

off the record

a legislative
update from
Senator Kim Elton

a bi-weekly way to stay in touch

Room 115, State Capitol, Juneau, AK 99801 * 465-4947 * 465-2108 FAX * July 25, 2003

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Capitol Undercurrents



Good training?—Gregg Erickson reports in his latest Budget Report issue that Attorney General Gregg Renkes authored a paper on spider behavior while an undergraduate at Vassar for the journal *Animal Behavior* and another paper later on spider behavior for the *Journal of Arachnology*. That was before law school, staff work with Sen. Frank Murkowski, and before managing a department of nearly 200 lawyers.



Third floor shuffle—Word is that gubernatorial special assistants Frank Homan and Jack Phelps are leaving the capitol for other opportunities. Frank

(one of the nicest people in Juneau) is reportedly heading to the Commercial Fishing Entry Commission and Jack is off to the private sector. The new Frank Homan



apparently will be Heather Brakes, the deputy in the governor's legislative liaison office, while the new Phelps is reportedly Becky Hultberg, moving over from the governor's boards and commissions staff.

Random thoughts From budget esoterica to tourists

Opinion endorses budget machinations

During the course of my duties, I'm reminded at times of the 1960s folk song refrain "... and I'm sure it wouldn't interest anybody, outside of a small circle of friends."

And so it was today as I read my newest issue of the expensive-but-worth-it *Alaska Budget Report*. The lead story dissects the legal issues surrounding the Republican budget coup at the end of the session that withdrew money from the constitutionally protected budget reserve (CBR) with a simple majority vote instead of the three-quarter vote used since the CBR was enshrined in the constitution. In previous years, a three-quarter vote forced a bi-partisan budget plan because minority party votes were needed to "get out of town." This year a simple legislative majority vote withdrew money from the CBR, ensuring a Republican budget, not a Republican/Democrat budget.



The *Alaska Budget Report* analysis was one of those stories that won't interest many outside a small circle of budget cognoscenti, even though what happened at the end of the session, if allowed to stand, turns on its head the commonly accepted method under which the legislature balances the state's annual budget.

The topsy-turvy method now has a legal underpinning as the result of clever lawyering rather than structural change to the constitutional elements that govern the constitutional budget reserve. An opinion issued by the attorney general June 18 retrospectively endorses the simple majority vote vs. three-quarter vote machination by finding the legislature cannot appropriate unrealized earnings from the permanent fund.

That opinion is directly at odds, the budget report says, with a 1999 finding by a private law firm (endorsed by the former AG) that unrealized earnings are available for appropriation.

Of course, opinions are just that. This opinion stands, though, unless tested in court or changed (again) at some point in the future. Don't look, though, for the GOP legislative leadership to challenge the new AG's opinion since it provides cover for their CBR machinations.

Random thoughts. . .

On the road with visitors

Marylou and I took a quick ferry and road trip to Fairbanks via Skagway, Whitehorse, Beaver Creek and Tok to surprise some far north friends celebrating a wedding anniversary. Our on-the-road experience helped bump us from simply knowing to fully understanding the impact of the independent traveler on our economy.

On the ferries and on the highway, we saw visitors from every Canadian province and many of the states from Florida to Washington. Some were visiting the far north for the first time, some were visitors so enthralled by their first visit that they were back again. One family from Wisconsin that we met at the state's campground near Tok drove north as a complete family unit and had such a wonderful time that they sent dad back by plane when his vacation was over while the rest stayed to continue their Alaska adventure.



I've dealt with the statistics on independent travelers. I can parse the economic benefits and I can reach for publications on my office shelves that tell me how many visitors embarked on a ferry adventure over the past ten years and how many visitors crossed the Alaska border near Beaver Creek, Y.T. But that was knowing.

Now Marylou and I have a better understanding of independent travel. That understanding comes not from numbers but from discussions with visitors that get to motivation. Almost without exception, the motivation is that Alaska really is the great land, the last frontier. It's not a license plate slogan or a bumper sticker.

We may have gotten used to glacial fjords and vistas of the Tanana River with the Alaska Range as a backdrop. Our visitors have not. And seeing our state through their eyes reminded us how much we take for granted. One couple from England pulled in behind us at a highway rest stop and they were over-the-top thrilled by their sighting of a black bear a couple miles back. That alone made every penny they'd spent worthwhile.

Our trip also gave us more of an appreciation for the services we provide that make their trips more successful. We camped our way to Fairbanks. Facilities like the state campground on the Tok River were plugged with visitors' RVs, vans and tents. Clean, sanitary and safe campgrounds like this one are amenities that are treasured by visitors. A dollar spent to keep them that way is returned many times over when out-of-state users recount their adventure with friends, neighbors and anyone who'll listen when they return home. (My resource material on the shelves also reminds me that the independent traveler spends more, and more diversely, than visitors taking advantage of vertically integrated cruise packages.)

As a by-the-way, we also are impressed with Juneau's sister city of Whitehorse, just a short ferry ride and two-hour drive to the north. Despite an economy in dire straits, this city of 22,000 on the banks of the Yukon keeps investing in recreational amenities. In our short stay we used ski/hiking trails, golf courses, bike paths and campground. We wandered by the softball fields where teams from Juneau were competing with the Canadians at the annual Dustbowl tournament—though it was pouring rain at the time. These facilities are complemented by the ski slope, ice rinks and city parks we've visited in the past.

Though we didn't get a chance to visit it, Whitehorse just recently completed a water park with a huge pool and water slide. Not bad for our much smaller northern neighbor.

Undercurrents continued...

Just a typical day at the office—A recent arrival to Alaska spent some time with Rep. Beth Kerttula discussing international river issues. The two



segued into discussions about fly fishing, bears in backyards, and marksmanship. As the new arrival left Beth's office he commented this was the first time he'd ever discussed "fishing, bears, and guns with an elected official."

Don't mess with her—Senate Sergeant of Arms Jamiann Stevens picked up a new title in late June—Alaska Division 1 Lightweight Boxing Champion. She'll be toting around on her slender frame a 10 lb. brass and leather belt she won at the matches in Ketchikan. Her last opponent is a former Ketchikan police officer (two other potential opponents dropped out when Jamiann announced she was going for the title). Jamiann reported no difficulties getting the metal-encrusted belt through security at the Ketchikan airport since some of the TSA employees were in the audience for her match. Jamiann will soon be off for the Ringside National Championships in Kansas City, MO, with her husband and fellow boxer Russ (Dirt) Stevens.



Contact Us

Phone: (907) 465-4947
Fax: (907) 465-2108
Mail: Sen. Elton, State Capitol
 Juneau, AK 99801

Email:
Senator_Kim_Elton@legis.state.ak.us
Jesse_Kiehl@legis.state.ak.us
Paula_Cadiente@legis.state.ak.us

Web: <http://www.akdemocrats.org>
 To unsubscribe, call 465-4947 or send email to Paula_Cadiente@legis.state.ak.us