the result of years of unmet maintenance on Alaska's public facilities.

Meeting our maintenance needs is not about building a skywalk from the court building to the capitol. It is about a capitol building that leaks when it rains and ruins documents. It is about docks that are rotting and falling into harbors. It is about an infrastructure that needs mending. Some cost estimates place Alaska's unmet maintenance needs at well over \$1 billion.

HCR8 will establish a legislative task force to make recommendations to the Governor and the legislature on how to address Alaska's unmet maintenance needs. The Task Force will be made up of five members from the House and five members from the Senate. The Speaker of the House and the President of the Senate will also serve as non-voting members.

The Task Force will be specifically charged with:

- reviewing and evaluating existing reports and publications about deferred maintenance recommendations previously made
- identifying and evaluating all current and deferred maintenance needs
- soliciting public comment about this topic
- submitting a report of its findings and recommendations to the Governor and legislature by the convening of the second regular session.
- forwarding recommendations about funding all deferred maintenance needs.

The Task Force will begin work as soon as members are appointed.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7890

TEXT: (907) 465-3652
FAX: (907) 586-8365
PHONE: (907) 465-3900

February 25, 1997

The Honorable Gail Phillips
Alaska State Legislature
State Capitol, Room 208
Juneau AK 99801-1182

RECEIVED

FEB 25 1997

MISS'D.....

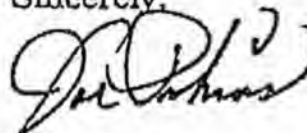
Dear Speaker Phillips:

I was very pleased that you have decided to convene a legislative task force to review the problem of deferred maintenance.

As you are aware, I consider maintenance deficiencies on Alaska's highways, harbors, airports, and state-owned facilities to be the biggest problem facing the Department of Transportation and Public Facilities. The creation and work of the Task Force will be a positive step in finding solutions to our problems.

You can count on the Department and my personal support for the Task Force's activities.

Sincerely,



Joseph L. Perkins, P.E.
Commissioner

ALASKA STATE DISTRICT COUNCIL OF LABORERS

Laborers International Union of North America, AFL-CIO

2501 Commercial Drive, Suite 140
Anchorage, Alaska 99501 • 907/276-1640

Public Employee Local 71
Don Valesko, Business Manager

Laborers Local 942
Joe Thomas, Business Manager

Laborers Local 341
Mano Frey, Business Manager

Don Valesko
President

Andrew J. "Fear" Piekarski
Business Manager/Secretary Treasurer

February 24, 1997

Representative Gail Phillips
State Capitol
Juneau, Alaska

Dear Representative Phillips:

The District Council of Laborers would like to go on record as supporting House Concurrent Resolution #8. We believe that the lack of maintenance of some of the state's facilities has brought us to a critical point. It is a known fact that if this maintenance is not addressed soon, the costs will be too prohibitive.

The District Council would also be interested in helping out with the Task Force's study and plans where possible.

Sincerely,



Don Etheridge, Business Agent



RECEIVED

FEB 24 1997

Ans'd.....

ASSOCIATED GENERAL CONTRACTORS of ALASKA

4041 B STREET • ANCHORAGE, ALASKA 99503
P.O. BOX 240609 • ANCHORAGE, ALASKA 99524-0609
TELEPHONE (907) 561-5354 • FAX (907) 562-6118

24. February 1997

To
State Legislature
House of Representatives

Subject: "Deferred Maintenance" Taskforce

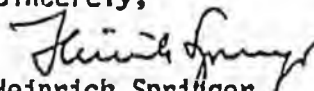
"Deferred maintenance" has the appearance of a "planned program", however, it is nothing but a lack of attention to prudent upkeep activities.

The State of Alaska has neither a "PREVENTIVE MAINTENANCE" program for its infrastructure and public facilities nor sufficient attention and funding for a regular upkeep and repair program. One possible exception is the State equipment fleet for the State's rolling stock under the "Working Capital Fund" (WCF).

One mechanism to overcome the lack of maintenance has been the accelerated reconstruction of facilities with capital funding. This is an unwise use of funds because the facilities could reach design-life with a lot less maintenance expenditures. In most cases our situation is getting worse and a higher percentage of our facilities are becoming deficient.

We support a TASKFORCE to address this problem and to determine a viable solution. I personally have been involved in the maintenance of public facilities, including highways, airports, structures and buildings in Alaska for over 15 years and I make myself available to participate if so desired. Addressing this problem has been long overdue and we are glad that you are acting on it.

Sincerely,


Heinrich Sprüger

FAIRBANKS
P.O. BOX 60005 • FAIRBANKS, AK 99706
(907) 452-1809

SOLDOTNA
P.O. BOX 350 • SOLDOTNA, AK 99669
(907) 262-2485

HCR

26

Alaska State Legislature

Representative Brian S. Porter

HOUSE MAJORITY LEADER

CHAIRMAN

HOUSE SPECIAL COMMITTEE ON TELECOMMUNICATIONS

MEMBER

HOUSE JUDICIARY COMMITTEE

HOUSE RULES COMMITTEE

HEALTH, EDUC. & SOCIAL SERVICES COMMITTEE

LEGISLATIVE COUNCIL JOINT COMMITTEE



DISTRICT 20

SESSION:

STATE CAPITOL ROOM 214

JUNEAU, ALASKA 99501-1182

PHONE: (907) 465-4930

FAX: (907) 465-3834

INTERIM:

716 W. 4TH AVE., SUITE 360

ANCHORAGE, AK 99501-2113

PHONE: (907) 258-8197

FAX: (907) 258-5510

Sponsors Statement

HCR 26

Urging support of the 1998 International People First Conference.

This House Concurrent resolution is urging the citizens and businesses of Alaska to support the International People First conference to be held in Anchorage, April 23-25, 1998.

The purpose of conference is to bring together over 1000 participants from 41 countries to develop leadership skills of developmentally disabled persons. These skills will allow them to help themselves, and others, to live independently.

Your support of this Resolution will assist the co-chairs, Joe Pichler and Beverly Tallman in making this conference an outstanding success.

HCR

35

MEMORANDUM

May 5, 1998

To: Renee Howell
Senate State Affairs

From: John Manly

Subject: HCR 35



The House State Affairs CS to HCR 35 added one short provision to require the task force to provide a report to the Legislature by January 1, 1999.

Attached are the following background materials:

- House State Affairs CS
- Sponsor Statement
- Zero fiscal note
- Time line of census and redistricting events
- Population changes by House district, 1990-96
- Court action on redistricting plans, 1991-94
- Unresolved (redistricting) questions for the 1990s
- Summary of Hickel v. Southeast Conference
- Census 2000 long form

Alaska State Legislature House of Representatives

Committees

Rules Committee, Chair
Legislative Council
International Trade & Tourism
Military & Veterans Affairs
World Trade & State/Federal Relations



Interim:
10928 Eagle River Rd. Suite 141
Eagle River, AK 99577

Session:
Alaska State Capitol
Juneau, AK 99801

Sponsor Statement

HCR 35

"Establishing a Joint Task Force on the Census and Redistricting."

Recent polling data indicate that a majority of Alaskans supports changing the way Alaska redraws its election district lines after the decennial census. Yet, whether that change takes place or not, it is in the public's and the legislature's best interest to make sure we have available to us the most current information on the census and redistricting.

This information comes from several sources, primarily the US Census Bureau and through the meetings of the NCSL Redistricting Task Force. The staff of the Department of Labor research and analysis section, as Alaska's main source of technical expertise in mapping and demographics, provides critical assistance in the redistricting process.

As we proceed to the Census of 2000 and the redistricting effort that will follow, it is imperative that the Alaska Legislature stay abreast of the most current information, including: Census Bureau plans and programs; redistricting case law; and technological advances.

HCR 35 will establish a four-member legislative task force to track and disseminate census and redistricting information. It is the intention of the leadership that the task will not require additional funding.



Representative Pete Kott

Juneau Office (907) 465-3777 Toll Free 1-800-861-KOTT(5688) Fax (907) 465-2819
Eagle River Office (907) 694-8944 Fax (907) 694-8945 E-Mail: representative_pete_kott@legis.state.ak.us

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

NO. _____
BILL VERSION: HCR 35
PUBLISH DATE: _____

Revision Date: _____
Title: Establishing a Joint Task Force on the
Census and Redistricting.
Sponsor: House Rules Committee
Requestor: House State Affairs

Department Affected: Legislative Affairs Agency
BRU: Legislative Operating Budget
Component: Legislative Operating Budget

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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. Expenses for the Task Force will be absorbed within existing budgets.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 465-3852
Division: Administrative Services Date: 4/21/98

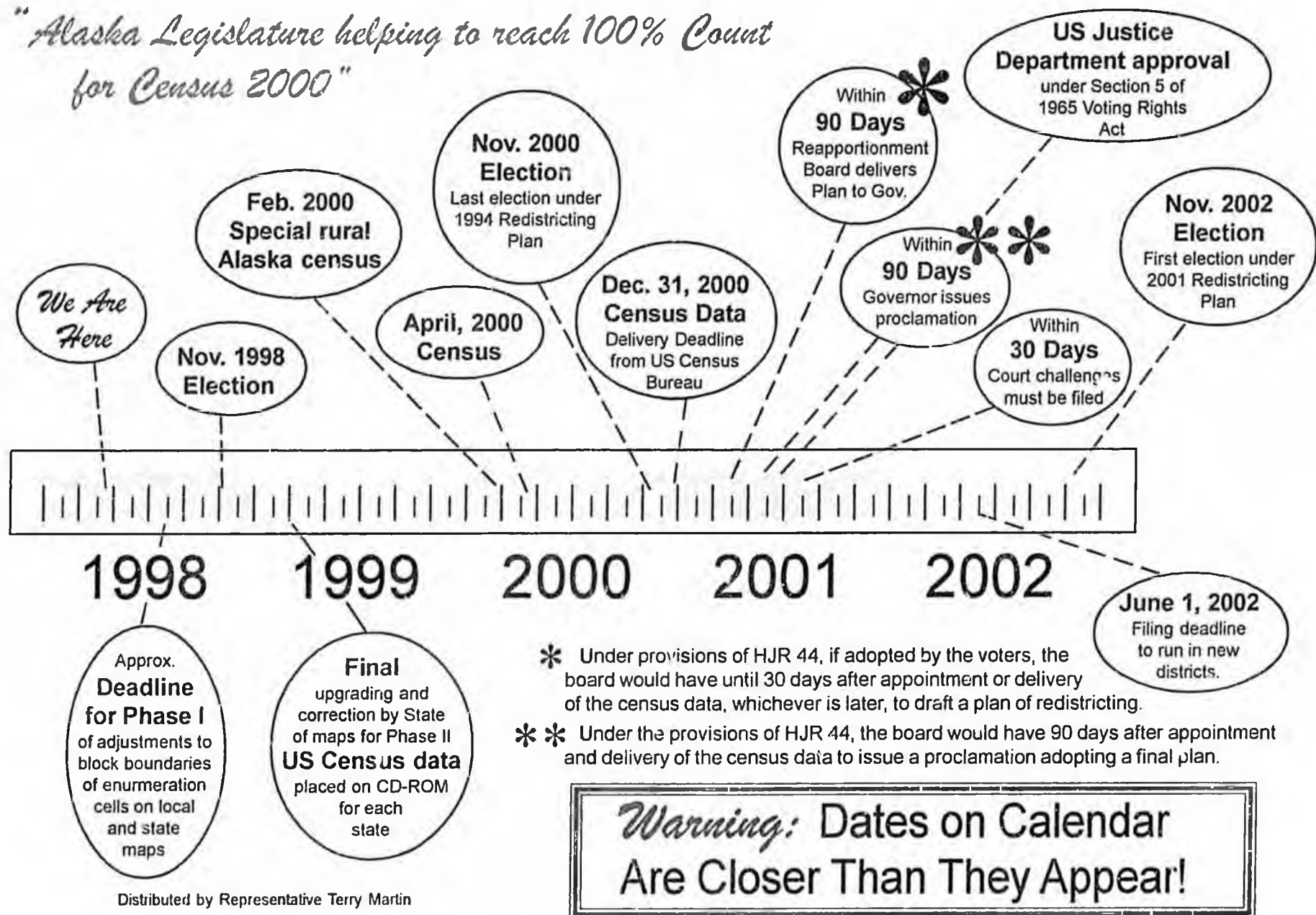
Approved By: Pamela A. Varni, Executive Director *Pamela A. Varni*
Agency: Legislative Affairs Agency Date: 4/29/98

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

TimeLine of Census and Redistricting Events State of Alaska - 1998-2002

HCR 35

*"Alaska Legislature helping to reach 100% Count
for Census 2000"*



**COURT ACTION ON
REDISTRICTING PLANS**

1991-94

	<u>HOUSE</u>	<u>SENATE</u>	<u>CONGRESSIONAL</u>
Drew Plan after Legislative Impasse	6	7	11
Rejected or Corrected Plan	14	10	5
Approved Plan Drawn by Another	11	12	4
Plan not Challenged	18	21	23
No Plan Needed	<u>1</u>	<u>0</u>	<u>7</u>
	50	50	50
Success Rate	59% (29 of 49)	66% (33 of 50)	63% (27 of 43)
Legislatures	60% (21 of 35)	58% (21 of 36)	59% (23 of 39)
Commissions	67% (8 of 12)	83% (10 of 12)	100% (4 of 4)
Governors	0% (0 of 2)	50% (1 of 2)	

Peter S. Wattson
Senate Counsel
Minnesota

LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS 1991-96

	HOUSE PLAN						SENATE PLAN						CONGRESSIONAL PLAN					
	Leg	Comm	Gov	State Ct	Fed Ct	Sup Ct	Leg	Comm	Gov	State Ct	Fed Ct	Sup Ct	Leg	Comm	Gov	State Ct	Fed Ct	Sup Ct
AL				D						D			D				D	A
AK			D	R/D					D	R/D			1					
AZ	D		A		A	A	D		A		A	A						A
AR		D		A	A			D			A		D		A		A	A
CA	D		V	D	A/A	A	D		V	D	A/A	A	D		V	D	A/A	A
CO		D		C	A/R			D		A			D		A			
CT		D		A				D						D				
DE	D		A				D		A				1					
FL	D			A	C	A	D			C	A	A					R/D	
GA	D		A				D		A				D		A		R/D	R/P
HI		D						D						D				
ID	D		A		A	A	D		A		A	A	D		A			
IL		D		R/A	A	A/A		D		R/A	A	A/A						
IN	D		A				D		A				D		A			
IA	D		A				D		A				D		A			
KS	D		A	A	A		D		A	A	A		D		A		C	
KY	D		A	R			D		A	R			D		A			BS
LA	D		A				D		A				D/D		A/A		R/R/D	
ME				D						D						D		
MD			D	A	R/A				D	A	A		D		A		A	A
MA	D		A	A			D		A				D		A			
MI				D	A					D	A						D	
MN	D		N	C	R/D	A	D		N	C	R/D	A	D		V	D	D	NR
MS	D/D				R		D/D				R		D					
MO		D			A	A				D			D		A			
MT		D						D					1					

	HOUSE PLAN						SENATE PLAN						CONGRESSIONAL PLAN					
	Leg	Comm	Gov	State Ct	Fed Ct	Sup Ct	Leg	Comm	Gov	State Ct	Fed Ct	Sup Ct	Leg	Comm	Gov	State Ct	Fed Ct	Sup Ct
NE							D		A	R			D		A			
NV	D		A				D		A				D		A			
NH	D		A				D		A				D		A			
NJ		D						D						D		A		
NM	D		A				D		A				D		A			
NY	D		A	A	C	A	D		A	A	A		D		A	D	D	A/R
NC	D						D						D				A/A	A/R
ND	D		A				D		A				1					
OH		D		A	R/R	A/A		D		A	R	A	D		A			
OK	D		A				D		A				D		A			
OR		D		C				D					D		A			
PA		D		A	A	A		D		A	A/A	A				D	A	A
RI	D		A				D		A				D		A			
SC	D		V		D/R	R	D		V		D/R	R					D	R
SD	D		A				D		A				1					
TN	D		A		R	R	D		A		R	R	D		A			
TX	D		A	C/A	C		D		A	C	C/A	A	D		A		A/R/D	R
UT	D		A				D		A				D		A			
VT	D		A	R			D		A	A			1					
VA	D		A		A		D		A	A			D		A			
WA		D						D						D				
WV	D		A		A		D		A		A		D		A		A	
WI	D		V		D		D		V		D		D		A			
WY	D		A		R/A		D		A		R/A		1					

A = Approved plan drawn by another
C = Corrected plan
D = Drew plan

N = Became law notwithstanding veto attempt
P = Pending decision
R = Rejected plan

V = Veto
1 = One seat

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Unresolved Questions for the 1990's:

- * How can the law accommodate the competing interests of different minority groups, e.g., African Americans and Latinos, in the same districts?
- * How far will State and local governments be required to go in drawing districts for protected minority groups when these clash with other traditional redistricting criteria, such as compactness or the desire to keep municipalities together?
- * Does the Voting Rights Act require a State or local government, which cannot draw a district or district where minority voters can elect their preferred candidate, to draw districts that provide for the maximum degree of influence?
- * How will the Department of Justice, which has expressed disagreement with the decision in Shaw v. Reno, interpret and enforce Section 5 in light of that decision? In other words, will the Department of Justice, during preclearance deliberations, consider alternative plans that contain "bizarre" or "highly irregular" districts?
- * Are single-member districts necessarily the best remedy for at-large vote dilution, or should other remedies, like limited or cumulative voting systems, be considered?
- * In the year 2000, it is likely that redistricting plans will be drawn on personal computers. How will state legislatures or local governments (or courts) be able to make rational decisions when there are literally hundreds of plans being drawn, all with a variety of benefits and shortcomings?
- * Should minority leaders or minority legislators push for creating more minority districts when it will jeopardize or reduce their political party's strength in the legislature?
- * What role will party affiliation play in voting rights suits? Or, put differently, what will the courts do if a minority candidate's lack of success can be shown to be attributable to party affiliation?

Alaska Redistricting Case: The 1990's

Hickel v. Southeast Conference, 846 P.2d 38 (Alaska 1992)

The Alaska Supreme Court found that the Governor's reapportionment plan for Southeast Alaska violated the anti-gerrymandering provisions of the Alaska Constitution by failing to observe existing municipal boundaries and ignoring natural geographic boundaries by splitting all of the major islands of the Alexander Archipelago. The court reasoned that municipalities in the state are *per se* socio-economic areas. The court found that a desire to increase Native representation in a specific district did not justify departure from the anti-gerrymandering provisions. A reapportionment plan may minimize the anti-gerrymandering provisions when minimization is the only means available to satisfy Voting Rights Act requirements.

The court found that the Governor's plan for the Mat-Su Borough violated the anti-gerrymandering provisions when it divided up excess borough population among five other election districts. The court concluded that excess population should, to the maximum extent possible, be kept together and added to another socio-economically and compact district.

The court found that the governor's plan violated the anti-gerrymandering provision by combining populations of Inupiaq and Athabaskan Natives in a single district. The court found that the combination of these tribal groups did not create a district that encompasses as nearly as practicable a relatively integrated socio-economic area.

The court found *sua sponte* that the division of the Aleutian Islands into two districts violates the anti-gerrymandering provisions.

The court found that determination of the population base for redistricting purposes did not require adjustment of the census population to delete non-resident military personnel if there was an adequate showing that it was not possible to accurately identify those military personnel who are non-residents and that failure to adjust for military personnel did not introduce an urban/ rural bias.

The Supreme Court directed the Superior Court to formulate an interim plan for the approaching general election.

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

Alaska Redistricting Case: The 1990's

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United States Census 2000 Dress Rehearsal



U.S. Department of Commerce
Bureau of the Census

This is the official form for all the people at this address. It is quick and easy, and your answers are protected by law. Complete the census and help your community get what it needs — today and in the future!

Start Here

This booklet shows the content of the two main questionnaires being used in the U.S. Census 2000 Dress Rehearsal. See the explanatory notes on page 2.

- 1** If possible, this form should be filled out by one of the people living here who owns, is buying, or rents this house or apartment. A black or blue pen is preferred.
 - 2** If this house or apartment is a vacation or seasonal home or a temporary residence for your household, please call the Census Bureau at 1-883-421-1998 before you fill out this form. The telephone call is free.
- Next, please turn the page and print the names of all the people living or staying here on April 18, 1998.

If you need help completing this form, call 1-888-421-1998 between 8:00 a.m. and 9:00 p.m., 7 days a week. The telephone call is free.

TDD — Telephone display device for the hearing impaired. Call 1-800-582-8330 between 8:00 a.m. and 9:00 p.m., 7 days a week. The telephone call is free.

¿NECESITA AYUDA? Si usted habla español y necesita ayuda para completar su cuestionario o si requiere un cuestionario en español, llame sin cargo alguno al 1-888-427-1998 entre las 8:00 a.m. y las 9:00 p.m., 7 días a la semana (la llamada telefónica es gratis).

The Census Bureau estimates that, for the average household, this form will take about 38 minutes to complete, including the time for reviewing the instructions and answers. Comments about the estimate should be directed to the Associate Director for Administration, Controller, Attn: Paperwork Reduction Project 0607-0848, Room 3104, Federal Building 3, Bureau of the Census, Washington, DC 20233.

Respondents are not required to respond to any information collection unless it displays a valid approval number from the Office of Management and Budget.

Form DX-61 (11/2/98)

OMB No. 0607-0848 Approval Expires 12/31/98

INFORMATIONAL COPY

List of Persons

1 Please print the names of all the people living or staying here on April 18, 1998, as shown in this example:

Example — Last Name

JOHNSON

First Name

MI

ROBIN

J

BE SURE TO INCLUDE anyone who is:

- a foster child, roomer, or housemate
- staying here on April 18, 1998 and has no other permanent place to stay
- staying here most of the time while working even if he or she has another place to live

DO NOT INCLUDE anyone who:

- is living away while attending college
- was in a correctional facility, nursing home, or mental hospital on April 18, 1998
- is in the Armed Forces and living somewhere else
- lives or stays at another place most of the time

Start with the person, or one of the people living here in whose name this house or apartment is owned, being bought, or rented. If there is no such person, start with any adult living or staying here.

Person 1 — Last Name

First Name

MI

Person 2 — Last Name

First Name

MI

Person 3 — Last Name

First Name

MI

Person 4 — Last Name

First Name

MI

Person 5 — Last Name

First Name

MI

Person 6 — Last Name

First Name

Person 7 — Last Name

First Name

Person 8 — Last Name

First Name

Person 9 — Last Name

First Name

Person 10 — Last Name

First Name

Person 11 — Last Name

First Name

Person 12 — Last Name

First Name

MI

EXPLANATORY NOTES

This "Informational Copy" shows the basic content of the two questionnaires that will be mailed to households for the United States Census 2000 Dress Rehearsal. Each household will receive either a short form (100-percent questions) or a long form (100-percent and sample questions). The content of the forms resulted from reviewing the 1990 census, consulting with federal and non-federal data users, and conducting tests.

Short form — This questionnaire contains 6 population questions and 1 housing question. On average, about 5 in every 6 households will receive this form. For the average household, this form will take an estimated 10 minutes to complete.

Long form — This questionnaire has all the short form questions, plus 26 population questions, and 20 housing questions. A statistical sample of approximately 1 in every 6 households will receive this form. For the average household, this form will take an estimated 38 minutes to complete.

Population Questions

- Questions 1–6 are asked of all persons on both forms.
- Questions 7–32 are asked of persons in a sample of households on the long form.

Housing Questions

- Question 33 is asked of all households on both forms.
- Questions 34–53 are asked of a sample of households on the long form.

→ Next, answer questions about Person 1.

1



Your answers are important!
Every person in the census counts.

1 What is this person's name? Print the name of Person 1 from page 2.

Last Name

First Name

MI

2 What is this person's telephone number? We may contact this person if we don't understand an answer.

Area Code + Number

3 What is this person's sex? Mark (X) ONE box.

- Male
- Female

What is this person's age and what is this person's date of birth? Print numbers in boxes.

Age on April 18, 1998

Month Day Year of birth

→ NOTE: Please answer BOTH Questions 5 and 6.

5 Is this person Spanish/Hispanic/Latino? Mark (X) the "No" box if not Spanish/Hispanic/Latino.

- No, not Spanish/Hispanic/Latino
- Yes, Mexican, Mexican Am., Chicano
- Yes, Puerto Rican
- Yes, Cuban
- Yes, other Spanish/Hispanic/Latino — Print group. ↗

6 What is this person's race? Mark (X) one or more races to indicate what this person considers himself/herself to be.

- White
- Black, African Am., or Negro
- American Indian, or Alaska Native — Print name of enrolled or principal tribe. ↗

- Asian Indian
- Chinese
- Filipino
- Japanese
- Korean
- Vietnamese
- Other Asian — Print race. ↗
- Native Hawaiian
- Guamanian or Chamorro
- Samoan
- Other Pacific Islander — Print race. ↗

Some other race — Print race. ↗

7 What is this person's marital status?

- Now married
- Widowed
- Divorced
- Separated
- Never married

8 a. At any time since February 1, 1998, has this person attended regular school or college? Include only nursery school or preschool, kindergarten, elementary school, and schooling which leads to a high school diploma or a college degree.

- No, has not attended since February 1 → Skip to 9
- Yes, public school, public college
- Yes, private school, private college