
Alaska Studies Connection
Unit Four

“Alaska Now”

Department of Education
Correspondence Study

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CHECKLIST

4.25

Assessment 10 (Lessons 25-29)

Name: _____

Date: _____

You will need to send the following to your advisory teacher after completing Lessons 25-29 and Assessment 10.

____ **Assessment 10**

____ **Lesson 25**

____ Learning Log

____ 1 Extension Activity (list)

____ Local Government Questionnaire

____ Sourdough Lingo

____ **Lesson 26**

____ Learning Log

____ 2 Extension Activities (list them)

____ Sourdough Lingo

____ **Lesson 27**

____ Learning Log

____ 2 Extension Activities (list them)

____ Sourdough Lingo

____ **Lesson 28**

____ Learning Log

____ Warm Up

____ 2 Extension Activities (list them)

____ Sourdough Lingo

____ **Lesson 29**

____ Learning Log

____ 2 Extension Activities (list them)

____ Sourdough Lingo

____ Any Extra Credit

Unit 4, Lesson 25

Local Government

Here is Lesson 25.

It will take you 5 class periods to complete the minimum requirements.

Coming up: If you plan to complete Extension Activity 6 in Lesson 26, set up your interview now. Extension Activity 9 in Lesson 27 also requires an interview.

Warm-up:
Complete this first.

- Local Government Council Meeting, p. 321

Information:
Complete this next.

- "It's Your Local Government," audio or video tape, reading, p. 325-32 and interview.

Extension Activities:

- Complete one.
- 1. Local Government Revenue and Budget, p. 333
 - 2. Community Service, p. 333*
 - 3. Council or Corporation, interview, p. 334*
 - 4. Freedom of Expression, p. 334*
 - 5. Charting Your Local Government, p. 334
 - 6. Get Involved, project, p. 335
 - 7. Village Management, computer, p. 336
 - 8. Extended Reading, p. 320

* May be sent via e-mail if student has access.

Sourdough Lingo*:

Complete this as you study the lesson.

- jurisdiction
veto
municipality
sovereignty
incorporated / unincorporated

Alaska Trivia*:
Optional

- Government Guesses, p. 336

Assessment:

- Review your objectives.

Extended Reading List

Lessons 25-31

The Dynamics of Alaska Native Self-government, G.A. McBeath & T.A. Morehouse

Alaska State Government and Politics, G.A. McBeath & T.A. Morehouse

Bob Bartlett of Alaska, C.M. Naske

The Alaska Pipeline Case, J.K. Urberman

Chaos in the Capital, R. Fineburg

Alaska's Natives and American Laws, D. Case

Alaska Review of Social and Economic Conditions, "Where Have All
the Billions Gone?," February 1987

or

You are required to read two articles each lesson. One article must come from either the *Tundra Drums* or the *Tundra Times* and one from any other Alaskan newspaper, e.g. *Fairbanks News-Miner*, *Juneau Empire*, *Anchorage Daily News*, *Anchorage Times*, etc.

Your goal is to find two articles involving the topic of the lesson you are working on. For example, if you are on Lesson 25, Local Government, you should look for two (2) articles involving issues of local government in Alaska. Finding such articles will take time and effort on your part. You may even have to search several newspapers.

Hint: Start looking for articles when you first start the lesson.

Send to Advisory Teacher: the articles, the name and date of the newspapers in which they appeared, and a one page critique of each article consisting of a summary of it and your reaction to the information in the article.

Local Government

Lessons 25–29 explore the three branches of State Government and the relationship between local, state, and federal (national) government.

The local level of government is the one closest to you. Its structure and the activities carried out by local officials affect you every day. Local governments include municipalities, boroughs, cities, and villages.

The state level of government includes three branches – the legislative, the executive, and the judicial.

- The legislative branch creates the "legal" guidelines that become the laws of our state, as well as deciding on the State budget.
- The executive branch "executes" or administers the work of the state, such as building roads, issuing Permanent Fund dividend checks, licensing nurses, etc.
- The judicial branch "judges" if states' laws are constitutional as well as determining when a law has been broken

While the three branches have separate areas of responsibility, all three branches are involved with and depend on the cooperation of the others. This is often referred to as the system of "checks and balances." For example, the Legislature passed a bill that became a law which created the Alaska Permanent Fund. The executive branch now administers the Alaska Permanent Fund seeing that you receive your dividend check once a year. The judicial branch was responsible for deciding if it was constitutional to set residency requirements for a person to qualify for an Alaska Permanent Fund dividend check.

The Federal (national) government is the level of government that oversees the U.S. as a whole. The essence of federalism is the division of power between national, state, and local governments. This division of powers is based on the U.S. Constitution. Certain powers have been given exclusively to the national government. Other powers have been reserved for state and local governments most notably by the Tenth Amendment of the U.S. Constitution:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the State, are reserved to the States respectively or to the people.

There are also powers called concurrent powers, because they are shared by the national, state, and local governments, such as the ability to tax (there are national, state, and local taxes).

Local Government

CASE STUDY*

The council meetings of the second class city of Breaker Bay had become increasingly unproductive over the last several months. Meetings were not held on a regular basis, agencies were never prepared, and the meetings were usually long in terms of time, but short in term of accomplishments.

The city had just elected three new council members, and at the first meeting of the new council the election of the mayor "by and from the council" came up. The present mayor, Jake Locker, defended the record of the council and the city by stating that the City of Breaker Bay had come a long way. "Decisions have been made. We received everything we asked for in the State Revenue Sharing program, and our application for a Federal grant to build a new municipal building looks like it will be approved. Our budget is in good shape, and we may even have money left over this year. We have been able to do all of this because we have acted quickly and made good decisions."

Mr. Peters responded, "I agree with one thing you say. Decisions have been made--but they were not made by us, the council. They have been made by you and the city clerk. Things have been done all right, but many laws have been broken in the process. Did you know we were supposed to have a hearing on our budget? We didn't have a hearing, and the council didn't even vote to accept a budget. The city clerk told me that you found out you needed a budget to get a Revenue Sharing program and that you and she sat down one afternoon and put the budget together and sent it in. This is wrong; the council is supposed to do these things."

"But the council didn't want to do anything." Mayor Locker countered. "Half the time we didn't even have a quorum. If I waited for the council to decide, we wouldn't have done anything. The council is too slow, and we could never decide anything at our meetings."

"The last council lost interest in making decisions because our meetings were not organized," Peters replied. "We had no agenda, we didn't know what we were going to talk about until you told us, and usually the whole meeting consisted of arguing and complaining. Our meetings had no order, no structure, no nothing. After a couple of sessions like that half the council gave up and stopped coming. They would rather play bingo, and I don't blame them. But now we have a new council, and this is a good time to start a new way of handling city business. I have talked to our three new members, and they are not interested in doing things fast; they want to do things right. They don't want a dictatorship, they want a democratic council that . . ."

"Let's cut out the grandstand crap," Mayor Locker interrupted. "I was no dictator. I did what had to be done because no one else cared. Our city council was not effective and perhaps it was partly my fault, but I still say what's important is results."

"According to State law, the process is just as important as the results," Ms. Hill, a newly elected council member, answered. "Title 29 of Alaska Statutes says that the council shall meet at least once a month, unless otherwise provided by ordinance, sometimes our council went three months without meeting. The council is supposed to decide on their rules and order of business, not the mayor."

Local Government

"There are other things that the law says a council shall do that we have not been doing. Mr. Peters is right. We have been breaking the law, and I think we should change that right now. I move the nomination of Councilman Elvis Peters for mayor of Breaker Bay."

Another council member nominated Mayor Locker for another term as mayor, and the nominations were closed. All three of the new council members voted for Peters, while the two "holdovers" voted for Locker. Each nominee voted for himself, so Elvis Peters became the new mayor.

Jake Locker congratulated the new mayor, saying, "I wish you luck as the mayor. You can count on my support. You will soon find that it is a thankless job. Maybe things will be different; we will just have to see."

"You did a good job, Jake, but we have different ideas about how to run things," Peters answered.

"We must first get organized," the new mayor exclaimed. "First we need to decide on regular meeting days, an order of business for meeting, and I think it would also be a good idea to form some basic committees. This way everyone will be involved, and hopefully everyone will stay interested in the council's work. I would also like to have the council suggest items for the agenda of our next meeting."

The council decided to meet the first and third Tuesday of every month and introduced an ordinance so providing. Motions were made to set up Finance, Police and Fire Protection, Health, and Recreation committees, and various members were nominated and elected to serve on those committees that personally interested them.

Near the end of the meeting, Mayor Peters asked the council members to prepare to conduct their business according to State law and accepted rules of parliamentary procedure. "I have sat through many long council meetings that could have been much shorter if parliamentary procedure had been observed. I do not really know all of the rules, but I have noticed that Ms. Hill is fairly knowledgeable in this area. I would like to ask her and the city clerk to make a presentation at the next meeting on how to conduct a meeting according to parliamentary procedure."

Mayor Peters was successful in beginning a new era in Breaker Bay by organizing and working effectively with the council. The entire council played a more active role than ever before, and those decisions that were once made only by the mayor were now discussed and decided by the majority vote of the council.

*Excerpt is from Alaska Local Government Encyclopedia

OBJECTIVES

4.25

Local Government

Here's what you will be studying in Lesson 25. Upon completion, you should be able to answer these questions:

- What are the purpose and characteristics of local government in Alaska?
- What type of local government exists in your community?
- How can one participate in local government?
- What services are provided by local governments? Where do they get the money?
- What effects have the regional corporations and/or traditional native tribal councils had on local government?

Local Government

Be sure you have viewed the videotape or audiotape, "It's Your Local Government".

HOW CAN ONE PARTICIPATE IN LOCAL GOVERNMENT?

While learning about your local government you may have come across some areas or issues in your home community that need attention. One way any citizen can have an effect in their community is to see a need and do something about it. Knowing how to be politically effective in your community, state, and nation is a vital skill to any involved, informed citizen.

Because you are a citizen of your community, state, and nation, you have the right -- and the responsibility -- to understand what is happening and why, at different levels of government.

Thomas Jefferson once said: "All it takes for evil to flourish is for good men (or women) to do nothing." His point is still valid today. If you do not like what is happening in your local, state, or national government, and you do not do anything about it, then you are allowing "evil to flourish." By doing nothing you are giving your support to what is happening.

One can participate in local government in many ways. If you are 18 and your community has school board elections, city council elections, or elections for mayor -- cast your vote! Voting is one of the most valuable rights and responsibilities of an American citizen. The future of the community is, to a large extent, in the hands of its voting residents.

City council meetings are open to the public. Find out the time and place of the meetings. If possible, find out the agenda. There may be an issue being discussed which is important to you. Or you may want to bring up an issue on your own. Ask a friend to go along, a parent, or perhaps your teacher.

Writing a letter is an effective way to get your opinions heard. Many people find writing letters comfortable because they do not have to appear in public, yet they have participated in seeking change.

If you meet certain qualifications you may even run for a council seat, a school board seat, even for mayor! There is a 12-year-old boy who is mayor of a small town in California.

Sometimes schools will have a student representative attend the council and school board meetings. Be a volunteer.

WHAT SERVICES ARE PROVIDED BY LOCAL GOVERNMENTS? WHERE DO THEY GET THE MONEY?

Locally generated revenues may come from several sources. One source is taxes. Two taxes that a municipality may levy--real and personal property taxes and sales and use taxes (user fees are charges by the city to the people that actually use facilities such as a harbor, or water and sewer services).

State financial assistance may come from the Public School Foundation Program, Municipal Assistance Program, government grants, and State Revenue Sharing Programs. State Revenue Sharing is financial assistance given by the state government to help ease the fiscal problems facing governments. Funds may be used in any manner that is legal for the municipality except lobbying.

A number of cities provide public utilities--water, sewer, telephone, and electrical services--through municipally owned utilities systems.

State and community taxes help provide schools, hospitals, clinics, roads, police, and fire protection, recreation facilities, maintenance, and many other services.

Cities raise money through licenses and permits, contract service charges, enterprise revenues such as fuel sales or bingo, and misc. revenues such as fines, building rentals, etc.

The State of Alaska Department of Community and Regional Affairs (C&RA) was created in 1972 to provide "maximum state assistance to local governments at the community and regional level." This means providing financial, advisory, and management support for local governments.

The Department of Community and Regional Affairs might be able to help with your local project. The Alaska Blue Book (see list of resources in the Teacher's Guide) will give you more details about C&RA programs. The Commissioner's address is:

Commissioner
Department of Community
and Regional Affairs
P.O. Box B
Juneau, AK 99811

**WHAT EFFECTS HAVE THE
TRADITIONAL NATIVE TRIBAL
COUNCILS HAD ON LOCAL
GOVERNMENT?**

For years the federal government was undecided about whether Alaska Natives were the same as Indian "tribes." Alaska Natives have always been organized around villages rather than tribal groups.

In 1936, Congress passed the Alaska Reorganization Act. It extended the 1934 Indian Reorganization Act (IRA) to "Indians in Alaska not heretofore recognized as bands or tribes . . ." The IRA was passed in order to strengthen tribal governments, allowing them to adopt constitutions and by-laws, to obtain charters for Native businesses, to have land control, receive federal loans, and to have legal counsel. All of which had to be approved and controlled by the federal government.

Well, Alaska Natives did not quite fit into this plan either. The IRA was meant for Native government jurisdiction on reservations, and American Indians do not hold the title to these lands. The federal government does. In Alaska there is only one reservation, and Alaska Natives hold the title to their lands outright, under the terms of ANCSA.

Native government jurisdiction over ANCSA lands has not yet been determined. At least two village corporations established under ANCSA have dissolved themselves and turned their lands over to local tribal governments. This move puts the land under the tribal jurisdiction. Some see this as a very smart move because under ANCSA there is a possibility of the village and regional corporations going bankrupt and therefore losing their greatest asset--their land.

A further complication is that there is no one organization that has tribal standing. There are two types of Native government organizations in Alaska. There is the traditional council and the IRA council. The traditional councils are the historical Alaska Native governments, established by tradition. They may receive federal services and can exercise the powers of self-government. There were 125 traditional councils in 1986.

The IRA councils are more formal. They have federally approved constitutions and by-laws. There were about 70 IRA councils in 1986. Historically, the traditional councils have focused on internal village matters while the IRA's have focused on business endeavors. Both have been limited though by the lack of money and other problems.

As we have discussed before, the Constitution of the State of Alaska only recognizes cities and boroughs as local governments. Over the years the state has tried to get Native villages to incorporate under state law. Many have done so, until recently. Many Native sovereignty groups have been encouraging villages to turn over their present state-chartered governments, because they can be controlled by non-Natives, and become tribal governments.

There are important questions still to be answered about Native self-government in Alaska. If more lands now held by village and regional corporations turn over to tribal governments, the legality for Native government powers on those lands will be strengthened.

*The information for this last objective came from Alaska State Government and Politics edited by Gerald A. McBeth and Thomas A. Morehouse, © 1987 by University of Alaska Press.

WHAT TYPE OF LOCAL GOVERNMENT EXISTS IN YOUR COMMUNITY?

At this time you are asked to find out about your own community. The best way to find information is to ask someone who knows. By interviewing the right person(s) you will get factual information. You should check that the factual information is correct and current (see the city clerk or the librarian).

Now that you have read some background information about local government, it's time to find out about your own local government. complete either:

Local Government Questionnaire, or
Unincorporated Village Interview

If you are a student that does not live within a city, borough, or tribal government, use the organized government closest to you to do your interview and extension activities. You will have to do these things via the mail if you do not have a telephone.

Local Government

LOCAL GOVERNMENT QUESTIONNAIRE

(Use alternate activity, Unincorporated Village Interview, if you do not live in an organized municipality.)

1. I live in _____.

2. My local government is classified as:

Unified Municipality _____

Borough _____ (Class?) _____

City _____

3. The powers exercised by my local government include:

4. Taxes levied by my local government include:

Property tax _____ (yes) _____ (no) _____ (amount--mill levy)

Sales tax _____ (yes) _____ (no) _____ (percent amount)

5. The administrators in my community are:

Title _____ Name _____

____ Mayor _____

____ Manager _____

____ Municipal Clerk _____

____ Council or
Assembly
Members _____

____ School Board
Members _____

6. Which State Department is responsible for providing state assistance to local governments at the community and regional level?

Local Government**UNINCORPORATED VILLAGE INTERVIEW**

The interview can be a helpful technique for learning what some of the people in your community do, the role they play in society, and how they perceive their responsibilities. This interview can also provide you with valuable information for your Local Project.

If you live in an unincorporated community, your assignment is to interview the village chief or one of the village elders. You may write, type, audiotape, or videotape this interview.

Some suggested questions:

1. How and when did you become the village chief?
2. What are your responsibilities?
3. What do you consider to be problems in our village?
4. What are the needs our community has and how can they be met?
5. What organization or type of government does our community have most contact with? k (village corporation, regional corporation, state government, federal government, etc.)

You might also want to develop a brief history of the person you are interviewing.

After completing either the Local Government Questionnaire or the Unincorporated Village Interview, you will want to interview a local government official (or another village elder).

This interview can be a helpful technique for learning what some of the people in your community do, the role they play in society, and how they feel about their work. Here are some suggested questions:

1. What is your job?
2. What do you like best (and least) about your work?
3. What do you see as the major role of local government?
4. What are some of the problems in our community that local government is currently trying to solve?
5. How are the needs of the community being met by local government?
6. What do you consider to be the priorities of the community?
7. What do you think is the best way for obtaining funds for needed community services? (Sales tax, property tax, revenue sharing).
8. What proportion of our local income comes from the State? From the federal government? From Local Revenues? How does the municipality spend its money? (A copy of the municipality's budget should be available. A useful way to present this information is to try drawing a circle divided into parts to show how much of each dollar spent goes to certain services). (You will need this information for your next activity!)
9. Does the community often have problems which require the involvement of other governmental jurisdictions (state or federal) to resolve? Explain please.
10. Do you think it is easy for the average citizen to let local government know his/her views? What is the best way of doing this and obtaining satisfactory results?

Options of Municipal Governments (General Law*)

Name	Requirements	Local Action Needed	Available Powers (Services)	Municipal Officers
Unorganized Borough	Areas of the state which are not within the boundaries of an organized borough constitute a single unorganized borough.	None — established by State Constitution	The legislature may establish service areas for special services which include, but are not limited to, schools, utilities, land use regulations, fire protection. Service areas can be established by request of local citizens.	Legislators are the assemblers of the unorganized borough.
Unified Municipality	An organized borough and all cities included within it may unite to form a single unit of home rule local government called a unified municipality.	A unified municipality may be initiated through a petition process. A charter commission, if approved by referendum, drafts a charter for the unified municipality. Following public hearings, an election is held.	A unified municipality has all the powers granted to organized boroughs and cities of the first class not prohibited by law or charter.	Elected assembly. Elected school board. Commissioners as established by charter. May adopt the manager plan of government.
First class Borough	Area may incorporate as an organized borough if it conforms to the following standards: 1. Population of the area is integrated, integrated as to its social, cultural, and economic activities and is large and stable enough to support organized government. 2. The boundaries of the proposed borough conform generally to natural geography and include all areas necessary for full development of local services. 3. The economy of the area includes the human and financial resources capable of providing local services. 4. Land, water and air transportation facilities allow for communication and exchange necessary for the development of integrated local government.	A borough may be established by filing a petition to the Dept. of Community & Regional Affairs signed by 15 percent of the resident voters in each first class city and 15 percent of the voters outside first class cities contained within the proposed municipality (based on the total of the voters in the last general election). After review by the Dept. of Community & Regional Affairs and approval by the Local Boundary Commission, following a public hearing in the locality, election is held.	Three mandatory areawide powers: taxation, education, and planning, plating and zoning. Additional services, such as police, water, sewer, etc., are added by approval of the voters through a referendum.	Elected borough assembly and mayor. Elected school board. Appointed planning and zoning commission. May adopt the manager plan of government, or appoint a manager, as outlined in Article 8 of Municipal Code.
Second class Borough	The boundaries of the proposed borough conform generally to natural geography and include all areas necessary for full development of local services.	Approval by the Local Boundary Commission, following a public hearing in the locality, election is held.	Two mandatory areawide powers: taxation and education. May establish service areas.	Elected borough assembly. The borough assembly is the school board. Borough chairman is also president of the school board.
Third class Borough	Land, water and air transportation facilities allow for communication and exchange necessary for the development of integrated local government.	Petition to the Dept. of Community & Regional Affairs with signatures and address of 50 permanent resident voters of the proposed municipality. After review by the Dept. of Community & Regional Affairs and approval by the Local Boundary Commission following a public hearing election is held.	If the city is not in a borough, it may provide planning, plating, and zoning. It is not required by law to do so. MAY add other powers for services (such as police, water, sewer, etc.) by council action. The city does not have the power of education, therefore, the city is not a school district.	Elected council and mayor if the city is not part of a borough it will have an elected school board and appointed planning and zoning commission. MAY adopt the manager plan of government, or appoint a manager, as outlined in Article 8 of the Municipal Code.
First class City	A community having 400 or more permanent residents.	Petition to the Dept. of Community & Regional Affairs with signatures and addresses of 10 permanent resident voters of the proposed municipality. After review by the Dept. of Community & Regional Affairs and approval by the Local Boundary Commission following a public hearing election is held.	If the city is not in a borough, it may provide planning, plating, and zoning. It is not required by law to do so. MAY add other powers for services (such as police, water, sewer, etc.) by council action. The city does not have the power of education, therefore, the city is not a school district.	Elected council. The mayor is appointed from council members. If the city is not part of a borough, it could have an appointed planning and zoning commission and an advisory board.
Second class City	A community having 25 or more permanent residents.	Petition to the Dept. of Community & Regional Affairs with signatures and addresses of 10 permanent resident voters of the proposed municipality. After review by the Dept. of Community & Regional Affairs and approval by the Local Boundary Commission following a public hearing election is held.	If the city is not in a borough, it may provide planning, plating, and zoning. It is not required by law to do so. MAY add other powers for services (such as police, water, sewer, etc.) by council action. The city does not have the power of education, therefore, the city is not a school district.	Elected council. The mayor is appointed from council members. If the city is not part of a borough, it could have an appointed planning and zoning commission and an advisory board.

* Formation of home rule municipalities is also provided for in the Municipal Code. A home rule municipality is a municipal corporation and political subdivision and is a borough of the first class or a city of a first class which has adopted a home rule charter. It has all legislative powers not prohibited by law or charter.

Local Government

Summary of City Government

Type of City Classification

Characteristic	Second Class	First Class	Home Rule
Term of Office:			
City Council	3 years	3 years	Home Rule:
School Board	3 years for REAA Board	3 years	All characteristics
Mayor	1 year	3 years	determined by
City Manager	Serves at pleasure of Mayor	Serves at pleasure of Council	home rule charter
City Administrator	Serves at pleasure of Mayor or Mayor assumes Admin. Duties	Serves at pleasure of Mayor or Mayor assumes Admin. Duties	—
Method of Election:			
City Council	Elected at large	Elected at large	—
School Board	Elected at large throughout REAA	Elected at large	—
Mayor	Elected by City Council	Elected at large	—
City Manager	Manager Plan adopted by Referendum	Manager Plan adopted by Referendum	—
City Administrator	City Manager appointed by Council	City Manager appointed by Council	—
	Appointed by Mayor in absence of Manager Plan	Appointed by Mayor in absence of Manager Plan	—
Membership:			
City Council	7 members	6 members	—
School Board	REAA Board	5 members	—
Voting Power (Mayor)	Votes on all issues	Only votes in case of ties	—
Veto Power (Mayor)	No veto power	Veto power over Council action: Council has 2/3 override	—

Local Government

Summary of Municipal Powers

Type of City Classification

Powers	Second Class			First Class			Home Rule		
Codify Ordinances	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory
Establish Election Procedures	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance	Mandatory: election procedure established by ordinance
Taxation:									
Property Tax	Optional: property tax and rate established by referendum	Optional: property tax and rate established by ordinance	Optional: property tax and rate established by ordinance	Optional: property tax and rate established by ordinance	Optional: property tax and rates established by ordinance unless referendum required by home rule charter	Optional: property tax and rates established by ordinance unless referendum required by home rule charter	Optional: property tax and rates established by ordinance unless referendum required by home rule charter	Optional: property tax and rates established by ordinance unless referendum required by home rule charter	Optional: property tax and rates established by ordinance unless referendum required by home rule charter
Sales Tax	Optional: tax and levy established by referendum	Optional: tax and levy established by ordinance	Optional: tax and levy established by ordinance	Optional: tax and levy established by ordinance	Optional: tax and levy established by ordinance	Optional: tax and levy established by ordinance	Optional: tax and levy established by ordinance	Optional: tax and levy established by ordinance	Optional: tax and levy established by ordinance
Education	Provided by REAA	Mandatory school district*	Mandatory school district*	Mandatory school district*	Mandatory school district*	Mandatory school district*	Mandatory school district*	Mandatory school district*	Mandatory school district*
Planning and Zoning	Optional	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory
Eminent Domain	Granted by referendum	Granted by ordinance	Granted by ordinance	Granted by ordinance	Granted by ordinance unless referendum required by home rule	Granted by ordinance unless referendum required by home rule	Granted by ordinance unless referendum required by home rule	Granted by ordinance unless referendum required by home rule	Granted by ordinance unless referendum required by home rule
Sell, Buy, Exchange Real Property	Granted by ordinance	Granted by ordinance	Granted by ordinance	Granted by ordinance	Granted by ordinance	Granted by ordinance	Granted by ordinance	Granted by ordinance	Granted by ordinance
Incur Indebtedness:									
General Obligation Bonds	Referendum required	Referendum required	Referendum required	Referendum required	Referendum required	Referendum required	Referendum required	Referendum required	Referendum required
Revenue Bonds	Ordinance required	Ordinance required	Ordinance required	Ordinance required	Ordinance required unless referendum required by home rule charter	Ordinance required unless referendum required by home rule charter	Ordinance required unless referendum required by home rule charter	Ordinance required unless referendum required by home rule charter	Ordinance required unless referendum required by home rule charter
General Administrative Powers	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional
Operate Facilities and Services	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional
Regulate Rights-of-way	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional
Establish Historical Districts	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional
Extraterritorial Jurisdiction	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance	Optional: powers adopted by ordinance
Boundary Alteration	Election required	Election required	Election required	Election required	Election required	Election required	Election required	Election required	Election required

* only applies to cities outside of an organized borough

EXTENSION ACTIVITY 1

4.25

Local Government Revenue and Budget

Do some research on the revenue and budget of your local government. Report on your research by constructing two pie graphs, one for revenue, and one for budget. You may draw these by hand or use a computer program to construct them.

For the revenue graph, draw a large circle and illustrate it, using "pie slices", showing the percentage of the sources of revenue received by your local government from:

- State government
- Federal government
- Sales and Property Taxes
- Use Taxes
- Etc.

For the expenses of your local government, draw another large circle and indicate the proportionate amount of your community's budget which is spent on the delivery of specific services. Services which your community provides might include such things as planning, plotting and zoning, solid waste and garbage collection, libraries and schools, street and sidewalk maintenance, police and fire protection, health services, etc.

Don't forget to label your graphs and include your name on your report.

EXTENSION ACTIVITY 2

4.25

Community Service

Identify a service provided by local government. Identify the cost of this service to the community on a yearly basis. Based on a population estimate, compute the yearly cost per resident. Describe the service and write about what your community would be like without it.

EXTENSION ACTIVITY 3

4.25

Council or Corporation Interview

Request an interview with a Native tribal council member or a member of a regional corporation board if possible. Design a series of questions before the interview that will help you evaluate the effects these groups have on the local government. Audio or video tape the session. You are also free to write your summations as opinions and use quotes from the interview to support your opinion.

EXTENSION ACTIVITY 4

4.25

Freedom of Expression

Agree or disagree with the following statements: People seldom stand up for what they truly believe. Instead they merely go along with the popular view. Write an essay in which you support your opinion with specific examples from history, contemporary affairs or personal observations.

EXTENSION ACTIVITY 5

4.25

Charting Your Local Government

You are learning about your local government, and the people who "make it work." Now that you are so knowledgeable, create a poster or booklet that shows your local government positions and how each job is related to the others. Your poster or booklet will explain who is in charge and who completes each job within your local government. Is each person paid, or are some positions volunteer?

Get Involved!

Many people think that state and federal governments exert lots of influence in their lives. However, local government directly affects a great many aspects of our daily lives. Since democracy is a government run by the people, you have great influence over your local government. Your assignment in this activity is to exert some real influence over a real problem of your locality.

Here are some examples of problems that may crop up in your community.

- Your road has too many potholes.
- There is an excessive amount of litter in your community.
- Local library hours aren't adequate for your research needs.
- You want to build a new garage and need the permit to do so.
- Harbor user fees are too high.
- You have a problem with a public utility (water, sewer, telephone, electric).
- Your own problem.

Choose one of the above problems. Do a little research on this problem to decide your viewpoint, then communicate this viewpoint to the appropriate member of your local government by writing a letter, discussing it personally, attending a meeting, or in some other way.

Report on your problem, the issues and background, your opinion, and how you communicated your opinion to your local government.

EXTENSION ACTIVITY 7

4.25

Village Simulation

Materials: Computer, Village Management Simulation Software.

Objective: In this computer simulation, you are the general manager and one of five board members of the "Naname" Village Corporation. The computer will present a series of fourteen situations. Your task is to make the best possible decision for each situation.

After each decision you will see a graph showing how you are doing in terms of the corporation net worth, personal relations and management skills. See if you can make a profit and keep your stockholders happy.

BEFORE: Insert the Village Management Simulation disk in the disk drive and turn on the computer.

DURING: Follow the directions on the screen.

AFTER: Record your scores on a piece of paper after the 14th decision.

Caution -- the computer will not tell you that it is showing you the last graph of your scores, so you will need to keep track of the number of events. After 14 events, record your scores on paper.

ALASKA TRIVIA

4.25

Government Guesses

1. What borough is the world's largest municipal government?
2. What Alaska city is second in population?
3. What second class city merged with first class Haines?
4. What community won the race to become Alaska's first incorporated city?

Unit 4. Lesson 26 The Legislative Branch

Here is Lesson 26.

It will take you 3 class periods to complete the minimum requirements.

Coming up: For Extension Activity 7 in Lesson 27, you will need a current Regulation Hearing Notice from a recent Alaska newspaper. A choice in Extension Activity 1 of Lesson 29 requires newspaper articles about federal agency activity in Alaska. Begin collecting them now.

Warm-up:
Complete this first.

- Know Your State Legislators, p. 339

Information:
Complete this next.

- Alaska's Legislative Branch, pp. 341-54

Extension Activities:

- 1. Standing Committee, p. 355
- 2. Lobbying, p. 356
- 3. Legislative Lingo, p. 357
- 4. A World Without Laws, writing, p. 358
- 5. How a Bill Becomes a Law, project, p. 359
- 6. Legislative Branch Interview, p. 361
- 7. Extended Reading, list on p. 320

Complete #5 and one other.

* May be sent via e-mail if student has access.

Sourdough Lingo*:

Complete this as you study the lesson.

- appropriate legislature fiscal
bicameral lobbyist seniority
bill non-partisan constituents
caucus quorum act
coalition resolution law
audit interim Alaska Statutes

Alaska Trivia*:
Optional

- Legislative Challenge, p. 362

Assessment:

- Have you learned all of this lesson's objectives?
There is no assignment now.

Know Your State Legislators

Use the directory, "Alaska State Legislature" to help you find these warm-up answers:

1. Find out in which district you live. What is the number of your representative district and the letter of your senate district?
2. Who are your representative(s) and senator(s)?
3. To which political parties do they belong?
4. When were they first elected?
5. On which committees are your representative(s) and senator(s)?

Who are the official leaders of the Alaska Legislature? Many senators and representatives take up leadership positions on certain issues, while others are selected by their colleagues to serve in official leadership positions.

For each leadership role, first write in the name of the current member who holds the position. Then match each position to the appropriate power or responsibility. (Remember--in an election year you won't be able to fill in the names until after the legislature has been organized.)

- ___ A. Speaker of the House _____
 - ___ B. House Majority Leader _____
 - ___ C. House Minority Leader _____
 - ___ D. President of the Senate _____
 - ___ E. Senate Majority Leader _____
 - ___ F. Senate Minority Leader _____
1. Acts as official presiding officer of the Senate.
 2. Works with the Speaker of the House on legislative strategy.
 3. Acts as chief spokesperson of the minority party in the Senate:
 4. Serves as presiding officer of the House, acts as chief legislative strategist, schedules bills for committees.
 5. Serves as leader of the opposition party in the House.
 6. Acts as chief spokesperson of the majority party in the Senate.

OBJECTIVES

4.26

Alaska's Legislative Branch

Here's what you will be studying in Lesson 26. Upon completion, you should be able to answer these questions:

- What are the powers and duties of the legislative branch?
- Who are your state legislators? (Covered in WARM UP)
- How does a bill become a law?
- How can you influence your legislators?
- What are the qualifications necessary to become a legislator?

Alaska's Legislative Branch

WHAT ARE THE POWERS AND DUTIES OF THE LEGISLATIVE BRANCH?

The legislative branch is responsible for enacting the laws of the State of Alaska and **appropriating** the money necessary to operate the government.

Alaska has a **bicameral legislature** composed of a House of Representatives and a Senate. The House of Representatives has 40 members elected from 27 election districts for 2 year terms. The Senate has 20 members elected from 14 Senate districts for 4 year terms, with one-half of the membership up for election every two years.

DISTRICT REPRESENTATION: House and Senate districts are now determined on the basis of residential population, which may include some military.

SESSIONS: Regular Session - A legislature consists of two regular sessions which convene, or begin, each year on the second Monday in January except in the year following a gubernatorial election when the body convenes on the third Monday in January. Regular sessions are limited to 120 days, although a session may be extended 10 additional days with a 2/3 vote of each house. The period of time between regular sessions of the Legislature is called the **interim**.

Special Sessions - A special session may be called by the Governor or the legislature. A special session is limited to 30 calendar days and, if called by the Governor, is limited to the subjects the Governor presents to it.

Joint Sessions - Both houses of the legislature convene in joint session when required or authorized by the State Constitution and the rules of the legislature. Confirmation of appointments are done in joint session.

COMPENSATION: The State Constitution provides that legislators shall be paid an annual salary and they may be paid other allowances. Currently, legislators receive a base salary of \$22,140.00 and a \$4,000 per year allowance for secretarial services, stationery, and postage. While the legislature is in session, Juneau legislators receive \$60 per day (per diem) for a total of \$7,200.00. Other legislators receive \$80 per day, or a total of \$9,600.00.

WHAT ARE THE QUALIFICATIONS FOR ELECTION? In order to qualify for membership in the legislature a person must be a registered voter who has resided in Alaska for no less than three years and in the district from which elected for one year immediately preceding his filing for office. A senator must be at least 25 years of age and a representative 21 years of age at the time the oath of office is taken. Assuming you will be living in the same place, on what day would you be qualified to be elected as a representative and as a senator?

UNIFORM RULES: The Constitution requires that the legislature operate under uniform rules of procedure. By law, each legislature adopts its own uniform rules. Soon after a new legislature convenes, the houses jointly adopt permanent rules with the rules of the previous legislature serving as its temporary rules until permanent rules are adopted. The uniform rules are implemented and interpreted by the use of Mason's Manual of Legislative Procedure.

PARLIAMENTARY PROCEDURES AT A GLANCE

	May You Interrupt Speaker?	Must You Be Seconded?	Is The Motion Debatable?	Is The Motion Amendable?	What Vote Is Required?
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	May You Interrupt Speaker?	Must You Be Seconded?	Is The Motion Debatable?	Is The Motion Amendable?	
Adjoin the Meeting	No	Yes	No	No	Majority
Recess the Meeting	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	Yes	No	No	No	No Vote Required Chair decides
Suspend further consid- eration of something.	No	Yes	No	No	Majority
End Debate	No	Yes	No	No	Two-thirds
Postpone consideration of something	No	Yes	Yes	Yes	Majority
Have something studied further	No	Yes	Yes	Yes	Majority
Amend a motion	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	No	Yes	Yes	Yes	Majority

The motions or points above are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below it, but you may introduce another that is listed above it.

To Do This:	You Say This:	May You Interrupt Speaker?	Must You Be Seconded?	Is The Motion Debatable?	Is The Motion Amendable?	What Vote Is Required?
Object to procedure or to a personal affront.	"Point of Order."	Yes	No	No	No	No Vote Required Chair Decides
Request Information	"Point of Information."	Yes, if urgent.	No	No	No	No Vote Required
Ask for an actual count to verify a voice vote.	"I call for a division of the house."	No	No	No	No	No Vote Required Unless Someone Objects, then Majority
Object to considering some undiplomatic or improper matter.	"I object to consideration of this question."	Yes	No	No	No	Two-thirds
Take up a matter previously tabled.	"I move we take from the table. . ."	No	Yes	No	No	Majority
Reconsider something already disposed of.	"I move we reconsider our action relative to. . ."	Yes	Yes	Yes	No	Majority
Consider something out of its scheduled order.	"I move we suspend the rules and consider. . ."	No	Yes	No	No	Two-thirds
Vote on a ruling by the chair.	"I appeal the chair's decision."	Yes	Yes	Yes	No	Majority

The motions, points, and proposals listed above have no established order of precedence. Any of them may be introduced at any time — except when the meeting is considering motion to adjourn, a motion to recess, or a point of privilege.

HOW IS THE LEGISLATURE ORGANIZED?

The opening of the "First Session of a Legislature" means the first meeting of the body after the election in which the members of the House of Representatives have been elected. At that convening the lieutenant governor calls each house to order separately and presides over the house while the members elect temporary presiding officers.

COALITIONS: Usually a political party with the most members in a house assumes the key leadership positions (the majority party); however, there are times when this is not true. This has often been the case in recent years in Alaska when the legislature organizes along coalition lines instead of party lines. A coalition is a combination or union, and is often temporary. For example, instead of the Democrats or Republicans being in the majority, coalitions have been organized according to the number of urban or rural legislators, with the rural legislators forming a coalition in spite of their party affiliation.

CAUCUS: Before attending the first formal meeting of the legislature, the senators and representatives have been conferring with their fellow party (or coalition) members in "caucus" or informal meetings. In these meetings, the majority and minority leaders are determined; the majority party (or coalition) will have a leader in each house and the minority party will have a leader in each house. For instance, if the Senate consists of 12 Republicans and 8 Democrats, the majority party is Republican, and the minority party is Democrat. These leaders become the spokespersons for the party (or coalition) members in the legislature.

All of this that is done informally outside the floor session is called "organizing the house."

COMMITTEE ASSIGNMENTS: When it is agreed that the particular house is organized, the temporary presiding officer calls for nominations for permanent President of the Senate or Speaker of the House, and the nominee with the most votes is elected. Immediately after that, the Committee on Committees is appointed by the presiding officer. Final details of committee chairmanships and memberships are worked out in that group and voted on by the particular house.

The leaders in the individual house, together with the majority members, determine the committee assignments, which reflect the composition of the leadership. If members of the minority party have joined in a coalition, they are usually "rewarded" with valuable committee assignments. Key committee positions include the chairmanship of each of the standing committees, especially that of the Rules and Finance Committees. The Rules Committee determines which bills are scheduled for a vote on the floor of each house, while the Finance Committee deals with all legislation that has a fiscal impact (having to do with money).

WHO ARE THE KEY PLAYERS IN THE LEGISLATURE?

ELECTED LEADERS: The President of the Senate and the Speaker of the House are the chief presiding officers in their respective houses. They are the chief legislative strategists and have the greatest influence over committee assignments.

Other leadership positions in both houses are as follows:

Majority Leader - the person selected by members of the majority party (or coalition) to be their spokesperson. Under law, the majority leader also serves as the presiding officer pro

tempore in the absence of the regular presiding officer.

Minority Leader - the person selected by the members of the minority party (or coalition) to be their spokesperson.

Majority Whip - a member of the political group in the majority party (or coalition) chosen by the group to assist the majority leader.

Minority Whip - a member of the minority political group in the Legislature chosen by the group to assist the minority leader.

COMMITTEES: Committees are the heart and soul of the legislative process, allowing a relatively orderly division of the large legislative workload and a detailed consideration of each piece of legislation. Legislators do not have time to examine properly the hundreds of bills presented in the legislature every year. For example, during the first half of the Fifteenth Legislature (1986-1987) a total of 329 bills were introduced in the House, and 312 were introduced in the Senate. A total of 96 bills were passed.

Moreover, the Legislature is too large to work together in a group to study a particular measure. Therefore, the work of examining proposed legislation and deciding on its merits is divided up among small committee groups of senators and representatives who are delegated certain business and report back to the parent body.

COMMITTEE ASSIGNMENTS

MEMBERSHIP: Theoretically, the entire Senate and House choose the members of their committees. In actual practice, however, the choices are made by the leaders of the majority party (or coalition). The membership on each committee must total an odd number (to prevent a tie vote) and there must be at least one minority member on each committee.

Almost always, the prize assignments go to the members who have the greatest influence with the leaders who have **seniority**. Seniority is a custom that considers length of legislative service in appointment of committee chairpersons.

Those who occupy the Chairperson position are powerful. They exercise a large measure of control over which bills are considered by their committee, what happens to that legislation and how fast it happens. This is one reason why committees are so important and powerful.

HOW DO COMMITTEES WORK?

Each committee is assigned a particular subject area, usually related to a state government department. When a legislator introduces a new bill, it is referred to the committee or committees dealing with that subject. In the Senate, for instance, a bill dealing with the disposal of state land would be referred to the Resources Committee and probably the State Affairs Committee.

The committee members study the bills before them. Public hearings are held during which interested persons testify. This is the only opportunity for public debate, another reason why committees are so important. Usually the witnesses deliver testimony verbally and/or in writing. Often they make recommendations for improving the bill and point out the positive and negative effects of approving or disapproving the measure. Often these hearings are teleconferences to give people who are not in Juneau an opportunity to testify.

Committee members question the witnesses, discuss and consider all the written and oral testimony they have received. It is at this point that letters, telegrams, and phone calls from **constituents**, the people legislators represent, are taken into consideration.

All bills that have a fiscal effect are accompanied by a fiscal note, indicating estimated costs.

COMMITTEE ACTION: Committee members may simply report approval or disapproval of a bill, they may make some minor changes or rewrite it (this rewritten bill is called a committee substitute). If a committee dislikes a bill, it may express its disapproval by failing to issue a report of any kind. A committee's recommendations can be overruled by the full House and Senate.

STANDING COMMITTEES: The uniform rules provide for nine standing committees in each house with jurisdiction as indicated below:

- Finance--All appropriation, revenue, capital improvement, and bonding measures, the executive budget, and the programs and activities of the Department of Revenue.
- Health, Education and Social Services--The programs and activities of the Department of Health and Social Services, the Department of Education, and the University of Alaska.
- Judiciary--The programs and activities of the Alaska Court System and the Department of Law, and the legal and substantive review of bills referred to it for that purpose.
- Labor and Commerce--The programs and activities of the Department of Labor relating to labor-management relations, industrial safety, unemployment compensation, and workers' compensation and the programs and activities of the Department of Commerce and Economic Development.

- Community and Regional Affairs--The programs and activities of the Department of Community and Regional Affairs and other matters relating to political subdivisions.

- Resources--The programs and activities of the Department of Fish and Game, Natural Resources and Environmental Conservation.

- State Affairs--Programs and activities of the Office of Governor and the Departments of Administration, Military Affairs, and Public Safety, and programs and activities of the Department of Transportation and Public Facilities relating to public facilities.

- Transportation--Programs and activities of the Department of Transportation and Public Facilities and other matters relating to transportation.

LEGISLATIVE OVERSIGHT: In addition to work on the bills referred to them, the standing committees have legislative oversight responsibility for the activities and programs of the relevant departments. This involves a continuing or periodic examination of the administration of laws and programs.

SPECIAL PURPOSE COMMITTEES: There are occasions when the legislature sets up committees for special or specific purposes. These committees are usually short lived.

One kind of special committee is called a joint committee. It consists of two standing or special committees meeting jointly to hear witnesses and discuss the subject at hand before making their independent decisions. A joint committee may be established only by the adoption of a concurrent resolution.

A subcommittee is a subdivision of a full committee. In order to share the legislative load, a few members of a regular committee are assigned to a subcommittee, which deals with only one aspect of the full committee work.

The committee chairpersons are authorized to form subcommittees as they are needed.

Special (or select) Committees are set up to perform a specific task and report findings. Once the task is completed, the committee is discontinued. Special committee members are appointed by the presiding officers. A special committee may be established by the adoption of a simple resolution.

A Conference Committee is formed when one house refuses to agree with the amendment(s) of the other house on a bill. The presiding officer of each house appoints three members to serve on the conference committee, which attempts to obtain agreement.

HOW DOES A BILL BECOME A LAW?

The most important form of legislative expression is a bill -- a proposed law. A bill is a draft of a law prepared and presented to the legislature for enactment.

Bills come from many sources. Most bills are introduced by members acting individually or with others.

"Introduction" is the presentation of a bill. While a bill will usually reflect the opinion of the introducing member, a bill requested by a constituent but not necessarily having the personal endorsement of the member will carry the member's name followed by the note "by request." Standing committees very often introduce bills or substitute bills for bills already introduced.

Administration bills reflecting the endorsement of the governor are introduced through the Rules

Committee of either house with the note "Rules Committee by request of the Governor." Legislative Council, Legislative Budget and Audit Committee, and Administrative Regulation Review Committee bills are also introduced through the Rules Committee.

Bills are introduced by their delivery to the chief clerk of the House or the secretary of the Senate on the first or succeeding days of the session. Members may prefile bills with the Legislative Council in the 60-day period prior to the session. These bills are considered introduced on the first day of the session.

After being introduced, the bill is numbered, read for the first time, and assigned to a committee by the Speaker of the House or President of the Senate. The Rules Committee of each house schedules the order in which bills and resolutions will be placed on the calendar for second and third readings. The record of the committee report is included in the reading of the bill for the second time. After the second reading there may be debate or amendments. On occasion, the committee may introduce a substitute bill. The Constitution states a bill must have three readings on three separate days before passage. However, the bill may be advanced from second to third reading on the same day by concurrence of three-fourths of the house considering it.

An affirmative vote of a majority of the membership of each house constitutes final passage of the bill, unless the bill changes court rules. In this event a two-thirds vote of each house is required. If no action is taken on a bill during the first session of the legislature, it may be carried over for consideration during the second regular session of a legislature. The bill is dead if no action is taken at that time.

Unsigned bills become law, that is, a part of Alaska's Statutes, if the governor neither signs nor vetoes them within fifteen days, Sundays excepted, from day of delivery when the legislature is in session or twenty days when it is not in session.

OTHER FORMS OF LEGISLATIVE EXPRESSION: The Legislature

expresses its wishes, opinions, and sometimes decisions through the passage of **resolutions** or citations. The types, uses and handling of resolutions and citations are covered in detail in the uniform rules.

PUBLICATION OF LAWS: An act is a bill passed by both houses of the Legislature. A law is an act which has been signed by the governor or which has become law without the Governor's signature.

As bills are passed during the session and become law, they are printed in "slip law" form to make them readily available to the legislators and the public. These are the advance versions of the session laws or acts of that year. They will be published in the annual cumulative supplement to the Alaska Statutes. The "Alaska Statutes" is the name given to the official code (laws) of the state.

STEPS TO BECOME A LAW:

STEP 1
Bill is introduced in either house or the Legislature. Senate bills are filed with the Secretary of the Senate and House bills with the Clerk of the House. Bill is ordered to be printed.

STEP 2
Bill receives First and Second Reading in the Senate and First Reading in the House. (Procedure at this step consists of reading title of the bill only.)

STEP 3
Bill is referred to proper standing committee in the Senate by the President of the Senate and in the House of Representatives by the Speaker of the House. (All bills involving an appropriation must be referred either directly to the Appropriations Committee of the respective chamber, or to an appropriate standing committee and then to the Appropriations Committee.)

STEP 4
Committee members consider a bill by discussing and debating the bill. The committee may hold public hearings on the bill. Voting records regarding committee action are available to the public for inspection.

STEP 5
Committee may act on a bill in various ways. The committee may:

- Report the bill with favorable recommendation.
- Report the bill with amendments with favorable recommendation.
- Report a substitute bill in place of the original bill.
- Report the bill with adverse recommendation.
- Report the bill without recommendation.
- Report the bill with amendments but without recommendation.
- Report the bill with the recommendation that the bill be referred to another committee.
- Take no action on the bill.
- Refuse to report the bill out of committee.

If a committee fails to report a bill, the bill may be forced out of the committee by a motion to discharge the committee from consideration of the bill. If the motion is approved by a vote of a majority of the members elected and serving in the respective house, the bill is then placed in position on the calendar for floor action. In the House,

at least one day prior notice must be given to the Clerk of the House specifying the date on which the motion to discharge is to be made.

STEP 6

If bill is reported from committee favorably with or without amendment, or in the form of a substitute bill, the committee report is printed in the Journal under the order of business "Reports of the Standing Committees." On being reported from committee, the bill and committee amendments (if any) are placed on General Orders in the Senate. In the House, the bill and amendments are referred to the order of "Second Reading." Action may also be taken to place the bill on special order of business on General Orders in the Senate or on Second Reading in the House at a specified date. In the House, the bill may be considered on Third Reading, by a suspension of the rules, without having been considered on Second Reading.

STEP 7

Senate resolves itself into the Committee of the Whole and the House assumes the order of Second Reading where the standing committee recommendations on a bill are considered. Amendments to the bill may be offered by any member when the bill is being considered by the Committee of the Whole or on Second Reading. In the Senate, a simple majority of members present and voting may recommend adoption of amendments to the bill and recommend a bill be advanced to Third Reading. In the House, amendments may be adopted by a majority elected and serving and a majority voting may advance the bill to Third Reading. In the House, a bill may be placed on Third Reading on a specified date.

STEP 8

Upon Third Reading in the Senate, an entire bill is read unless unanimous consent is given to consider the bill

read. In the House, the bill is read in its entirety on Third Reading unless four-fifths of the members consent to consider the bill read. In practice, few bills are read in full in either chamber. In both houses, amendments must be approved by a majority vote of the members present and voting. At the conclusion of Third Reading, the bill is either passed or defeated by a roll call vote of the majority of the members elected and serving, or one of the following four options is exercised to delay final action on the bill: (1) the bill is returned to committee for further consideration; (2) the bill is postponed indefinitely; (3) the bill is made a special order of business on Third Reading for a specified date; (4) the bill is tabled.

Following either passage or defeat of a bill, a legislator may move for reconsideration of the bill. In the Senate, the motion for reconsideration must be made within the following two sessions days; in the House, the motion must be made within the next succeeding day.

STEP 9

If bill passes, it is sent to the other legislative house where the bill follows the procedure outlined in Steps 2-8 resulting in defeat or passage.

1. If bill is passed by both houses in identical form, the bill is ordered enrolled by the house in which the bill originated. Upon enrollment the bill is sent to the governor.
2. If bill is passed in a different form by the second house, the bill must be returned to the house of origin.
 - a. If amendments or substitute bill of second house are accepted in house of origin, the bill is enrolled and sent to the governor.
 - b. If amendments or substitute proposal of second house are

rejected in the house of origin, the bill is then sent to conference committee (special committee composed of legislators from both houses) which attempts to compromise differences between the two versions of the bill adopted by the houses. The conference committee can consider only issues in the bill upon which there is disagreement between the two houses. The conference committee may reach a compromise and submit a report to both houses of the legislature. If the conference committee report is approved by both houses, bill is enrolled and sent to the governor. If the conference committee does not reach a compromise, or if the legislation does not accept the conference report, a second conference committee may be appointed.

STEP 10

Upon receipt of an enrolled bill, the governor has fourteen days to consider the bill. The governor may:

1. Sign the bill, which then either becomes law at the expiration of ninety days after the legislature adjourns or a date beyond the ninthieth day specified in the bill. If the bill has been given immediate effect by a two-thirds vote of the members elected to and serving in each house, the bill will become law at the time of the governor's signature or on a day specified in the bill.
2. Veto the bill and return it to the house of origin with a message stating the governor's objections.
3. Choose not to sign or veto the bill. If the bill is neither signed nor vetoed, the bill becomes law fourteen days after having reached the governor's desk if the legislature

is in session or in recess. If the legislature should adjourn sine die before the end of the fourteen days, the unsigned bill does not become law. If the legislature had adjourned by the time the bill reaches the governor he has fourteen days to consider the bill. If the governor fails to approve the bill it does not become law.

STEP 11

If the governor vetoes a bill while the legislature is in session or recess, one of the following actions may occur:

1. Legislature may override the veto by two-thirds vote of members elected and serving in both houses.
2. Bill may not receive the necessary two-thirds vote and thus the attempt to override the veto will fail.
3. Bill may be tabled pending an attempt to override veto.
4. Bill may be re-referred to a committee.

WHAT ARE SOME PERMANENT LEGISLATIVE ORGANIZATIONS?

A number of permanent (ongoing) agencies assist the legislature in its work.

ALASKA LEGISLATIVE COUNCIL: The Alaska Legislative Council is a permanent interim committee of the legislature. It is responsible for conducting legislative business when the legislature is not in session.

LEGISLATIVE AFFAIRS AGENCY: The Legislative Affairs Agency is responsible for carrying out the direction of the legislature and the Legislative Council.

LEGISLATIVE BUDGET AND AUDIT COMMITTEE: This committee is charged with the responsibility of having post audits made of each agency of the state government on a continuing basis and reporting to the legislature and the governor. The duties of the committee are carried out through two divisions:

LEGISLATIVE FINANCE DIVISION:
This division analyzes the budget and appropriation requests of each department or agency of state government, revenue requirements of the state, and provides the finance committees of the legislature with comprehensive budget review and fiscal analysis services.

CODE REVISION COMMISSION: The commission reviews statutes for defects and anachronisms and recommends changes in the law to the legislature.

RURAL RESEARCH AGENCY: The Rural Research Agency is a permanent support unit of the Senate. The principal functions of the Rural Research Agency are research and analysis of the issues, legislation, and state policy and programs as they affect rural Alaska.

SENATE ADVISORY COUNCIL: The Senate Advisory Council is responsible for providing assistance to individual senators. Primary functions of the council are to provide information, maintain a reference library and develop data systems available to all senators, monitor state and federal issues that require legislative action, and monitor contracts awarded by the Senate.

HOUSE RESEARCH AGENCY: The House Research Agency is a permanent, non-partisan support arm of the House of Representatives. Among the services available to the legislators are: short-term issue analysis, solicitation and evaluation of

contract bids, monitoring of contractual research, evaluation of state programs, historical research, tracking implementation of laws passed, and analysis of federal legislation and regulations affecting Alaska. The agency also provides research support to legislative committees and staff.

OFFICE OF THE OMBUDSMAN: The Office of the Ombudsman was created to provide a system for redress of citizen grievances and improvement of public administration. The Ombudsman handles citizen's complaints about the conduct of state departments, agencies, or personnel. The Ombudsman is empowered with complete investigative authority but no power to punish.

HOW CAN I INFLUENCE MY LEGISLATORS?

Lobbying is an integral component of our political process. Corporations, labor unions, trade associations, environmental groups, and many other organizations employ lobbyists to ensure that their views are made known to the legislators.

Legally, a **lobbyist** is a petitioner of the government exercising rights under the First Amendment of the U.S. Constitution--freedom of speech. Some of the most popular definitions of lobbying include:

- attempts to influence public policy outcome
- provide information to decision makers
- communication and education

Lobbyists play a positive role in the political process by providing legislators with valuable information. On many occasions the lobbyist is the only individual to whom legislators can look for specialized information.

In addition, the lobbyists have a responsibility to protect the legitimate interests of their employers and to keep them informed on specific and general trends that affect a particular business or special interest.

TYPES OF LOBBYISTS: Generally, lobbyists can be categorized into two groups: paid professionals and volunteers.

PAID PROFESSIONALS:

- Business lobbyists--usually represent one or more companies.
- Trade association lobbyists--represent the interest of a group in general and do not work for any one company or firm.
- Free-lance lobbyists--sell their lobbying skills to anyone who wants them and may represent any number of clients with different interests.
- Public interest lobbyists--include lobbyists for organizations whose membership is made up of citizens of similar political viewpoints and with common issues.

VOLUNTEER LOBBYISTS: Volunteer lobbyists are persons who believe so strongly in a cause that they are willing to commit personal time to lobby legislators. All of the individuals who are concerned enough about an issue to contact their legislators whether by letter, phone, or telegram are lobbying.

HOW DOES THE LEGISLATURE KEEP CITIZENS INFORMED?

In Alaska, the legislative process has been made accessible to all residents through the wonders of technology. In order to ensure that the information the public needs is readily accessible, Legislative Information Offices (LIO's) have been established around the state.

SERVICES OF THE LEGISLATIVE INFORMATION OFFICES: The LIO's are part of the legislative information

network and are linked together by means of the latest, most sophisticated electronic communications equipment available. This allows staff to provide up-to-the-minute information on legislative activity to residents of the areas they serve. These offices are tied into the legislature's computerized bill-tracking system (BASIS) and can, through on-site terminals, retrieve daily updated information in a variety of formats.

Any citizen can contact the closest LIO for answers to questions about legislation. Where is your LIO, and how could you contact it?

HOW CAN YOU KEEP YOUR LEGISLATORS INFORMED?

There are several ways for you to send messages to your legislators. Keeping your legislator informed on how you or your organization feel about certain issues or bills is an active citizen's responsibility.

Again, your LIO can help you. The LIO offers the public two services free of charge.

TELECOPIED MESSAGE: By contacting the LIO in your community you may make use of the telecopy service for rapid transmission of letters, testimony or other written materials requested by legislators, which would not be timely if sent by other means. No charge is made for this service.

PUBLIC OPINION MESSAGES (POM): POM's are also routinely accepted at all LIO's and sent to the Juneau office where staff deliver a copy to the legislator or legislators addressed. There is no charge to the constituent for this service but messages are limited to 50 words and must include the name, address and telephone number of the sender.

Sending messages is one way of "lobbying." Others include testifying before a committee, writing letters, making phone calls, and personal meetings.

PERSONAL TESTIMONY: Perhaps you have become aware that a bill in which you have a special interest has been scheduled either for a public hearing or a committee hearing. If you feel there are contributions you can make toward the bill's passage, amendment, or defeat, you may decide to testify on it at one of the hearings.

When a bill has been referred to a committee and has been scheduled for consideration by committee members, the first step is the committee hearing. There, the bill's sponsor, experts, and informed members of the public may respond to the issue at hand. If the measure is controversial or additional information is needed before a decision can be reached by the committee members, the bill may be scheduled for a public hearing.

Often these committee hearings or public hearings are conducted "state-wide" using the equipment of the Legislative Information Offices. Audio, and sometimes visual, hook-ups are made between the legislators in Juneau and constituents who go to the LIO nearest them to testify.

Without the support of the committee involved, the bill or proposal you are interested in may never make it to the floor to be voted on. Even if you prefer not to testify, your attendance at a hearing, in addition to personal correspondence with committee members and your own legislators, are options that enable your concerns to influence the decision-making process.

WRITING LETTERS: Letters can sometimes be effective, since a visit to the capital is not always possible.

Here are some letter writing tips:

- Write to your own legislator first. Don't write to someone because the name is familiar.
- Time your letters to arrive before the committee votes on the issue so that the member or aide can have sufficient time to research or comment on your views. This is usually done three weeks before a vote is taken.
- Be brief and concise. State your point at the outset. If you are writing about a specific bill, refer to it by number and chief sponsor. Make your position clear, and tell the member what you want her or him to do.
- Show an understanding of the legislative process. For example, if you know where the bill is in the legislative process, include that information in the letter (it gives you points for political sophistication).
- Be both specific and practical.
- If you are concerned about a particular issue write also to the chairman and the members of the appropriate committee.

Remember also, you may not receive a long, detailed response to your letter. Your expressed concerns are, however, appreciated and considered by your legislators.

HOW TO ADDRESS YOUR LETTERS:

(during session):

The Honorable (Legislator's Name)
Alaska State Senate
P.O. Box V
Juneau, AK 99811

Dear Senator _____

The Honorable (Legislator's Name)
House of Representatives
P.O. Box V
Juneau, AK 99811

Dear Representative _____

PHONE CALLS: The telephone can also be a valuable lobbying device. While it may be difficult to speak to a member who is not acquainted with the caller or the organization, calls to staff aides are usually returned promptly. Conciseness and brevity are important, requiring the caller to plan a conversation as carefully as an in-person visit or a letter.

Standing Committee

There are several standing committees in each house of the Legislature. A standing committee is a permanent committee that specializes in a particular area, such as education.

The standing committees are:

- Health, Education and Social Services
- Judiciary
- Labor and Commerce
- Community and Regional Affairs
- Resources
- State Affairs
- Transportation
- Finance
- Rules

Find out which committees would work on the following:

1. The State Budget -- _____
2. Unemployment or worker's compensation -- _____
3. Fish and Game issues -- _____
4. The Alaska CloseUp Program -- _____
5. Political Ethics -- _____
6. Pioneer Home -- _____
7. Alaska State Ferry System -- _____
8. Interpreting Uniform Rules -- _____
9. Buying electricity from Canada -- _____

10. Find out which committee(s) your Senator(s) and Representative(s) serve on. Remember, in an election year you may have to wait until after the legislature is organized--around the end of January.

Lobbying

Lobbyists represent the interests of their clients/employers in the legislature. Below you will find a listing of some interest groups represented by lobbyists in Alaska and the subject matter of specific bills introduced during the Twelfth Legislative Session.

Match up the legislation with the group most likely to be interested in and monitoring the bill. Then indicate if you generally think they supported or opposed the legislation.

Lobbyist	Bill Letter	Support or Oppose
1. - Alaska Municipal League	()	
2. - Alaska Lumber and Pulp	()	
3. - Exxon Company	()	
4. - Students	()	
5. - Press Corps	()	
6. - United Fishermen of Alaska	()	
7. - Alaska Arts Alliance	()	
8. - Totem Ocean Trailer Express, Inc.	()	
9. - Modern Construction Co.	()	
10. - Alaska Nurses Association	()	

Explanation of bills:

- (a) HCR 9 - Related to the development of wood products industry
- (b) HB 554 - Increasing the fees for commercial fishing licenses
- (c) HB 46 - Prohibit charging tuition for community colleges
- (d) HB 373 - Relating to a reduction of state aid to municipalities
- (e) HB 500 - Increasing oil and gas taxes
- (f) SB 90 - Relating to privacy and the public's right to information
- (g) SB 389 - Relating to Occupational Safety and Health
- (h) HB 195 - Relating to Comprehensive Health Planning
- (i) HCR 26 - Appointing a poet laureate for Alaska
- (j) SR 14 - Establishing a Senate special committee to study the Alaska Railroad

Legislative Lingo

The Legislature has a language all its own. Show that you can "speak" legislative language by matching up the terms (1-11) and definitions (a-k) listed below:

- | | | |
|--------------------|-----|---|
| 1. convene | (a) | informal meeting of members belonging to the same political party |
| 2. special session | (b) | some members of a party might cross over the party line and vote with members of the other party |
| 3. caucus | (c) | to formally call together in official meeting |
| 4. journal | (d) | to alter formally by modification, deletion, or addition |
| 5. bill | (e) | the record of official actions taken by a house of the legislature |
| 6. amend | (f) | called by the Governor for a specific purpose |
| 7. coalition | (g) | one of the houses "accepts" actions of the other |
| 8. enrolled bill | (h) | a draft of a law |
| 9. concurrence | (i) | a legislative authorization to make expenditures and incur obligations |
| 10. seniority | (j) | the official copy of a bill as approved by the legislature |
| 11. appropriation | (k) | a custom sometimes used in making committee assignments; a recognition of prior legislative service in appointing committee chairpersons or party leaders |

For extra credit: Write a short news release which correctly uses as many of these terms as possible.

EXTENSION ACTIVITY 4

4.26

A World Without Laws

This creative writing exercise will help you understand some powers and duties of the legislative branch.

Write an essay that describes what society would be like if there were no laws governing behavior. Consider a world where conflict between individuals or groups was resolved by the theory that 'might makes right!'

How a Bill Becomes a Law

Below are 16 steps in the process of law-making. These steps are scrambled. They are similar to the 11 steps in the Information Section. Your assignment is to cut out the descriptions and paste them on a poster illustrating how a bill becomes a law. The poster may consist of drawings illustrating the 16 steps in correct sequence, or a flow-chart illustrating the same thing. Put a title at the top of the poster, and don't forget to add your name.

- a. Bills submitted to the Governor during the last days of the legislative session may lie on his desk for 14 days for his consideration.
- b. If the governor approves the measure, he signs it.
- c. If it is passed in this house without amendment, it is sent to the Governor for his signature. If, however, this house amends it, the bill is sent back, with amendments, to the house in which it originated.
- d. After all amendments are disposed of, the sponsor moves that it be read for the last time and placed upon its passage.
- e. A sub committee is assigned to the bill, and eventually the entire committee makes one of these recommendations:
 1. that the bill be returned to the floor for passage;
 2. that it be amended and passed.
 3. that it be returned with no recommendation.
 4. that it be referred to another committee.
 5. that a completely new bill be substituted;
 6. that action be indefinitely postponed.
- f. The bill can still be enacted into law by a two-thirds vote of both houses to over-ride the Governor's veto.
- g. When the bill is reached on the calendar, the sponsor of the bill makes a brief statement of its provisions. Then it is open for amendments.
- h. Before this period, however, if the Governor neither approves nor disapproves the bill within 14 days, it becomes a law without his signature.
- i. If a constitutional majority of members vote in favor of the bill, it is declared passed and is transmitted in its amended form to the other house.
- j. If the bill is recommended for passage, it is placed on the calendar in the order of its number.
- k. A bill may be introduced by a senator, a representative, or a group of either or both. Sometimes a bill is introduced by a standing or special committee. If an outside party wants to introduce a bill, it must be given to a member of the legislature for introduction.

How a Bill Becomes a Law

- l. If the Governor vetoes the measure, he must return it to the house in which it originated with a message stating his objections.
- m. The other house now puts the bill through essentially the same procedure.
- n. If the conference committee can reach an agreement, it submits its findings to both houses of the legislature. This committee report is not subject to amendment. If the bill is voted on favorably by both houses, it is prepared in final and corrected form (enrolled), signed by the presiding officers of both houses, and sent to the Governor for his signature.
- o. After filing with the chief clerk, the bill is referred to a committee.
- p. If the first house refuses to concur in the amendments and if the other house insists on the amendments, a conference committee is appointed to iron out difficulties.

EXTENSION ACTIVITY 6

4.26

Legislative Branch Interview

Now is your chance to gather some first-hand information. First, assemble at least five interview questions that would help you find out more about the job of a legislator or lobbyist. Think about questions that arose while you were reading the "Information" section.

Now arrange to interview a legislator (senator or representative), a legislative aide, or a person who works with the legislature, or a lobbyist. You could audiotape or videotape the interview or you could take notes during your interview. Summarize what you have learned about your questions after the interview.

Your interview will be judged on appropriateness of questions and quality of the summary. This can be a class project.

Legislative Challenge

1. What Alaskan was reelected to Congress although presumed dead in a missing aircraft?
2. What qualified a legislator for members in the Omega Alpha Society?
3. What Hawaii based aviation hero addressed a joint session of the Alaska legislature in 1968?
4. How often did Alaska's territorial legislature meet?
5. What city became Alaska's capital in 1906?

Unit 4, Lesson 27 The Executive Branch

Here is Lesson 27.

It will take you 3 class periods to complete the minimum requirements.

Coming up:

Warm-up:
Complete this first.

Creating the Ideal Governor, p. 365

Information:
Complete this next.

Alaska's Executive Branch, pp. 369-74

Extension Activities:

- 1. State Department Functions, p. 375
- 2. The Governor's Powers, p. 377
- 3. The Role of the Lieutenant Governor, p. 380
- 4. Powers of the Executive Branch, p. 385
- 5. Executive Branch in Your Community, p. 385
- 6. Regulation vs. Legislation, p. 385
- 7. Affecting Regulations, p. 386
- 8. Help Wanted: Governor, p. 386
- 9. Interview a Governor, p. 386
- 10. Showcase of Governors, p. 386
- 11. Department Focus, p. 387
- 12. Governor's Campaign, p. 387
- 13. Extended Reading, list on p. 320

Complete #1 and one other.

Sourdough Lingo*:

- executive branch
legislation
executive officer
regulations

Complete this as you study the lesson.

Alaska Trivia*:
Optional

On the Gubernatorial Grapevine, p. 387

Assessment:

Review your objectives.

Creating the Ideal Governor

So often we criticize our governors for not having a certain kind of experience, style, or personality. Exactly what kind of person do we want for our governor? Aside from political viewpoints, what character traits and experience do we look for in gubernatorial candidates? What characteristics do we consider as undesirable, or even dangerous?

Because you could affect the outcome of the next gubernatorial race, just as the outcome of the next gubernatorial race will affect you, it would be prudent for you to think about these questions. If you know what your ideal governor would be like, then you will have a basis on which to evaluate the actual candidates. This exercise allows you to create your version of the "Ideal Governor."

FILL IN THE BLANKS AND BE PREPARED TO EXPLAIN YOUR REASONS.

Age ____ Sex ____ Religion ____

Marital Status ____ Nationality ____

Political Party ____ Political Ideology ____

Residence (Rural?) ____ (Urban?) ____

Educational Level (Circle One)

less than high school some college master's degree
high school diploma college degree doctorate

Educational Concentration (Circle those that you think would be helpful)

political science	law	religion
public administration	science	medicine
engineering	business	environment
education	economics	other _____

Experiences (Circle those that apply)

bush pilot	fisherman	student
lieutenant governor	local official	parent
attorney general	teacher	homemaker
political party officer	journalist	lawyer
blue collar worker	mayor	bureaucrat
TV or radio personality	judge	legislator
business executive	military or police	other _____
labor union officer	general assembly member	

Creating the Ideal Governor

Character Traits (Prioritize the 7 traits you think are most important, 1 being the most and 7 being the least important)

1. Very active worker, invests much energy in job
2. Conscientious, but more easy going
3. Blustery, outspoken
4. Ability to present own point of view
5. Sense of humor
6. Enjoys meeting and knowing people
7. Gets emotionally involved with the office
8. Detached and aloof
9. Dislikes politics and political confrontations, not politically ambitious
10. Enjoys political aspects of the job, politically ambitious
11. Decision-making style is to consult with top aides in meeting on briefing sessions
12. In making decisions, prefers working with position papers and written recommendations
13. Maintains positions in the forefront of the issues
14. Seeks compromises between differing views
15. Satisfied to carry out the duties of the governor
16. Seeks to increase or change the role of the executive branch

Add other important character traits:

Creating the Ideal Governor**VIEWS ON ISSUES**

In your view, what would be the "Ideal Governor's" positions on each of the issues listed below. (You may complete this activity after finishing the lesson)

1. Subsistence
2. Capital projects funding priorities
3. Role of the Lieutenant Governor

After you have completed this questionnaire, write down why you selected the qualifications you did.

Compare your ideas with others. Ask them what qualities they look for in an elected official and why? Ask a variety of people such as your friends, adults in your family, your teacher, elected officials in your community or other community leaders.

Alaska's Executive Branch

Here's what you will be studying in lesson 27. Upon finishing, you should be able to answer these questions:

- What are the powers and duties of the executive branch?
- What are the qualifications necessary to become governor or lieutenant governor?
- What are some of the executive branch agencies in your community?
- How can you effect change within Alaska through the executive branch?
- What is the difference between regulation and legislation?

Alaska's Executive Branch

WHAT ARE THE POWERS AND DUTIES OF THE EXECUTIVE BRANCH?

The executive branch, headed by the governor, is responsible for "executing" or conducting the activities required to carry out the laws of the state. This is done through executive branch departments and commissions which collectively employ over 13,000 Alaskans.

WHAT ARE THE QUALIFICATIONS NECESSARY TO BECOME GOVERNOR OR LIEUTENANT GOVERNOR?

THE GOVERNOR: The constitution of the State of Alaska gives strong executive power to the elected governor. The governor is responsible for the faithful execution of all state laws and may take appropriate court action or other proceedings to enforce compliance with state statutes.

The governor must be at least thirty years old and a qualified voter of the State. The governor must be a resident of Alaska and a U.S. citizen at least seven years immediately preceding the filing for office.

The term of office of the governor is four years, beginning at noon on the first Monday in December following the election and ending at noon on the first Monday in December four years later.

THE LIEUTENANT GOVERNOR: The governor and lieutenant governor are the only two elected officials of the executive branch of state government. The lieutenant governor must meet the same qualifications for office as the governor and must be the candidate whose name appears on the ballot jointly with that of the successful candidate for governor.

WHAT ARE THE POWERS AND DUTIES OF THE GOVERNOR?

Alaska State Law sets these tasks as the responsibility of the governor:

1. Supervise each principal (executive and administrative) department and appoint the heads of such departments (with the exception of the Department of Education), subject to confirmation by the legislature. Department heads serve at the governor's pleasure which means they may be fired by the governor for any reason;
2. Change the organization of the executive branch and reassign functions among its units when considered necessary for efficient administration;
3. Provide the legislature information concerning the affairs of the state and recommend management measures and programs considered necessary;
4. Review bills passed by the legislature, strike or reduce items in appropriation bills, and exercise veto power over legislative enactments;
5. Convene the legislature in special sessions when deemed in the public interest;
6. Reapportion the legislature immediately following the official reporting of each decennial census of the United States;
7. Appoint regulatory or quasi-judicial board members, subject to confirmation by the legislature.
8. Fill any vacancy in the court system by appointing one of two or more persons nominated by the Judicial Council;

9. Appoint three non-attorney members to the seven-man Judicial Council, subject to confirmation by the Legislature;
10. Serve as commander-in-chief of the state armed forces;
11. Grant pardons, commutations, and reprieves.
12. Appoint a replacement for a state legislator when the need arises, such as in death. Must be approved by the senators of the same party.

The legislature has required certain other duties of the governor, the chief one being the annual preparation of the state's budget. The governor must submit, on or before December 15 of each year, a budget for the next fiscal year, a general appropriations bill, and a bill or bills governing recommendations, if any, for new or additional revenues.

The Office of the Governor is managed by a Chief of Staff and Executive Assistant. There is also a press secretary.

The Governor's Office, which provides liaison between the state and federal government, operates a branch office and administrative office in Anchorage, Fairbanks, Kotzebue, and Nome, as well as the main office in Juneau.

GOVERNORS OF THE STATE OF ALASKA: Here's a list of the governors from statehood. Who is the governor now? When will the term expire?

William A. Egan	Elected
1-3-59/12-5-66	
Walter J. Hickel	Elected
12-5-66/1-20-69*	
Keith H. Miller	Succession
1-29-69/12-5-70	
William A. Egan	Elected
12-5-70/12-2-74	
Jay S. Hammond	Elected
12-2-74/12-4-78	

Jay S. Hammond	Re-elected
12-2-78/12-6-82	
William Sheffield	Elected
12-6-82/12-1-86	
Steven Cowper	Elected
12-1-86/12-4-90	

*Walter J. Hickel was sworn in as Secretary of Interior, appointed by President Richard Nixon. Keith H. Miller completed his term.

WHAT ARE THE POWERS AND DUTIES OF THE LIEUTENANT GOVERNOR?

The lieutenant governor serves in the Office of the Governor. He performs the duties prescribed by law and delegated by the governor. Statutory responsibilities include:

- authenticating laws
- supplementing and replacing pamphlets for the Alaska Statutes
- assuring proper use of the State Seal
- presiding over the organization of the first regular session of the legislature
- filing the original and enrolled copies of all acts and resolutions and all executive orders having the effect of law
- ordering and supervising incorporation elections through the Division of Elections, which is under the Office of Lieutenant Governor
- serving as Chairman of the Alaska Historical Commission
- appointing Notaries Public
- administering the Administrative Procedure Act

The Lieutenant governor oversees the Division of Elections, which is responsible for providing efficient, well-run elections for the citizens of Alaska in accordance with pertinent laws and regulations. The Division is responsible for conducting elections, registering eligible voters, maintaining up-to-date registration files, and training election boards and registrars in their duties.

The lieutenant governor serves as acting governor during the temporary absence of the governor and succeeds to the Office of the Governor if the governor dies, resigns, or is disqualified.

Alaska Statutes (44.19.150) provide for the succession to the Office of Lieutenant Governor of anyone selected by the governor, should the post become vacant. The appointment is subject to confirmation by a majority of the members of the legislature meeting in joint session.

LIEUTENANT GOVERNORS OF THE STATE OF ALASKA*:

Hugh Wade	Elected
1-3-59/12-5-66	
Keith Miller	Elected
12-5-66/1-29-69	
Robert W. Ward	Succession
1-29-69/12-5-70	
H.A. Boucher	Elected
12-5-70/12-2-74	
Lowell Thomas, Jr.	Elected
12-2-74/12-4-78	
Terry Miller	Elected
12-4-78/12-6-82	
Stephen McAlpine	Elected
12-6-82/12-4-90	

*Title changed from Secretary of State, constitutional amendment 1970

Who is lieutenant governor now? When was the lieutenant governor sworn in and when does the term expired?

WHAT IS THE FUNCTION OF THE EXECUTIVE OFFICERS AND STATE DEPARTMENTS?

The daily work of government, as it affects the lives of the citizens, is carried out by the executive and administrative officers, and departments of state government. It is a relatively simple matter for a legislative body to decide that the government shall undertake the performance of certain services, but the task of administering these functions is very complex.

EXECUTIVE OFFICERS: The governor appoints a single head of each of the principle departments. These executive officers, subject to confirmation by a majority of the members of the Legislature in joint session, serve at the pleasure of the governor. This appointment and removal power means that the activities of the departments and the public policy executed at the department level are under the direct control of the governor.

STATE DEPARTMENTS: About 13,500 individuals work for the State of Alaska. Of this number, approximately 3,600 live and work in the Capital. These are the people who, as employees of the state departments and agencies, help to make the machinery of government work.

The constitution limits the number of executive departments to twenty, with the objective of keeping the executive branch streamlined, efficient, and easily managed. Each department has a particular area of responsibility, which is paralleled fairly closely by the Legislative Branch Committee structure. See Constitution Article III, Section 23 to discover (and make note of) the governor's power to reorganize the executive branch. Here is a listing of executive departments and their primary functions.

Department of Administration: Centralized services; personnel (classification, pay, retirement), accounts and disbursements; purchase and supply, distribution and mail; space allotment; pioneers' homes.

Department of Commerce and Economic Development: Regulates banking, securities, insurance, professional licensing boards; corporations; veterans; weights/measures; Public Transportation Commission; Public Utilities Commission; Pipeline Commission; Housing Authority. Promotion for economic development of state

resources, including tourism, through collection, analysis, and reporting of data and advertising.

Department of Community and Regional Affairs: State assistance to government at the community and regional level, including incorporation, organization, planning, and finance.

Department of Corrections: Administers state programs of corrections including state adult penal institutions, probation and parole supervision, extraditions and detainees; Correctional Industries Fund; Correctional Industries Commission; Interstate Corrections Compact.

Department of Education: State Board of Education. Administers state program for school administration, instruction and construction; state library and library services.

Department of Environmental Conservation: Responsible for coordinating and developing policies, programs, and planning regarding the environment, and enforcing and setting standards for prevention and abatement of water, land, and air pollution.

Department of Fish and Game: Administration of state program for the conservation, development, and regulation of fish and game resources (commercial and sport); research; Fish and Game Boards.

Department of Health and Social Services: Administration of state and federal aid programs; comprehensive health planning; sanitation, vital statistics; juveniles; mental health; alcoholism.

Department of Labor: Administration of state programs governing employer-employee relations; wages, hours, safety, workmen's compensation, unemployment compensation; statistics.

Department of Law: Legal services for all state agencies; opinions and instruments; legislative drafting and review, civil actions; all prosecutions of violations of state law; Commission on Uniform State Laws.

Department of Military and Veteran's Affairs: Administers state program for the Alaska National Guard (Army and Air); and organizes state militia if the National Guard is called into federal service; Alaska Disaster Office; Veterans's Affairs.

Department of Natural Resources: Administers the state program for the conservation and development of natural resources; forest, lands, water, minerals, oil and gas, agriculture, parks, historical sites, and soil conservation.

Department of Public Safety: Administers state program for law enforcement and protection of life, property, and fish and wildlife; state police, fire prevention, watercraft safety program and motor vehicle registration.

Department of Revenue: Administration and enforcement of tax laws; collection, investment, and management of state revenues; nonprofit gambling laws; Alcoholic Beverage Control Board.

Department of Transportation and Public Works: Responsible for maintenance and operations, design and construction, planning and research for state construction and transportation.

WHAT IS THE DIFFERENCE BETWEEN REGULATION AND LEGISLATION?

Regulations are administrative rules adopted by agencies in the executive branch of government to implement, interpret, or make clear a specific section of law passed by the legislature (legislation). For example, the legislature passed a bill requiring that

all school bus drivers be trained and certified. The regulations will determine the specifics of this new law such as, when school bus drivers must be certified, who can train them, how many hours of training, etc. An "adoption" of a regulation is an agency's creation of a new rule. An "amendment" changes an existing regulation by adding, modifying, or deleting words, phrases, sentences, or paragraphs. A "repeal" deletes an existing regulation.

Regulations are made for the benefit of the public to protect their health, safety, and welfare. By setting out its standards through adoption of regulations, an agency lets the public know how it will use its authority. Thus, regulations help protect the public from arbitrary government actions. That is, when regulations covering a specific program are adopted by an agency, all participants in that program are assured equal treatment.

An agency writes a proposed regulation when it determines that:

- 1 - a specific section of law passed by the legislature needs to be implemented, interpreted, or made clear;
- 2 - changes need to be made to an existing regulation;
- 3 - an existing regulation needs to be deleted; or,
- 4 - a petition submitted by an individual, group, or business for adoption, amendment, or repeal of a regulation has merit.

HOW CAN YOU EFFECT CHANGES WITHIN ALASKA THROUGH THE EXECUTIVE BRANCH?

As a citizen you are part of the executive branch activities when you:

- file an application and receive a Permanent Fund Dividend check

- take a test and get your driver's license
- register and vote
- purchase a hunting or fishing license
- get your hair cut by a licensed hair dresser
- visit a public health clinic
- ride on a state maintained road

As a citizen who voted for elected representatives you had little or no voice in the specific outcome of any of the above situations. There are a number of details to be decided in even one area. It would be too cumbersome to involve all citizens in deciding on fishing openings or public health services. The specialists have the knowledge to decide on such things. However, as a citizen there is one way that you can participate in the decision making process by becoming involved in the creation of regulations.

Regulations are developed and adopted under the principles of administrative law known as the Administrative Procedure Act (Alaska Statutes 44.62). This act sets out the requirements for agency authority and the procedure used to adopt, amend, or repeal regulations.

HOW CAN I PARTICIPATE IN THE REGULATION PROCESS?

The Administrative Procedure Act (APS) requires agencies to publish a public notice of proposed regulations. This notice informs you when to submit written comments and participate in a public hearing. You may request that your name be placed on an agency mailing list to receive notices of proposed regulations.

PUBLIC NOTICE: This requirement means that an agency must give you, as a member of the general public, notification of their action to adopt, amend, or repeal a regulation. The public notice must be published in a newspaper of general circulation at least 30 days before any action can be taken by the agency to adopt, amend, or repeal a regulation. The public notice must provide:

- 1 - an informative summary of the proposed regulations;
- 2 - the statutory authority under which the regulations are to be adopted;
- 3 - a summary of the fiscal information required by As 44.62.195; and,
- 4 - the time and place of a public hearing where any person may present oral or written comments; if a public hearing will not be held, the public notice must provide a specific deadline date for receipt of written comments.

Generally you will find these notices in the classified or legal ad sections under "Public Notices," or in display ads throughout the paper. Check your local paper or another Alaska newspaper to see if you can find any public notices.

PUBLIC HEARING/COMMENT PERIOD: The public hearing/comment period requirement is an important opportunity for the public to express its views and concerns to agency personnel. Comments may be expressed orally or in writing, or both. An agency must consider all relevant information presented to it before adopting, amending, or repealing a regulation. Some agencies hold public workshops in the preliminary phases of drafting regulations in order to gather information and suggestions from parties who will be affected by the proposed regulation.

EXTENSION ACTIVITY 1

4.27

State Department Functions

Identify which of the state departments you would contact for help in each of the situations indicated. Choose your answers from among the following Departments:

Community & Regional Affairs
Administration
Education
Fish and Game
Public Safety

Revenue
Commerce & Economic Development
Health and Social Services
Office of Governor

1. _____
Your community is an unincorporated village in the unorganized borough. The people have decided they would like to form a second class city enabling them to elect a council and appoint a planning and zoning commission.
2. _____
There has been a dramatic increase in crime in your borough. You are interested in whether the State Troopers who patrol the area have been trained properly for handling the increased problems.
3. _____
You were planning to go halibut fishing and discover the season has just closed. You think the opening was too short and you want to know why the time period was reduced from that of last year.
4. _____
Some relatives who live "Outside" are coming to visit you this summer. They want you to send them some promotional brochures, the kind developed for tourists, so that they know which parts of the state they will plan to visit.
5. _____
In order to get a driving permit you need a copy of your birth certificate. You were born in Alaska and need proof of this vital statistic.
6. _____
Your grandfather is now 80 and is eligible for care in a pioneer home. You are interested in taking him to the one closest to your city.

7. You are interested in being appointed to the Juvenile Justice Advisory Committee. You have prepared a resume and a letter expressing your interest in serving on the body.

8. You have saved your money and have recently purchased a motorcycle. You know you need to register it before driving.

9. You are planning to go to college and want information about student loans.

10. You have graduated from high school and are interested in working for the State of Alaska. You want to fill out a job application.

The Governor's Powers

Below you will find portions of articles that have appeared in newspapers. Based on the information in the articles and your knowledge of the governor's responsibilities, identify the power being exercised in each instance. Use the information section to help you out.

A. Cowper orders permit reversal on floating lodge: Gov. Steve Cowper has directed Natural Resources

Commissioner Judy Brady to reverse herself and deny an application that would allow a floating lodge to operate for a year at Kelp Bay, on the east side of Baranof Island.

Brady earlier had decided to grant the permit to lodge developer Clark Emery and two other Juneau residents.

They were opposed by a broadly based group of Sitka and Angoon residents.

Cowper met with opponents of the lodge during his Alaska Day trip to Sitka, and announced he would review the case.

Cowper's decision ended the administrative appeals process on the permit, leaving the owners of the lodge the option of going to court.
Juneau Empire, October 29, 1987.

B. Fanning to finish Bennett's term
FAIRBANKS -- Gov. Steve Cowper has announced the appointment of former Fairbanks legislator Ken Fanning to fill the unexpired term of the late Sen. Don Bennett who died of an apparent heart attack Aug. 30.

Fanning, 40, served in the House of Representatives in 1981 and 1982. He was one of four persons recommended two weeks ago by Republican district leaders.

During his legislative term, Fanning co-chaired the House Resources Committee and sat on several others including the Finance subcommittee on the University of Alaska, State Affairs and Transportation.

The Governor's Powers

Fanning's appointment follows a decision by Bennett's widow to withdraw as the governor's original appointee.

Bev Bennett's appointment had been rejected by an informal caucus of senate republicans, an action challenged as unconstitutional by the administration.

The governor is required by the state's constitution to choose a replacement who must be confirmed by the senators of the same party.
Tundra Times, December 14, 1987.

C. Governor commutes sentence of child abuser

Juneau Empire, Monday, December 28, 1987.

D. Cowper offers aid to hard-hit rural communities: \$1.5 million 'carrot-and-stick' plan aims at debt-ridden villages.

Rural Alaska villages hoping for state aid to cushion hard times will be offered lots of advice but little money, and all of it will come with strings attached, Gov. Steve Cowper said Monday.

Cowper called a news conference to unveil his new Rural Community Recovery Package, an economic development program he hopes to have in place by next summer.

The Governor's Powers

The program would be financed by diverting \$1.25 million -- now earmarked for grants -- into a loan and financial training program for Bush communities. That financing will require legislators' approval.

Cowper also will ask lawmakers for \$258,000 this spring to hire five financial advisers, who would audit community budgets and help them apply for state aid.

But there's a catch built in: communities that ask for the money must agree to let the state oversee their finances.

State advisers who run the program could tell communities how many people to keep on the payroll, what to pay them, and whether a town should be spending money on such services as teen centers, child care or laundry, said David Hoffman, commissioner of Community and Regional Affairs.

The oversight condition is likely to scare some villages away from the program, but those that agree to it will end up with a stable budget and greater independence, Cowper said.

"What we wanted to do was allow the communities to get back on their feet, but at the same time, require a much higher standard of financial responsibility," he said.

Hoffman put it more bluntly, saying, "It's definitely a carrot and a stick situation."

For many of the communities, it will be a choice between accepting state money and oversight or no money and the oversight of a court-appointed bankruptcy trustee, said Lt. Gov. Stephen McAlpine.

The Role of the Lieutenant Governor

Included with this activity are interviews with three former lieutenant governors. They were prepared by Alaskans Kelli Risch, Beth Neunaber, and Robert Keener as part of the requirements of their high school government classes several years ago. When you have completed reading them, write or type your analysis of the interviews by answering the following questions:

1. Compare the views of former Lieutenant Governors Boucher, Ward, and Miller on the role of the lieutenant governor.
2. What did former Lieutenant Governor Robert Ward cite as a unique feature of his term of office as lieutenant governor?
3. If you were defining the role of the lieutenant governor, what changes, if any, would you make in his/her constitutional and/or statutory responsibilities?

By Kelli Risch

INTERVIEW - FORMER LT. GOVERNOR RED BOUCHER

The lieutenant governor is a role not many people thoroughly understand. When we think of the lieutenant governor we may think of him as the governor's sidekick or maybe someone to be there, just in case. This view, although not totally false, is a little distorted. Actually, the lt. governor is what the governor would like him to be. The Alaska State Constitution states that the lt. governor shall carry out such duties as prescribed by law and such other duties as designated by the governor. In the late 1950's the constitution stated that the lt. governor should be free from all duties so as to be a strong backup for the governor.

In the primary election, the people nominate a governor and a lt. governor from each party. Then, the nominated candidates team up to run in the general election. When you vote for a governor in a general election, you are also voting for the lt. governor.

When the governor is elected, he appoints the officials he wants. One of the appointed roles is an executive assistant, the right-hand man to the governor. The executive assistant is with the governor constantly, doing things for him and with him. Red Boucher says that if he were governor, he would make the lt. governor his executive assistant. This closer contact would hopefully create more rapport between the governor and the lieutenant governor.

The lieutenant governor has almost no function in regard to policy development, unless prescribed by the governor. The governor gives the orders and makes the policies, the lieutenant governor just follows them.

According to Red Boucher, when the governor and the lieutenant governor differ on policy matters, nothing happens. That is, the governor has complete control in everything and has the final say over the lieutenant governor. It is sometimes a wise idea for the lt. governor to keep his views to himself, therefore causing less conflict.

The Role of the Lieutenant Governor

In Red Boucher's case, the relationship between him and the executive officers and the legislature was good. Although the relationship was good, the lieutenant governor has no control over them. He can establish no policies over the executive officers and the legislature.

When asked about his relationship with Governor Egan, Red Boucher said that on a scale of 1-10, he started out as a 5. He later gained more respect in the governor's eyes when he started working on his own, not waiting to be told to do things. One advantage Mr. Boucher had when he entered office is that he was used to taking orders, something you would learn quickly if elected lieutenant governor.

Because the governor and the lieutenant governor have the same interest at heart -- our state -- it is vitally important that they work together as a team. The system wouldn't work if they were always going their own separate ways. It's easier, of course, to work compatibly with each other if you agree with everything the other says. It's also highly unlikely. Therefore, when we elect a governor and a lieutenant governor, we are looking for two people who are serious about two things: our state and cooperating together to get the job done.

Red Boucher was the first elected lieutenant governor (owing to a name change from the Secretary of State). He was elected in 1970 and held office until 1974 during Governor Bill Egan's third term.

INTERVIEW - FORMER LT. GOVERNOR MILLER
by Beth Neunaber and Robert Keener

QUESTION: How do you view the position of Lt. Governor?

ANSWER: The duties are described carefully by the State Constitution. The Lt. governor has two duties: first, those duties which are prescribed by law, which are whatever the legislature statutorily requires of the Lt. governor. Until recently the Lt. governor was in charge of administering all elections, but that function has changed with the rewriting of the election code. The Lt. governor is in charge of the administrative code which involves taking all the regulations from the agencies and compiling them in one massive code.

Secondly, the Lt. governor is responsible for those duties that are prescribed by law and are delegated by the governor. That basically means that the Lt. governor is the governor's chief helper and performs whatever duties the governor wants to assign to him/her.

I was head of the D-2 effort in Washington, D.C., and served on the pipeline committee. I was also the general advisor to the governor on economic matters and have done a lot of legislative liaison for the governor.

The Role of the Lieutenant Governor

The real job of Lt. governor, however, is to be ready to be governor, if there is a vacancy for any reason whatsoever. All the rest is "make-work;" it may be important make-work or it may not be, but it is still basically make-work.

I think the Lt. governor should be an understudy and prepared to take over if necessary and therefore should know what's going on. For that reason, I had been a member of the budget review committee, the group that develops the state budget and deals with the "nitty-gritty" decisions. Therefore, in the last four years, if there had been a vacancy, I would have been ready to serve as governor.

The job changes. It was different for Lowell Thomas and my other predecessors. The job depends upon two things: the individual holding it and what he or she wants to make of it; and what the governor under whom the Lt. governor serves, wishes to make of it. It is the chemistry between the two.

The greatest strength of the role is also its greatest weakness -- that is, it is unstructured. Just remember that the roles of the Vice-President and the Lt. governor are analogous. The most important job of both is be ready to succeed to the governorship. Everything else is important but nevertheless "make-work."

QUESTION: If you were Governor, what would you delegate your Lt. governor to do?

ANSWER: I already said in my election campaign for governor that I would appoint my Lt. governor as a full-time representative for me in Anchorage and Fairbanks. I think the Lt. governor can be a major communicator, as I have been a real public communicator while holding the office.

Terry Miller, a Republican, was elected Lt. governor and served 12/4/78-12/6/82 with Governor Jay S. Hammond.

The Role of the Lieutenant Governor

INTERVIEW - FORMER LT. GOVERNOR BOB WARD

QUESTION: How do you perceive the role of lt. governor?

ANSWER: I perceive the job of the lt. governor to be primarily that of succeeding to the office of governor, if it is vacant, until the next election. Also, there are specific functions the lt. governor does which change from time to time. Generally the lt. governor oversees elections, administers the Administrative Procedures Act, notary public law, and such other duties as prescribed by the governor.

Duties can vary greatly. Perhaps because Keith Miller succeeded to the office of governor and I replaced him as lt. governor, Governor Miller chose to have me do a lot of other things for him. At one time I was chief executive to the governor.

The critical and most important function of the lt. governor is that the holder of the office does succeed to the governorship.

QUESTION: If you were governor now, what would you ask the lt. governor to do?

ANSWER: It is difficult to answer and is a little wishful thinking, because our constitution provides for a very strong executive, which I personally feel is a strength of our state's constitution. Responsibility is centralized in one individual in one office. The restriction on an individual serving only two consecutive terms as governor provides a "check and balance" which is a very strong portion of our constitution.

In recent years, not just in the last four, I've seen a transition in the lt. governor office. There are now special assistants, the government research types, who research the issues for the lt. governor and keep him abreast of certain issues. In some cases the governor appoints the lt. governor to deal with a specific issue such as telecommunications or the gas pipeline task force or whatever it is he or she may want the lt. governor to become involved in.

Aside from the statutory responsibilities of overseeing elections and the Administrative Procedures Act, and such other duties prescribed by law, the lt. governor primarily assists the governor. He/she is a member of the governor's cabinet and serves to assist the governor in whatever way that particular chief executive happens to see the role and however the governor wants to define it.

QUESTION: There was a candidate for the office of lt. governor who said that the lt. governor should be the "eyes and ears" of the governor. Do you think that is one of the roles the lt. governor could or should play?

The Role of the Lieutenant Governor

ANSWER: Perhaps. Again, I don't know if that would have to be formalized. Any person who is part of the governor's administration should be "eyes and ears" for the governor. There is only one hero in the state government and that is the governor. Any candidate running for Lt. governor seems to feel the way of being elected is to find some new thing for Lt. governors to do. I'm not sure that's necessary.

QUESTION: Did you do anything while in office that would have been unique to your position at that time?

ANSWER: I don't know because I don't know precisely what others have done.

I perceive what I did to be unique but maybe that is just in my imagination. When I functioned as executive assistant I did get very active, at the request of the governor, in the staffing of his office and was very active at times on issues with other members of the cabinet.

There were a series of task forces then as there are now. There were many different issues. While I was Lt. governor, I directed the preparations for the nine hundred million dollar Prudhoe Bay lease sale and some of the post-sale investment activities. I was also head of the Budget Review Committee, an activity which has essentially been transferred to the governor's office.

To some extent the relationship between Governor Keith Miller and myself was probably unique because we both succeeded to our offices and did not go through a campaign for the specific offices we filled.

Robert Ward, a Republican, succeeded to the office of Lt. governor and served 1/29/69 - 12/5/70 with Governor Keith H. Miller.

EXTENSION ACTIVITY 4

4.27

Powers and Duties of the Executive Branch

You have learned what the executive branch is, and about some of its powers and duties. Now is your chance to show what you have learned. Create a poster that explains the powers and duties of the governor, lieutenant governor, an executive department, or all of these together. Make it eye-catching, colorful, and informative. Who knows? Maybe someone else will learn something from your poster!

EXTENSION ACTIVITY 5

4.27

The Executive Branch in Your Community

Time to play investigative reporter! Find out how many of the executive departments listed in the information section have representatives in your community. Add a few details, and report by chart, poster, audio or video tape, photo essay, written report, or any other creative way you can think of. Be sure to tell how you conducted your research. This can be a team project if you wish.

EXTENSION ACTIVITY 6

4.27

Regulation vs. Legislation

Create a cartoon that explains the differences between regulation and legislation.

EXTENSION ACTIVITY 7

4.27

Affecting Regulations

Stand up and be counted! Your opinion matters to those who create regulations. Look in your newspaper for "Regulation Hearing Notices." Choose one that interests you. Cut it out. Do some research on this regulation in order to form an opinion. Then testify about your opinion by attending and speaking at a hearing or by writing your opinions to be used at the hearing. Your report should include the Regulation Hearing Notice, a summary of your research and opinion, and a copy of the testimony you gave in support or opposition of that regulation. Have fun!

EXTENSION ACTIVITY 8

4.27

Help Wanted: Governor

Make a help wanted poster that advertises for governor. You will have to explain qualifications for office, term of employment, working conditions, and benefits, like pay, insurance, retirement, and housing. How will you illustrate your poster? Be creative.

EXTENSION ACTIVITY 9

4.27

Interview a Governor

Here's your chance to really get involved with the executive branch. Choose a governor, lieutenant governor, or a previous candidate for these offices to interview. Develop your questions around the reasons why your subject wanted to hold executive office, and what he or she hoped to accomplish by holding office. You should have about five questions prepared. Write or tape your interview. Be sure to summarize what you learned from the interview.

EXTENSION ACTIVITY 10

4.27

Showcase of Governors

Create a pamphlet that shows pictures and gives details about each of Alaska's governors and lieutenant governors. Or create a computer database that covers details about the governors. You will have to decide what details to learn about each person. This would be a great project to do with the aid of a computer page layout program. Also, it might make a good group project.

EXTENSION ACTIVITY 11

4.27

Department Focus

The duties of the executive branch are carried out by the 15 existing departments. Choose one department that interests you. Research the powers and duties of that department. Where are the workers of the department, and what do they do? What makes this department tick? Report on your findings to your class, or send a written or taped report to your Juneau teacher.

EXTENSION ACTIVITY 12

4.27

Governor's Campaign

Comments: Create a promotional pamphlet, a 60 second radio spot or an election year campaign piece for Candidate X. Pretend that the election is to be held soon. Consider the image of the candidate and current Alaskan issues. Design a slogan. If you elect to do a radio piece, enclose script with audio tape.

ALASKA TRIVIA

4.27

On the Gubernatorial Grapevine

1. What Alaskan governor held the office for a record 13 years, 4 months and 5 days?
2. How many former governors did Jay Hammond defeat on the way to his 1974 victory?
3. Who was the first person to sign the Constitution of Alaska?
4. Who was Alaska's last appointed governor?
5. Who was Alaska's first Alaska born governor?
6. What was Alaska's lieutenant governor called before the title was constitutionally amended?
7. Who was Governor Hammond's first lieutenant governor?



Unit 4, Lesson 28

The Judicial Branch

Here is Lesson 28.

It will take you 2 class periods to complete the minimum requirements.

Coming up:

Warm-up:
Complete this first.

Pre-Test, p. 391

Information:
Complete this next.

Alaska's Judicial Branch, pp. 393-397

Extension Activities:

- 1. Analysis of a Crime, p. 398*
- 2. Court Observation, p. 399*
- 3. A Member of the Jury, p. 400
- 4. Post Test, p. 401*
- 5. Extended Reading, see list on p. 320*

Complete #4 and one other.

* May be sent by e-mail if student has access.

Sourdough Lingo*:

Learn the definitions given on pp. 402-04

Complete this as you study the lesson.

Alaska Trivia*:
Optional

Jurisprudence, p. 405

Assessment:

Review your objectives.

Pre-Test (Judicial Branch)

Instructions: How much do you know about our judicial system? Answer these questions as completely as you can with the knowledge you have right now.

1. What is the difference between criminal and civil cases?
2. Name the four levels of courts in Alaska.
3. There are four judicial districts in Alaska. In which do you live? Why do we have judicial districts?

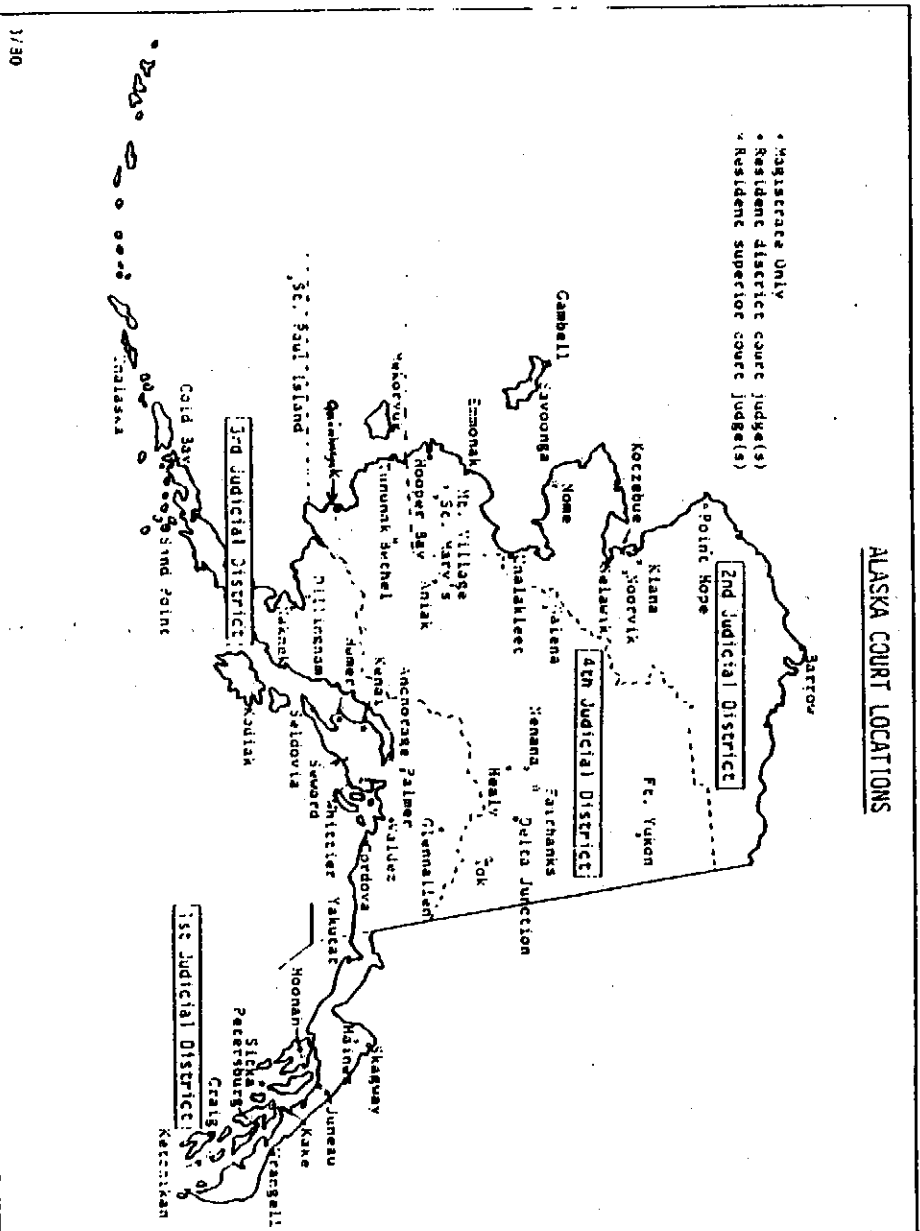
4. How are judges selected?

You will be taking this same test near the end of this lesson.

Alaska's Judicial Branch

Here's what you will be studying in Lesson 28. Upon finishing, you should be able to answer these questions:

- What are the powers and duties of the judicial branch?
- What are the agencies of the judicial branch in your community?
- What are the qualifications necessary to become a judge?
- What is the difference(s) between a civil case and a criminal case?
- What is the difference(s) between the appellate courts and the trial courts?



Alaska's Judicial Branch

WHAT ARE THE POWERS AND DUTIES OF THE JUDICIAL BRANCH?

The court system, whether it is federal, state, or local, has the duty to determine the constitutionality of laws and to protect a person's individual rights. When the courts hear a case and determine if someone is guilty and deserves some kind of penalty or punishment, the rights of the individual are protected. It is assumed that you are innocent until proven guilty. As an individual you have the right to:

1. Be present before the authority which pronounces judgement upon the question of life, liberty, or property in its most comprehensive sense;
2. Be heard, by testimony or otherwise;
3. Have the right of controverting, by proof, every material fact which bears on the questions of right in the matter(s) involved.

In Alaska the judicial branch protects the rights of each person and that includes determining the constitutionality of laws in civil cases.

The Alaska Court system has been set up as a "unified court system." To understand what this means, it is necessary to point out that in other states the court system is often a maze of separate courts responsible for their own administration. In Alaska, the Chief Justice of the Supreme Court is the administrative head of the entire court system and is responsible for its administrative operation. There is a clear "chain of command" starting from the Supreme Court down to the District Court.

WHAT ARE THE DIFFERENCES BETWEEN A CIVIL CASE AND A CRIMINAL CASE?

Not everyone who ends up in a court proceeding is a criminal. The law separates court proceedings into criminal (charged with a public offense) and civil (protection of private rights or redress of private wrongs) cases.

CRIMINAL CASES: When someone "breaks" the law and causes harm to another person or property, it is generally considered a criminal case. Robbery, assault, murder are all examples of criminal cases. The following terms and procedures are used in such cases:

- **arrest** - The person(s) is taken into custody by the police
- **indictment or information** - the prosecuting attorney takes the evidence before the grand jury to get an indictment. Or, if there is enough evidence the prosecutor may simply file information
- **pre-trial hearings** - the defendant may make a series of motions before the case ever gets to trial. Bail is set and there may be plea bargaining.
- **trial** - a formal examination to decide a case by a court of law. The state has the burden of proof in a criminal case. The defendant is assumed innocent until proven -- beyond a reasonable doubt -- to be guilty. The defendant has the right to defend himself by raising that reasonable doubt.
- **decision** - the jury or the judge decides the verdict: guilty or not guilty.
- **sentencing** - if the defendant is found guilty he or she may be sentenced to jail, fined, put on probation, or given some other punishment that the court decides is appropriate.

CIVIL CASES: When people feel that they need to protect their rights or that they have been wronged, it is generally considered a civil case. Adopting a child, filing for divorce, being slandered are examples of civil suits. The following terms and procedures are used in such cases:

- **complaint** - the person who thinks that he or she has been wronged is the plaintiff and they bring suit against the defendant
- **answer** - the defendant has a chance to respond to the complaint. The defendant may also file suit against the plaintiff, which is called a counter-claim.
- **pre-trial proceedings** - this is where the discovery process takes place. Both sides have a chance to interview potential witnesses and gather evidence.
- **trial** - the plaintiff has a chance to present his case first. Then the defendant has a chance to present his side.
- **decision** - the jury or judge decides upon the verdict; for the plaintiff or for the defendant. This is called a judgement.
- **enforcement of the judgement** - the plaintiff or defendant was made to pay or do some other act.

There are four levels of courts in the Alaska Court System:

- the Supreme Court
- Court of Appeals
- Superior Court, and
- District Court

QUALIFICATIONS FOR JUDGES: Justices of the Supreme Court and judges of the Court of Appeals, Superior and District Courts are appointed by the governor from nominees submitted by the Judicial Council. Nominees must be citizens of the U.S. and meet specific Alaska residency requirements for each court. Additionally, they must be licensed to practice law in the state and have been engaged in such practice for a specified period of time. All judges must be approved for retention periodically by the voters.

Magistrates are appointed by the presiding judge of the Superior Court to assist in handling routine matters and ease the workload of the District Court. Magistrates must be citizens, at least 21 years of age, and residents of Alaska for 6 months. There is no requirement that a magistrate be a licensed attorney.

WHAT ARE THE DIFFERENCES OF THE APPELLATE COURTS AND THE TRIAL COURTS?

APPELLATE COURTS: The Supreme Court and Court of Appeals are appellate courts, which means that they hear cases appealed from the lower courts.

The **Supreme Court** has ultimate authority in all cases yet concentrates its attention on civil appellate matters. An appeal may be taken to the Supreme Court from a final judgement (that is, a judgement which substantially ends the court case) entered by the Superior Court in any civil action or proceeding. In criminal actions (and in certain quasi-criminal matters, like juvenile delinquency cases), the Supreme Court has the discretion to accept or deny requests that it review decisions made by the Court of Appeals. The Supreme Court may also take jurisdiction of a case pending before the Court of Appeals if the Court of Appeals

certifies that the case involves a significant question of law or an issue of substantial public interest.

The Supreme Court is responsible for establishing the rules governing the practice and procedure in civil and criminal cases in all courts. It also makes rules governing the administration of all courts and establishes fees for judicial services.

The Alaska Legislature created the **Court of Appeals** to relieve the Supreme Court of some of its increasing caseload. The Court of Appeals has authority in criminal and quasi-criminal matters (for example, juvenile delinquency, probation, and habeas corpus cases).

The final decision of the Court of Appeals is binding on the Superior Court and on the District Court unless superseded by a decision of the Supreme Court. The Supreme Court retains its ultimate authority in all cases, yet concentrates its attention on civil appellate matters.

The defendant (person against whom the lawsuit is brought) who appeals a case from the District to the Superior Court can ask the Court of Appeals to review the Superior Court decision. However, the Court of Appeals may refuse to hear the appeal. If the defendant appeals a District Court judgement directly to the Court of Appeals, by passing the Superior Court, the Court of Appeals must hear the appeal.

An appeal to the Court of Appeals is a matter of right except when:

- an appellant chooses to appeal the final decision of the District Court to the Superior Court
- the state has no right of appeal in criminal cases except to test the adequacy of the indictment or information or to appeal a sentence on the ground that it is too lenient.

The Court of Appeals may issue injunctions, writs and other orders necessary for the complete exercise of its jurisdiction.

TRIAL COURTS: The Trial Courts in Alaska include a Superior Court and a District Court. The administration of the trial courts is divided into four judicial districts. The judicial districts serve as regional units for administration and define boundaries for purposes of venue and judicial retention elections.

Each judicial district is administered by a presiding judge, and all districts have an area court administrator. Administration of the first judicial district is located in Juneau. The second judicial district, which includes Nome and Kotzebue courts, receives its administrative support from Anchorage, as does the Bethel service area. Anchorage is the largest court in the state and serves as headquarters for the third judicial district. Fairbanks is the administrative center for the fourth judicial district as well as the Barrow service area.

The **Superior Court** is the trial court of general jurisdiction. It handles all felony criminal cases, all adoption and probate cases, some juvenile matters, and civil cases involving more than \$10,000. The court has concurrent jurisdiction in other judicial matters with the District Court.

The court has original jurisdiction in all civil and criminal matters, including but not limited to probate and guardianship of minors and incompetents. The court has appellate jurisdiction over all matters appealed from the District Court or an administrative agency when appeal is provided by law.

Cases involving minors (under the age of 18) are handled by the Superior Court. The court has exclusive original jurisdiction in offenses committed by a minor who:

- violates a law of the state or municipality
- by reason of being wayward or habitually disobedient is uncontrolled by his parent, guardian, or custodian;
- is habitually truant from school or home, or conducts himself as to injure or endanger the morals or health of himself or others;
- is abandoned by parent, guardian, or custodian;
- lacks proper parental care by reason of the faults, habit or neglect of his parent, guardian, or custodian;
- associates with vagrant, vicious or immoral people, or engages in an occupation or is in a situation dangerous to life or injurious to the health, morals, or welfare of himself or others;
- is an orphan who has no relatives willing to assume custody and care;
- has been released by his parent or parents, or guardian, to the department for adoptive purposes; or
- is in need of special care or training not otherwise provided.

When a minor is accused of violating a traffic statute or regulation, the procedure prescribed in Alaska Statutes need not be followed except when the violation is a felony. However, a parent, guardian or legal custodian must be present at all proceedings. The minor accused of a traffic offense may be charged, prosecuted and sentenced in the same manner as an adult.

District Courts have criminal, civil and special jurisdiction. Criminal jurisdiction extends over the entire state and civil jurisdiction extends over a judicial district.

In criminal matters, the district court has jurisdiction over all State misdemeanor violations (minor criminal offenses) and violations of city and borough ordinances. A judge may issue summons, arrest warrants, bench warrants and search warrants; set, receive, and forfeit bail and order release of a defendant under bail; and act as an examining judge in preliminary examinations (arraignments) in criminal proceedings, which must occur within 24 hours after arrest.

In civil matters, the District court Judge may hear cases for:

- recovery of money or damages not exceeding \$10,000
- recovery of specific personal property if value claimed does not exceed \$10,000
- motor vehicle accident cases not exceeding \$15,000
- small claims actions up to \$2,000
- establishing "Fact of death" of a person
- temporary detention of a minor when immediate action is required for the minor's or other's welfare subject to review by the Superior Court

The District Court judge may also issue absentee ballots in some areas, record vital statistics and serve as coroner, hold inquests and act as a temporary caretaker of the property of deceased persons.

District Courts are empowered to issue writs of habeas corpus; marriage licenses; officiate at marriages; act as a notary public; and serve as a referee in matters referred by Superior Court. District Courts also have the power of the Superior Courts in contempts, attendance of witnesses and bench warrants.

District Courts do not have jurisdiction in an action in which the title to real property is in question, or an action for false imprisonment, libel, slander, malicious prosecution, criminal conversation, seduction upon promise to marry, acts of an equitable nature or actions where the state is a defendant.

In the smaller, generally rural areas of the state, where the service of a full time District Court judge are not required, **District Magistrates** preside over some District Court matters. They also serve in most metropolitan areas to handle routine matters and ease the workload of District Court. They do not have to be licensed attorneys.

The District Magistrates are also empowered to issue writs of habeas corpus, marriage licenses, perform marriages, act as notary public, and referee in matters referred by Superior Court. They also have the power of the Superior Court in contempt, attendance of witnesses, and bench warrants. They may act as coroner and recorder and take custody and control and preserve the property and estate of a deceased person until a legal guardian is appointed.

HOW DOES THE JURY SYSTEM WORK?

THE JURY: The hallmark of the American legal system is the jury system in which private citizens are called upon to make the final decisions in the trial of legal disputes. In the United States, nearly 90% of all cases which go to trial, both civil and criminal, are heard and decided by juries.

Once an individual is assured of a right to a trial by a jury composed of fellow citizens, it becomes obvious that each individual also may be required to serve as a juror. In Alaska, you are qualified to serve as a juror if you are a citizen of the U.S., a resident of the state, at least 18 years of age, of sound mind, and able to read and speak the English language.

At least once a year the Administrative Director of the Courts prepares a list of names of residents in each judicial district who are qualified for jury service. The jury list is based upon a list of all persons who, during the preceding year purchased a resident trapping, hunting, or fishing license, or registered to vote in this state. The Administrative Director may also

prepare a questionnaire for prospective jurors regarding their qualifications to serve.

The names of prospective jurors or identifying numbers are on slips of paper and placed in a box. When the time comes to select a jury, the names or numbers are publicly drawn from the box by a clerk of the court. At least twenty-four names are drawn by the court clerk to form a jury panel. Jurors are chosen from this panel for specific duty.

JURY TRIAL: Twelve jurors are chosen from the jury panel to try a case in Superior Court, but parties may agree to a smaller number of jurors. Six jurors are chosen from the jury panel in the District Court. One or two alternate jurors are often chosen in the event a juror may be prevented from attending the trial or deliberations by reason of illness or other cause.

GRAND JURY: A grand jury consists of not less than twelve nor more than eighteen members. At least twelve members must be present to constitute a quorum for the conduct of business. The powers and functions of grand juries differ widely from those of trial juries. The trial jury actually tries the case and renders the verdict after hearing both sides. The grand jury does not try the case, and it does not hear both sides. Its function is to hear witnesses as to a charge of crime and to determine whether the person charged should be brought to trial on the charges.

TO DO: LEARNING LOG

Answer the following to the best of your ability.

1. Here are some things I know now and did not know before:
2. Here are some things I still want to know:

Analysis of a Crime

Phil James, who is a minor, wants to buy a fishing rod. He has \$30 to spend and finds one for that price in a local hardware store. He also notices a \$40 reel which would go perfectly with the rod he has selected. As the clerk is handling the rod, Phil slips the reel in his pack. As he moves toward the front door, the store manager stops him and the police are called.

1. Is Phil's crime a civil or a criminal matter?
2. What court level would initially hear the case?
3. How extensive is shoplifting in your community? Is it a major or minor problem? If you don't know the answer to this question, how would you find it? Whom would you contact?

A minor charged with shoplifting is required to make a mandatory court appearance with his/her parents or guardians. Shoplifting is a misdemeanor and first offenders need to report periodically to a probation officer. They are sent to a detention center if a responsible person is not available to assume responsibility for the individual. The offense becomes a part of the individual's permanent record. Constant repeaters are often sent to jail.

4. Do you think that increasing the penalties for first offender shoplifters would reduce the number of offenses committed annually?
5. Taking into consideration the overcrowding in the state's jails, do you think a jail sentence is the best deterrent for repeated shoplifting? Why or why not?
6. Occasionally a judge will require an offender to perform public service as an alternative to other penalties. A minor might be required to shovel the town sidewalks, pick up litter, work in a community day care, etc. What is your view of this approach to punishment for a crime?

Court Observation

If possible, observe court proceedings in your community and use the following guidelines when you observe. (If it is not possible for you to observe court proceedings, see below; Alternative Activity)

- Which of the four Judicial Districts were you in? _____
- Was there a jury? _____
- What was the nature of the proceeding? _____

- Who was the defendant? _____
- How did the defendant plead? _____
- Who was the plaintiff? _____
- What was the issue in the case? _____
- What was the verdict? _____

Personal observations (Was it like you expected? Was it like "People's Court?")

Alternate Activity

If there are no court proceedings in your community there are other activities for you.

1. Interview an attorney, magistrate or VPSO. Write questions that will help you understand Alaska's judicial system.
2. Collect a series of newspaper articles about a trial in the news, and answer the questions above.

A Member of the Jury

The form to the right is the official qualification form for jury duty in Alaska. Complete the form to see if you would qualify to serve on a jury.

Talk to someone who has served on a jury, or talk to a court clerk or a person in your community who is involved with jury duty. Write a short summary of what you learned, or write at least five facts that you learned.

Vertical lines for writing a summary of facts learned.

JURY CLERK USE ONLY		
TYPE	STATUS	OFFENSES
CHANGE OF NAME OR ADDRESS		

QUALIFICATION FORM

PLEASE ANSWER EACH QUESTION AND RETURN THE FORM WITHIN 7 (SEVEN) DAYS.
(USE ENCLOSED ENVELOPE)

HOME TELEPHONE NO. _____ WORK NO. _____

YES	NO

1. ARE YOU A UNITED STATES CITIZEN? _____
2. CAN YOU READ AND SPEAK THE ENGLISH LANGUAGE? _____
3. DO YOU LIVE IN ALASKA? HOW LONG? _____
4. ARE YOU AT LEAST 18 YEARS OF AGE? DATE OF BIRTH _____
5. HAVE YOU SERVED ON JURY DUTY WITHIN THE PAST YEAR? IF YES, WHEN? _____
6. IS THERE ANY MENTAL OR PHYSICAL REASON THAT WOULD PREVENT YOU FROM SERVING AS A JUROR? IF YES SEE #11. _____
7. HAVE YOU EVER BEEN CONVICTED OF A CRIME OTHER THAN A MISDEMEANOR?
IF YES, HAVE YOUR CIVIL RIGHTS BEEN RESTORED? _____
8. HOW MANY MILES, ONE WAY, DO YOU LIVE FROM THE COURTHOUSE? _____
9. YOUR HEARING (CORRECTED) IS: GOOD FAIR POOR
10. YOUR VISION (CORRECTED) IS: GOOD FAIR POOR
11. IF YOU WISH TO BE EXCUSED OR DEFERRED TO A LATER DATE, ENCLOSE A LETTER EXPLAINING YOUR REQUEST.
FOR MEDICAL EXCUSES ENCLOSE A STATEMENT FROM YOUR DOCTOR.

THE ABOVE ANSWERS ARE TRUE AND CORRECT. _____ (SIGNATURE) _____ DATE _____

① READ ENCLOSED INFORMATION SHEET.
② COMPLETE QUALIFICATION FORM AND RETURN IN ATTACHED ENVELOPE.
③ FOLLOW INSTRUCTIONS BELOW.

KEEP THIS PART

CAUTION

FAILURE TO RETURN THE COMPLETED QUALIFICATION FORM WITHIN SEVEN (7) DAYS WILL RESULT IN A SUMMONS BEING ISSUED FOR YOUR PERSONAL APPEARANCE IN COURT. YOU CAN BE FINED OR PLACED IN JAIL FOR FAILURE TO RESPOND.

RETURN THIS PART

EXTENSION ACTIVITY 4

4.28

Post-Test (Judicial Branch)

Use the knowledge you've gained during this lesson to answer the following questions as completely as possible.

1. What is the difference between criminal and civil cases?
2. Name the four levels of courts in Alaska?
3. There are four judicial districts in Alaska. In which one do you live? Why do we have judicial districts?
4. How are judges selected?

Compare your present answers with those you gave during the warm-up of this lesson. Comment on what you have learned.

Alaska's Judicial Branch

The words in this glossary are in appropriate categories and are arranged sequentially. Study the following definitions then do the Cross-Word Puzzle.

THE PEOPLE

Plaintiff	The person who brings suit
Defendant	The person against whom a suit is brought
Witness	The person on the stand from whom the lawyer gets the testimony
Juvenile Delinquent	Someone under 18 years of age who violates a law but who, because of "minor" status, is not subject to imprisonment

THE PROCESS

Miranda Rule	Before a person is questioned, he must be warned: (1) that he has a right to be silent, (2) that any statement he does make may be used against him, (3) that he has a right to the presence of an attorney, (4) and that if he cannot afford an attorney, one will be appointed for him prior to any questioning if he so desires.
Subpoena	An order of the court directing a person to appear in court
Arraignment	Calling the defendant to the bar of the court to plead "Guilty" or "Not Guilty" to the accusation of a criminal charge
Bail	Security for the appearance of a prisoner who is pending trial
Cross Examination	The examination of a witness by a party other than the direct examiner upon a matter which is within the scope of the direct examination of the witness
Judgement	The final order of the Court, based on the verdict of the jury in a law case
Sentence	The penalty which the Judge directs the convicted prisoner to serve
Parole	A conditional release of a prisoner serving an indeterminate or unexpired sentence

COURT TERMINOLOGY

- Jurisdiction Authority by which courts and Judicial officers take cognizance of and decide cases. "Original" jurisdiction is the Court that has power to hear and decide a case in the first trial of it. "Appellate" jurisdiction is exercised when a case is appealed from a lower court.
- Civil Suit The form of action for enforcement or protection of private rights and protection of redress of private wrongs
- Criminal Suit The form of action where a party is charged with a public offense and brought to a public trial
- Misdemeanor A crime punishable by a jail sentence of up to 90 days and/or up to \$300 fine
- Felony A crime punishable by a jail sentence of more than one year

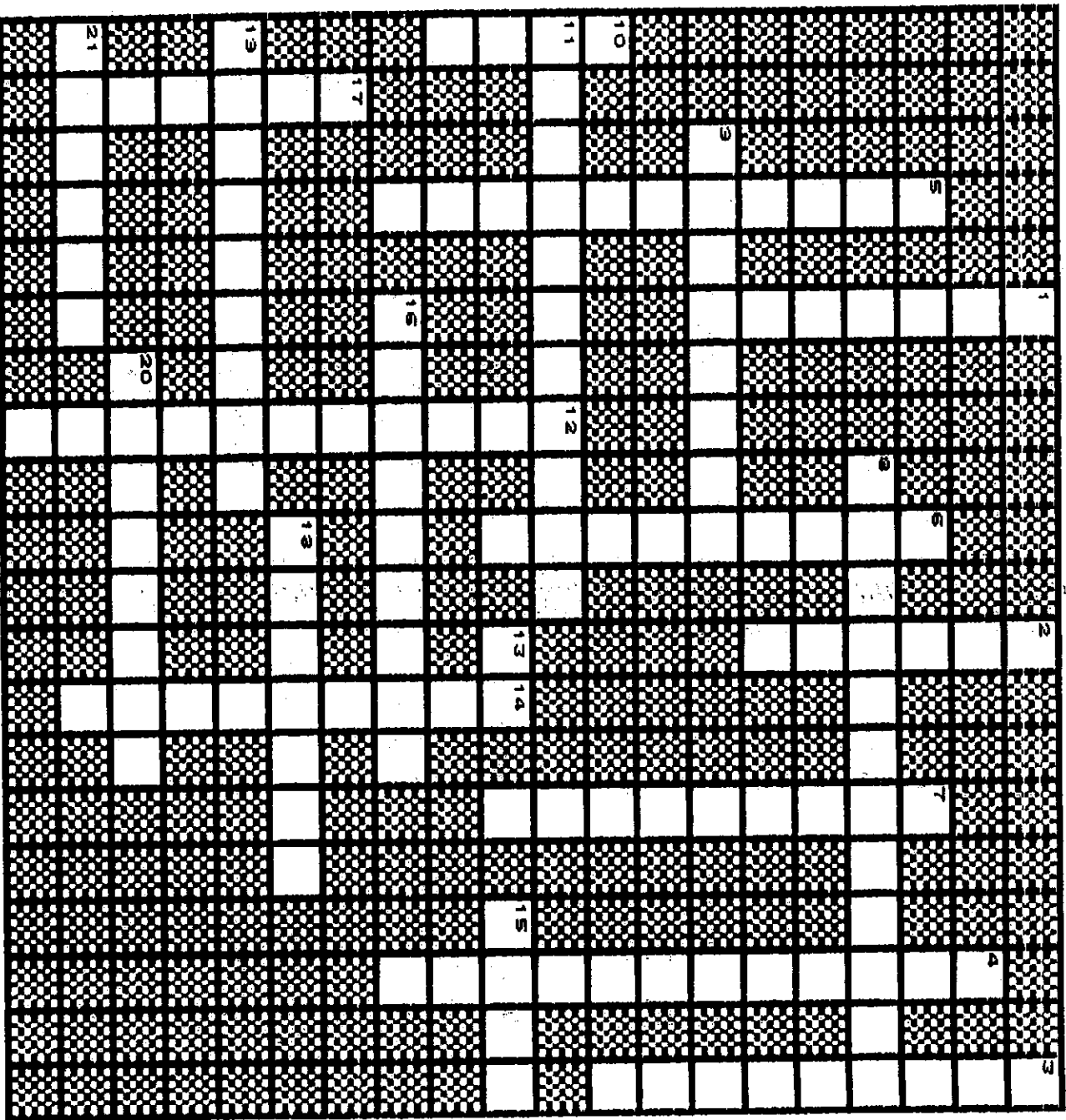
JURY WORDS

- Jury The body of jurors that decides disputes as to facts in civil lawsuits, or decides on guilt in criminal cases
- Grand Jury A panel of jurors that receives complaints and accusations in criminal cases, hears the evidence on the part of the government, and returns indictments in cases where they are satisfied there is enough evidence to warrant a trial
- Indictment The formal criminal accusation by a Grand Jury
- Verdict The jury's formal report of its decision

SOURDOUGH LINGO

4.28

JUSTICE JARGON



ACROSS CLUES

- 8. LIMITS OF POWER
- 9. PENALTY TO SERVE
- 11. DEFENDANT PLEADS TO ACCUSATION
- 13. JUVENILE DELINQUENT
- 15. BODY OF ONE'S PEERS, DECIDES CASE
- 16. PERSON BRINGING SUIT
- 18. PERSON ON STAND, GIVES TESTIMONY
- 19. QUESTIONING OF WITNESS
- 20. ORDER TO APPEAR IN COURT
- 21. A BIG TIME CRIME

DOWN CLUES

- 1. JURY'S FORMAL DECISION
- 2. TO FORMALLY ACCUSE SOMEONE
- 3. DECIDES ON EVIDENCE, INDICTS
- 4. CHARGED WITH PUBLIC OFFENSE
- 5. A LESSER CRIME
- 6. ORDER OF COURT, BASED ON VERDICT
- 7. SEEK PROTECTION OF PRIVATE RIGHTS
- 10. MONEY GIVEN TO INSURE APPEARANCE IN COURT
- 12. READING OF RIGHTS
- 14. PERSON AGAINST WHOM SUIT IS BROUG HT
- 17. CONDITIONAL RELEASE

Jurisprudence

1. Is it legal to keep the meat of an animal killed in defense of life or property?
2. What did an unprecedented 1974 Alaska Supreme Court ruling give Alaskans the right to do in the privacy of their homes?
3. Who said okay to being corralled as a Wrangell deputy marshal?
4. Whose obituary read: "Alaska's wick burns out but his light shines on"?

Unit 4, Lesson 29 U.S. Government & AK

Here is Lesson 29.

It will take you 3 class periods to complete the minimum requirements.

<p>Warm-up: Complete this first.</p>	<p><input type="checkbox"/> Federal Find, p. 409</p>
<p>Information: Complete this next.</p>	<p><input type="checkbox"/> U.S. Government in Alaska, pp. 411-15</p>
<p>Extension Activities:</p> <p>Complete both #1 and #2.</p>	<p><input type="checkbox"/> 1. Research Projects, p. 416 <input type="checkbox"/> 2. Who Should Be Responsible, p. 417 <input type="checkbox"/> 3. Extended Reading, see list on p. 320</p> <p>* May be sent via e-mail if student has access.</p>
<p>Sourdough Lingo*:</p> <p>Complete this as you study the lesson.</p>	<p><input type="checkbox"/> per capita constituents</p>
<p>Alaska Trivia*: Optional</p>	<p><input type="checkbox"/> Federal Influence, p. 417</p>
<p>Assessment:</p>	<p><input type="checkbox"/> Review Lessons 25-29. complete assessment 9. Instructions are on p. 418.</p>