

**ALASKA STATE LEGISLATURE**  
**HOUSE STATE AFFAIRS STANDING COMMITTEE**

February 7, 2002  
8:08 a.m.

**MEMBERS PRESENT**

Representative John Coghill, Chair  
Representative Jeannette James  
Representative Hugh Fate  
Representative Gary Stevens  
Representative Peggy Wilson  
Representative Harry Crawford  
Representative Joe Hayes

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 213

"An Act relating to initiative and referendum petitions; and providing for an effective date."

- MOVED HB 213 OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 25

Proposing an amendment to the Constitution of the State of Alaska relating to initiative and referendum petitions.

- MOVED HJR 25 OUT OF COMMITTEE

HOUSE BILL NO. 314

"An Act relating to service in the peace corps as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

- HEARD AND HELD

**PREVIOUS ACTION**

BILL: HB 213

SHORT TITLE: INITIATIVE/REFERENDUM PETITIONS

SPONSOR(S): REPRESENTATIVE(S) WILLIAMS

Jrn-Date	Jrn-Page		Action
03/26/01	0729	(H)	READ THE FIRST TIME - REFERRALS
03/26/01	0729	(H)	STA, JUD, FIN
04/24/01		(H)	STA AT 8:00 AM CAPITOL 102
04/24/01		(H)	Bill Postponed
04/26/01		(H)	STA AT 8:00 AM CAPITOL 102
04/26/01		(H)	Heard & Held
04/26/01		(H)	MINUTE(STA)
04/26/01	1257	(H)	COSPONSOR(S): WILSON
04/28/01		(H)	STA AT 9:00 AM CAPITOL 102
04/28/01		(H)	<Bill Postponed>
02/07/02		(H)	STA AT 8:00 AM CAPITOL 102

BILL: HJR 25

SHORT TITLE:CONST AM: INITIATIVE/REFERENDUM PETITIONS  
SPONSOR(S): REPRESENTATIVE(S)WILLIAMS

Jrn-Date	Jrn-Page		Action
03/26/01	0728	(H)	READ THE FIRST TIME - REFERRALS
03/26/01	0728	(H)	STA, JUD, FIN
04/24/01		(H)	STA AT 8:00 AM CAPITOL 102
04/24/01		(H)	Bill Postponed
04/26/01		(H)	STA AT 8:00 AM CAPITOL 102
04/26/01		(H)	Scheduled But Not Heard
04/26/01		(H)	MINUTE(STA)
04/26/01	1256	(H)	COSPONSOR(S): WILSON
04/28/01		(H)	STA AT 9:00 AM CAPITOL 102
04/28/01		(H)	<Bill Postponed>
02/07/02		(H)	STA AT 8:00 AM CAPITOL 102

BILL: HB 314

SHORT TITLE:PFD ELIGIBILITY FOR PEACE CORP VOLUNTEERS  
SPONSOR(S): REPRESENTATIVE(S)MCGUIRE, DAVIES

Jrn-Date	Jrn-Page		Action
01/14/02	1957	(H)	PREFILE RELEASED 1/11/02
01/14/02	1957	(H)	READ THE FIRST TIME - REFERRALS
01/14/02	1957	(H)	STA, FIN
01/28/02	2086	(H)	JOINT PRIME SPONSOR ADDED: DAVIES
02/07/02		(H)	STA AT 8:00 AM CAPITOL 102

**WITNESS REGISTER**

RANDY RUARO, Staff  
to Representative William K. "Bill" Williams  
Alaska State Legislature  
Capitol Building, Room 515  
Juneau, Alaska 99801  
POSITION STATEMENT: Testified on behalf of Representative  
Williams, sponsor of HB 213 and HJR 25.

SUSAN SCHRADER, Conservation Advocate  
Alaska Conservation Voters  
PO Box 22151  
Juneau, Alaska 99802  
POSITION STATEMENT: Spoke in opposition to HB 213 [and HJR 25].

RANDY REUDRICH  
1515 West 13th Avenue  
Anchorage, Alaska 99501  
POSITION STATEMENT: Testified on HB 213.

GAIL FENUMIAI, Election Program Specialist  
Central Office  
Division of Elections  
Office of the Lieutenant Governor  
PO Box 110017  
Juneau, Alaska 99811-0017  
POSITION STATEMENT: Answered questions on HB 213 and HJR 25.

DAVID MOORE, Director  
United Campus Ministry (UCM)  
University of Alaska, Fairbanks  
4042 Dunlap  
Fairbanks, Alaska 99709  
POSITION STATEMENT: Testified on behalf of 26 Peace Corps  
volunteers from Alaska, in particular, Denny and Lisa Wells,  
regarding HB 314.

FRANCIS McLAUGHLIN, Peace Corps Volunteer  
1167 Park Drive  
Fairbanks, Alaska 99709  
POSITION STATEMENT: Testified in support of HB 314.

**ACTION NARRATIVE**

TAPE 02-7, SIDE A  
Number 0001

CHAIR JOHN COGHILL called the House State Affairs Standing Committee meeting to order at 8:08 a.m. Representatives James, Fate, Crawford, and Coghill were present at the call to order. Representatives Stevens, Wilson, and Hayes arrived as the meeting was in progress.

HB 213-INITIATIVE/REFERENDUM PETITIONS

[Contains discussion pertaining to HJR 25]

Number 0042

CHAIR COGHILL announced the first order of business, HOUSE BILL NO. 213, "An Act relating to initiative and referendum petitions; and providing for an effective date."

Number 0136

RANDY RUARO, Staff to Representative William K. "Bill" Williams, Alaska State Legislature, presented HB 213 on behalf of the sponsor, Representative Williams. He told the committee the proposed legislation would require the following change regarding the initiative process: that signatures of 7 percent of those who voted in the preceding general election in 30 of the 40 House districts must be obtained to get an initiative on the ballot. The requirement would guarantee that before a statewide initiative is on the ballot, there is some majority showing of statewide support, which he said the sponsor believes is good public policy.

MR. RUARO addressed comments in opposition, from the last public hearing. The first was that the [proposed legislation] would destroy the initiative process. He said the sponsor disagrees and notes that out of 23 states that do have the initiative process, the clear majority have adopted some form of geographic signature requirement similar to those in [HB 213]. He noted that the sponsor believes that Alaska should join Arkansas, Florida, Idaho, Maine, Massachusetts, Missouri, Montana, Nebraska, Nevada, Ohio, Utah, and Wyoming in adopting "similar" requirements. Mr. Ruaro noted that the Washington State Legislature is considering legislation to impose geographic requirements, and if both Washington and Alaska enact legislation, only 8 out of the 23 states with the initiative process wouldn't have some type of geographic requirement.

MR. RUARO, regarding a second comment in opposition which stated that the legislation would take away the initiative process from

the average individual, said the sponsor disagrees and notes that whether an initiative drive is successful or not depends more on the subject matter of the initiative than the wealth, or lack of wealth, of its sponsor; an initiative that people are interested in will gather support. He also noted that many House districts are compact in urban areas, so initiative sponsors could satisfy a large part of the [proposed] requirement by focusing on those areas, "but just not focusing solely on those areas."

MR. RUARO reported that the number of initiatives making it to the ballot has increased by 100 percent. He mentioned a comparison of the 1980-1989 period to the 1990-2000 period, and he added that there will probably be four initiatives on this year's ballot.

Number 0460

MR. RUARO referred to the last column of a one-page spreadsheet [included in the committee packet and entitled, "Status of Active Petitions: 2002 Election"], which shows the average number of signatures per month that sponsors were able to gather for upcoming initiatives that will be on a ballot. In the case of the [All-Alaskan] Gasline initiative, he noted, the total signatures reached 10,500 per month. Only 28,782 total signatures are required to get an initiative on the ballot, he pointed out; therefore, "it appears that initiative sponsors are able to gather pretty significant amounts of signatures in a rapid amount of time."

MR. RUARO concluded that before the [proposed] legislation would become effective, it would have to be approved by the voters. He commented, "It seems a bit odd that the opponents of this bill, who are supporters of having issues decided by direct vote, would be opposed to allowing the voters to decide this issue." In response to a request for clarification, Mr. Ruaro indicated the bill had been heard late in the previous session [2001].

Number 0600

CHAIR COGHILL stated his view that part of the "urban-rural divide" could be answered by allowing this type of a division for petition gathering.

Number 0662

REPRESENTATIVE JAMES said she supports this constitutional amendment [proposed by HJR 25] and was present when arguments were being made that "this was just really eating into the ability of people to have an initiative." She mentioned [Alaska's] scattered population. She said she was surprised by the list of all the other states with geographic issues. She mentioned the attempts made to find out how all the various places around the state feel about issues. She said she has always described Alaska as five separate states - not only geographically, but also philosophically. It is unfair, she opined, when most of the population is in the Railbelt, to expect that the Railbelt will carry everything and "no one else has a voice." She indicated that [areas with fewer voters] only get to vote if the initiative is on the ballot, and "never get their voice in there in the beginning."

REPRESENTATIVE JAMES mentioned people who do have money. She said she thought legislation had been passed that "makes these people tell where they get their money when they're supporting an initiative." She said that had been another problem in the past, because people didn't really have to say where their money was coming from when they were supporting an initiative.

REPRESENTATIVE JAMES also mentioned a couple of initiatives that she'd found painful and didn't think necessarily represented rural Alaska: the initiative regarding [wolf] snaring, which was finally "won," but with a lot of money and cooperative efforts of people with interests in hunting and fishing; and the initiative regarding billboards, which she said she thought was fraught with what she considered misleading advertising.

Number 0936

CHAIR COGHILL agreed that initiatives do become an advertising issue. He mentioned trying to "get something up on an issue that everybody can weigh in on" and have something that is publicly driven.

Number 0958

REPRESENTATIVE CRAWFORD said he feels that if people don't agree with an issue that comes up in the referendum process, this will limit debate and getting those issues out in the open, because it will be much more difficult to get those issues on the ballot.

Number 1054

SUSAN SCHRADER, Conservation Advocate, Alaska Conservation Voters (ACV), told the committee ACV doesn't believe either [HB 213] or the proposed amendment to the constitution [HJR 25] will achieve its desired goals. She cautioned, as Representative Crawford had pointed out, that it would be "a marked disincentive" for people to bring initiatives. She suggested that rather than creating a more equitable system, this is an attempt to limit the initiative process. Ms. Schrader said she thought [the committee] would find that voters don't want the initiative process limited.

Number 1140

MS. SCHRADER referred to the results of a poll conducted by Ivan Moore [included in the committee packet and entitled, "Executive Summary"]. The basic question during the poll, she explained, was whether the people polled wanted the initiative process limited in any way. She reported that 75 percent responded no.

MS. SCHRADER said she thinks the results coincide with the results seen on Ballot Measure 1 last year, a measure to limit the initiative process [by] restricting its use for any wildlife issues. She noted the following percentages of voters who voted against [Ballot Measure 1] and which district they were in: 76 percent in District 2, 71 percent in District 6, 66 percent in District 22, 56 percent in District 30, and 59 percent in District 32.

MS. SCHRADER suggested this isn't a matter of whether to kill wolves or not; rather, it is, "Do the citizens of Alaska want their initiative process limited, which is exactly what this bill does." Statewide, taking into account all of the rural districts, Ballot Measure 1 was defeated by 65 percent of the voters, she said. She predicted this measure would be turned down again, should it get to the ballot.

Number 1249

MS. SCHRADER said she thinks that sends a clear message to the legislature that "this is perceived by most voters as our check on all of you." She continued as follows:

It is our way of creating some laws that we have asked, perhaps in the past, the legislature to take up and they have preferred not to. It is our check under

the referendum process to perhaps overturn laws that we have not been happy with the legislature making.

As you all know, we do have the right, in the couple years after [a] ballot measure has passed, to rescind it or alter it. So, it's a part of the checks and balance[s].

And the information that I tried to present to you today simply shows that most Alaskans want to protect the initiative process, and I think most Alaskans will view these measures ... very directly, as a effort to limit their process.

Number 1330

RANDY REUDRICH, testifying via teleconference, specified that as an individual, he believes all Alaskans participate in all phases of the state's activities. He said he tends to think this particular bill might enhance the participation of all Alaskans in the initiative and referendum process, "rather than allowing it to be, essentially, a very limited number of people, in a few stores, signing petitions."

MR. REUDRICH said he'd initially been going to speak on behalf of the Republican Party, as chairman, but noted that the Republican Party has never taken a specific stance on initiatives. He clarified that "there is no prior, recent, or longstanding indication of a Republican Party's position on initiatives, nor this particular matter."

Number 1440

CHAIR COGHILL, referring to the 7-percent issue on page 2, line 1, and again in Section C, lines 14-16, asked [Mr. Ruaro] how he arrived at that number.

Number 1500

MR. RUARO said he thinks what occurred was that the sponsor [made comparisons with] some of the other states [that have geographic requirements] and the number is "about in the middle of what's required in other states." He said he believes "it goes as high as 11 percent in Wyoming, and then ranges downward to 5 percent."

CHAIR COGHILL surmised that the committee needs to look - as part of the policy discussion - at whether the number will be representative of a particular area, "because once they get over that bar, then it moves forward." He said, "When we get to the constitutionality of it, I'm going to kind of force that discussion into the [House] Judiciary [Standing] Committee."

Number 1570

REPRESENTATIVE JAMES asked Gail Fenumiai what the existing rules are.

GAIL FENUMIAI, Election Program Specialist, Central Office, Division of Elections, Office of the Lieutenant Governor, explained that the current initiative procedure requires 10 percent of the total votes cast in the preceding general election, from two-thirds of the House districts; there is no percentage per House district. She noted that two-thirds of the House districts equates to 27 House districts that need to be represented. In response to a further question from Representative James, she said:

There are three people who complete an initiative application [and] are known as the initiative committee - the three primary sponsors of the committee. They are then responsible for getting ... that original hundred signatures, which is required to get an application certified, which then leads to getting the booklet [printed] and being able to gather signatures. And the prime sponsors gather additional sponsors to be petition circulators. But there is no requirement for a circulator to be in every House district. The petition booklets are given to whoever is interested in circulating the petition.

Number 1692

REPRESENTATIVE JAMES referred to last year's discussion and mentioned a comparison of how many rural districts and urban districts there are. She recalled that using two-thirds could almost eliminate all rural districts, whereas using three-quarters would include at least a few. Pointing out Alaska's uniqueness, she mentioned that the people in the Anchorage area comprise half of the voters in the state and have fewer districts; therefore, it is easy to get around Anchorage to "get two-thirds," whereas many rural areas are missed.

REPRESENTATIVE JAMES suggested that many of those people may not know much about an initiative before going to the polls, because nobody's been talking about it and none of their neighbors are involved. "And that's the whole issue that I think that Representative Williams is trying to address, and why I supported this," she remarked. Representative James asked if Ms. Fenumiai believes this [proposed legislation] would indeed discourage the initiative process.

Number 1787

MS. FENUMIAI noted that it was probably outside the scope of her authority to comment on that. She then referred to a printout showing how many signatures, per district, prior initiative petitions have garnered; she offered to make it available to the committee. She suggested it might answer some of Representative James's questions regarding where the signatures come from, because the printout identifies Districts 1 through 40 and how many signatures were gathered on each initiative, "as they were processed by the division," up through last year. She noted that statistics for this year were not available.

Number 1947

REPRESENTATIVE WILSON asked Ms. Fenumiai to confirm that 27 districts were involved in the last referendum.

MS. FENUMIAI clarified that there needs to be at least a signature from 27 of the 40 districts to make up the 10 percent statewide.

REPRESENTATIVE WILSON said changing from two-thirds to three-fourths might sound like a lot, but would only be three more districts; she noted that it would not take a "horrendous effort to get that done." She added that she thought having input from three more areas would be wonderful.

Number 2016

REPRESENTATIVE CRAWFORD offered that three more districts is not such a problem; however, having 7 percent of the people in that district [who have voted in the preceding general election] is a problem. He continued, "Had we had to clear this hurdle to get the initiative on the ballot for the minimum wage, it would have been much more difficult and much more expensive for us to get that." He postulated that this [proposed legislation] is just a way to keep issues off the ballot that the legislature has not

seen fit to discuss or pass. He cited the minimum-wage initiative as an example.

Number 2062

REPRESENTATIVE JAMES stated that she took [Representative Crawford's remarks] as "a negative to my interest in this." She said she has "no interest in necessarily keeping things off the ballot." She said her intent was that all of the people of Alaska have the opportunity to participate.

Number 2100

MR. RUARO alluded to the minimum-wage initiative. He said it looked as though 6,100 signatures a month had been collected, beginning April, 2001 - a "pretty good rate in a short period of time." Although [HB 213] might require those involved to spend additional time and effort, Mr. Ruaro said he does not think it would block the initiative from making it onto the ballot.

Number 2142

REPRESENTATIVE CRAWFORD responded, "We did get a lot of signatures, because a lot of people worked really hard to get those signatures; I spent a lot of time out collecting signatures for that minimum-wage petition." He noted that in Wyoming, for example, one can take a camper or motor home and "go park in front of their neighborhood, or community store" to get the signatures. Having to go to the Aleutians, to Barrow, and then to Ketchikan and Wrangell is much more difficult. He added, "We would have had to have gone to much more expense to get something like the minimum-wage petition on the ballot. That's the difference."

Number 2195

CHAIR COGHILL recognized that Representative Crawford had a conflict in this, since he did participate in an initiative, and that he was well aware of the issue. He asked, "At what point do those who are hard to reach get disenfranchised from the process?" He said, "We take great expense getting voting machines to them. We should try to make sure that they're included in the discussion in things that come up for referendum or initiative." He asked members what they would like to do with [the bill].

Number 2242

REPRESENTATIVE FATE indicated he would like to move HB 213 [out of committee with individual recommendations and the attached zero fiscal note].

REPRESENTATIVE COGHILL, hearing no objection, announced that HB 213 was moved out of the House State Affairs Standing Committee.

HJR 25-CONST AM: INITIATIVE/REFERENDUM PETITIONS

[Contains discussion of HB 213]

Number 2263

CHAIR COGHILL announced the next order of business, HOUSE JOINT RESOLUTION NO. 25, Proposing an amendment to the Constitution of the State of Alaska relating to initiative and referendum petitions.

Number 2275

RANDY RUARO, Staff to Representative William K. "Bill" Williams, Alaska State Legislature, presented HJR 25 on behalf of Representative Williams, sponsor. Mr. Ruaro described HJR 25 as companion legislation to HB 213. He explained that a constitutional amendment would be required in order to change the language relating to initiatives. He said, "HJR [25] tracks HB 213 in the changes that it makes to the initiative process."

Number 2300

CHAIR COGHILL noted that [page 1] line 8 of the resolution says "at least ten per cent of those who voted", whereas HB 213 indicates 7 percent.

MR. RUARO said he thought it was probably a drafting error. He stated his belief that the 10 percent was "prior language."

Number 2332

GAIL FENUMIAI, Election Program Specialist, Central Office, Division of Elections, Office of the Lieutenant Governor, clarified that 10 percent is the total number of signatures throughout the whole state; that would not change. The change, she specified, is the 7 percent per district. Regarding the fiscal note, she said it is the division's standard fiscal note

for ballot measures; it represents the cost of putting a page in the official election pamphlet.

Number 2406

REPRESENTATIVE HAYES asked what 7 percent of the most recent election would be for each district.

MR. RUARO said he did not know.

REPRESENTATIVE HAYES offered his belief that those figures are important to the present discussion.

Number 2450

MS. FENUMIAI indicated she had just completed a spreadsheet that shows the number of votes per House district in the 2000 general election and what 7 percent of that would equate to. She offered a copy to the committee.

Number 2457

REPRESENTATIVE JAMES indicated she thought it was approximately 15,675 residents, but that number would not [represent] all voters, and "they don't all vote." She clarified that the issue is in regard to people who vote.

Number 2510

CHAIR COGHILL asked [Ms. Fenumiai] and Mr. Ruaro if they had anything further to add to the discussion; he commented that as he understood it, it would be pretty much the same testimony [as they had given for HB 213].

MR. RUARO said, "That's correct."

Number 2540

REPRESENTATIVE HAYES noted that some people may not know what district they are in. He then said, "I actually think this is a real good idea, and I support it. But this just seems like this is really going to be quite cumbersome to actually getting signatures." He explained that a person could think he/she had collected so many signatures in one district, when those signatures were actually from another district.

Number 2581

MR. RUARO referred to his own House district and said he wasn't familiar with the problem referred to by Representative Hayes.

REPRESENTATIVE HAYES offered that in the more populated areas - Anchorage, the Matanuska Valley, and Fairbanks, for example - "folks are all over." Logistically, he said, "this is a lot harder than I was giving it credit for."

MR. RUARO noted that the person gathering signatures would have to ask where [the signer] is from. He said substantially more signatures than are required are often collected, which provides "some cover" when gathering initiatives.

Number 2658

REPRESENTATIVE WILSON noted that 15 of the 24 referendums in her district [of Wrangell] had signatures fewer than 100, with many ranging between 27-56; she said she was shocked by that. She said she thinks if the effort were made to come down to her district, then it would have a better say. She noted that 7 percent of all her constituents would be 500. Furthermore, [Wrangell] is not well represented in regard to petitions.

Number 2722

REPRESENTATIVE JAMES, regarding Representative Hayes' concern, reiterated Mr. Ruaro's comment that extra signatures are obtained in case of someone's being listed twice, or not even being registered [to vote], for example. She suggested the petition gatherer could ask the person where that person votes and then look it up on a list, to see which district that person [lives] in.

Number 2782

MS. FENUMIAI explained how the division verifies signatures:

Currently, when the booklets are filed with the division and it appears ... on the initial count that they have enough signatures to qualify, the division goes page by page, line by line, and enters the information as it's entered into the petition booklet: social security number, if the voter provided that; a voter number; the name of the voter; residence address; and city of the voter is necessary.

There's no preliminary determination made as to what district they're from. Each night we run a batch program that qualifies signatures based on the information entered for that day and the next day; we get a breakdown.

MS. FENUMIAI, in response to a question by Chair Coghill, said currently a residence [address] is required. She said the petition committee would probably need to make some other procedural changes, such as asking, "Who's your representative," which would tell which district the person [lives] in. She referred to the sheets regarding the number of signatures per district and said:

If you looked in, I'm just going to say, Districts 10-28, ... they're not equal; ... they vary just a little bit. And I know Anchorage is a big concern, because Anchorage contains Districts 10 through - and Mat-Su - 28. And so, you don't know who you're getting signatures from. But it appears that ... they get a fair representation in all the petitions that are done.

Number 2870

REPRESENTATIVE STEVENS asked Ms. Fenumiai if she was implying or saying that the figures are run regularly, so that people collecting signatures will know when they are short and won't be "blindsided" when they turn in their papers and have missed one district, for example.

MS. FENUMIAI answered no. She said the signature verification is not done until the petition is filed with the division; therefore, [the people collecting the signatures] don't know if they are short [on signatures] within a particular district until [the division] is finished with its verification. Historically, she noted, there has always been at least one signature from all 40 districts, and no petition has missed the 27 out of 40 districts.

REPRESENTATIVE STEVENS offered his understanding that the new threshold would be a percentage of each district.

MS. FENUMIAI concurred.

Number 2914

REPRESENTATIVE FATE asked if there is any editorial oversight on the wording of a petition with regard to its purpose.

MS. FENUMIAI answered that there are parameters in statute regarding what an initiative cannot do and parameters that say it has to follow the form of a proposed bill. Before the application gets to the petition-booklet phase, it is reviewed by the Department of Law to determine whether it meets the scope of the statute.

REPRESENTATIVE FATE clarified his prior question. He defined editorial oversight as looking at the way that words are put together so that the correct meaning comes out.

MS. FENUMIAI said to her knowledge, that is not done. She added, "There is a joint effort done when the ballot summary is proposed to put in the initiative petition booklets, and when the ballot language is drafted for the ballot, as well."

Number 2980

REPRESENTATIVE JAMES asked if the ballot language comes from the Division of Elections.

MS. FENUMIAI answered that that [language] is drafted through the Office of the Lieutenant Governor, with the assistance of the attorney general.

TAPE 02-07, SIDE B

Number 2990

[Representative James's question was not recorded during the tape change.]

MS. FENUMIAI replied, "That, perhaps, is with the ballot language itself. I think maybe Representative Fate was talking about the whole proposed bill." She mentioned the drafting of the bill and making sure "it doesn't go ... into territory that's restricted by the initiative process."

Number 2970

CHAIR COGHILL said it is also true that the language which ends up on the ballot becomes significant "on both sides," to make certain that it is not misleading.

Number 2958

REPRESENTATIVE JAMES asked if the language of the petition has to be approved after obtaining the sponsors, but prior to the acquisition of the signatures.

MS. FENUMIAI said that is correct; it is one requirement of the application that the proposed bill be attached. The proposed bill is reviewed to be certain it doesn't "go into something that the initiative can't do."

Number 2928

REPRESENTATIVE CRAWFORD offered his belief that there would be constitutional issues with any type of editorial oversight that tampers with the drafter's original petition language, if that wording was legal to begin with. He said the originator of the ballot would have worked to get certain language on the ballot.

CHAIR COGHILL agreed, but said that "political spin is always finding a place to land."

Number 2873

REPRESENTATIVE FATE said usually "editorial oversight" isn't to change the intent or meaning of the original writing; conversely, it is to make sure the intent is clear. He referred to the aforementioned remarks of Representative James that the legislature is an example of one area where editorial oversight is at least implied.

Number 2835

CHAIR COGHILL stated his belief that the Division of Elections has "gone overboard," not only regarding election pamphlets, but also in making sure that "it does fit the petition" and therefore isn't a problem. He suggested there could be discussion regarding the lieutenant governor and political power, because that is a political office.

Number 2784

MR. RUARO said he thought the discussion had been a good one, with admitted pros and cons. He offered the sponsor's belief that the better policy choice is to have some statewide support for the initiative process.

Number 2768

REPRESENTATIVE JAMES commented that 7 percent from each district is really the big change. She said she didn't know what the proper percentage was, but suggested it could be addressed in the House Judiciary Standing Committee. She remarked, "I think that if there's anything we need to look at to see if we've got the right number, it's the 7 percent; but I can tell you that I am not happy to have it just be one, at this time." She said it should be something relevant to the total number of available voters in a district.

Number 2709

REPRESENTATIVE CRAWFORD indicated that for him, there is some silver lining in this legislation. He noted that he has not liked some petitions that have been put on the ballot in the past. He said:

This would, I believe, keep somebody like Uwe Kalenka from putting some of the things that he puts on the ballot; [it] would keep his initiatives off the ballot. So, that's not so bad, but I really believe that he has the right to put those things on the ballot, because I believe that I have the right to put something that I like on the ballot. So, I wanted to fight this morning for his right to do it, because it's also my right.

REPRESENTATIVE CRAWFORD said he believed he'd used "this issue" fairly effectively in the last election, when, he indicated, the Republican majority was trying to limit people's right to petition regarding the wildlife initiative. He said he believes "this is one of those briar patches that I might be able to use again in the next election."

CHAIR COGHILL told Representative Crawford he was veering off the topic.

REPRESENTATIVE CRAWFORD concluded, "Well, this is a briar patch that you might not want to throw me in."

Number 2631

REPRESENTATIVE FATE objected and stated, "This is a forum for a policy on an issue; it's not a debate on campaigns."

CHAIR COGHILL said that unfortunately when any issue is discussed, campaign is an "underriding" issue; therefore, he said he wanted to allow some latitude for that discussion. He indicated that it was certainly not his intention to allow the House State Affairs Standing Committee [be used] to impugn anybody who is a petition gatherer. He asked, "How do we make the process more representative of the people of Alaska?"

Number 2598

REPRESENTATIVE JAMES said she thinks people have the right to petition, and that she was not there to take that right away. The problem, she stated, is that there must be cosigners. She noted two [considerations in getting an issue on the ballot]: first, ascertain that enough people want the issue on the ballot; and second, ensure that [voters faced with the initiative] are fully informed of the issue. She opined that it does not matter where somebody lives. Everyone needs to have the same opportunity to participate and to be well informed. She stated her belief that "we" have been leaving some people out.

Number 2515

CHAIR COGHILL said the whole discussion regarding representative government and majority rule must work hand in hand. Furthermore, Chair Coghill said he thinks "this is probably a good discussion on that."

Number 2499

REPRESENTATIVE FATE moved to report [HJR 25] out of committee with individual recommendations and the accompanying fiscal note.

REPRESENTATIVE HAYES objected.

Number 2463

A roll call vote was taken. Representatives Fate, James, Stevens, Wilson, and Coghill voted to move the resolution from committee. Representatives Crawford and Hayes voted against it. Therefore, HJR 25 was moved out of the House State Affairs Standing Committee by a vote of 5-2.

HB 314-PFD ELIGIBILITY FOR PEACE CORP VOLUNTEERS

Number 2400

CHAIR COGHILL brought before the committee HOUSE BILL NO. 314, "An Act relating to service in the peace corps as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

CHAIR COGHILL clarified that the sponsor of the bill [Representative McGuire] could not be present; therefore, he asked that testimony be heard.

Number 2380

DAVID MOORE, Director, United Campus Ministry (UCM), University of Alaska Fairbanks, testified via teleconference on behalf of the 26 Peace Corps volunteers from Alaska. He told the committee he was testifying specifically for Denny and Lisa Wells, two people involved in UCM between 1994-1998 and currently serving the Peace Corps in Thailand.

MR. MOORE said he'd recently read an article in the Fairbanks Daily News-Miner about Peace Corps volunteers acting as diplomats. He commented that he'd found it interesting that in the article U.S. Senators, as well as both Republican and Democrat Representatives, talked about the benefit of Peace Corps volunteering - "how it had helped them, as well as ... the individuals they had worked with in their country, as well as the good things they had brought back to our country."

MR. MOORE noted that the article also said more than 7,000 volunteers are deployed today. He commented that the word "deploy" is usually used as a military term. He indicated President [George W.] Bush wants to double that number and nearly double the Peace Corps budget over the next five years, from \$275 million to \$475 million. Mr. Moore stated his belief that it is important in [today's] world that Alaska support its residents who want to show the world "that we are good-natured."

MR. MOORE stated that "the Peace Corps is entirely made up of voluntary government service, just like the military." He opined that Mr. and Ms. Wells are both "sharp" individuals who chose to serve the nation to make the world a better place, rather than [make money] in a corporate world. [The next couple of sentences were indiscernible.]

CHAIR COGHILL asked the witness to move closer to the microphone.

MR. MOORE said Mr. and Ms. Wells have chosen to serve the state by corresponding with the second-grade class at Hunter Elementary School in Fairbanks. He stated his certainty that when they returned, they would share the gifts they received from the Thai people: the gift of culture, the gift of understanding, and the gift of information. He said he had personally benefited from the stories, knowledge, and insight of Peace Corps volunteers; he shared his belief that many have benefited from the Peace Corps program, both abroad and in Alaska. He concluded, "I believe that we should show our resident Peace Corps volunteers our support by sharing 8 cents apiece, so that they might have their rightful dividend."

CHAIR COGHILL asked Mr. Moore to send his testimony in writing to the committee.

Number 2245

FRANCIS McLAUGHLIN, Peace Corps Volunteer, testifying via teleconference, read from his testimony [included in the committee packet], as follows:

I would like thank House members for listening to public comment about HB 314, which will hopefully reinclude Peace Corps volunteers for receiving the [permanent fund] dividend.

I was born in Fairbanks Memorial Hospital in 1977 and have been a Fairbanks resident all my life. After graduating from college, I applied and was accepted to the U.S. Peace Corps. I did not find out where the Peace Corps would send me until three months before I left for my post. The Peace Corps placed me in a town in the Central Highlands of Guatemala. I was the only non-Guatemalan and English-speaking person living in Santiago Sacatepaquez. I was the only person that the people of that town will probably ever meet from Alaska. I lived in a one-room house with a tin roof. I shared my bathroom - a latrine - with sixteen other people. My town only had access to water for about three hours a day.

While living in Santiago, I successfully organized the community to build a tree nursery, which has since produced over 8,000 new avocado trees for the town. All of the trees ... are planted in fields surrounding

the town, and some are already producing fruit. I lived as the people did and worked with them side by side. It was a very rewarding experience for me, and I hope that the work I did will help the people of Santiago. I know that I will never forget them and that they will never forget ... me.

During my first year in Santiago, I joined the town soccer team. My neighbor and fellow teammate thought that it would be funny if he told the people in town that I played professional soccer in the U.S., even though it wasn't true. Well, the entire town showed up at our first soccer game to see if I was really as good ... as they had said. My reputation was confirmed when I scored a left-footed shot, placed perfectly in the lower-right corner of the goal, within the first five minutes of the first game. Unfortunately, that was the only goal I scored the entire season.

I am sad to say that when I left Fairbanks to become a Peace Corps volunteer in Guatemala, I was penalized. While serving two years and four months in Guatemala, I was ineligible to receive the [permanent fund] dividend for two years in a row. I worked very hard while working with the Peace Corps to be a good representative of my family, my community, my state, and my country, and to serve rural Mayan people in Santiago. I should not have lost my dividend for being a Peace Corps volunteer.

Everyone can come up with a good reason why they need the dividend, and I am no different. I have four ... years of Alaska student loans to pay off, and the interest on these loans has continued to accrue while I was a volunteer. I was allowed to defer the principle of my Alaska student loan, but not the interest. So, my debt has grown while I was working and earning next to nothing as a Peace Corps volunteer in Guatemala.

Why are the Peace Corps volunteers and Olympic athletes from Alaska penalized for representing their state while working abroad? I know that Alaskans, my neighbors here in Fairbanks and elsewhere throughout the state, value public service and do not believe that Peace Corps volunteers and Olympic athletes

should be penalized for the job that ... we do. I believe that Peace Corps volunteers and Olympic athletes should receive the dividend, and those who have already been stripped of the dividend, like me, should be given it back, retroactively. The amount of money that this would be is very small, because there are very few Peace Corps volunteers and Olympic athletes from Alaska. Believe me, they are deserving of the dividend and need it, also.

MR. McLAUGHLIN said he supported HB 314, but would like to see Olympic athletes and - as soon as the President defines them - Freedom Corps volunteers [included] as well. He added that he would like Peace Corps volunteers and Olympic athletes who were ineligible over the past three years to receive [retroactive payment of those missed permanent fund dividends].

Number 1994

CHAIR COGHILL requested that the witness fax his written testimony. He said Mr. McLaughlin brings an interesting point to the committee regarding the need to [include] more people; he said Mr. McLaughlin had made a compelling argument "for one other group." He noted that the bill would be discussed when Representative McGuire, sponsor, was available. [HB 314 was held over.]

#### **ADJOURNMENT**

Number 1938

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 9:16 a.m.