

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

May 11, 2002

6:08 p.m.

**MEMBERS PRESENT**

Representative John Coghill, Chair  
Representative Jeannette James  
Representative Hugh Fate  
Representative Peggy Wilson  
Representative Harry Crawford

**MEMBERS ABSENT**

Representative Gary Stevens  
Representative Joe Hayes

**COMMITTEE CALENDAR**

CS FOR SENATE BILL NO. 370(STA)

"An Act establishing procedures relating to constitutional conventions."

- MOVED CSSB 370(STA) OUT OF COMMITTEE

**PREVIOUS ACTION**

BILL: SB 370

SHORT TITLE: CONSTITUTIONAL CONVENTION PROCEDURES

SPONSOR(S): STATE AFFAIRS

Jrn-Date	Jrn-Page		Action
04/29/02	3024	(S)	READ THE FIRST TIME - REFERRALS
04/29/02	3024	(S)	STA
05/02/02		(S)	STA AT 3:30 PM BELTZ 211
05/02/02		(S)	Moved CS(STA) Out of Committee
05/02/02		(S)	MINUTE(STA)
05/03/02	3145	(S)	DP: THERRIAULT, PHILLIPS; NR: STEVENS
05/03/02	3145	(S)	FN1: ZERO(GOV)
05/03/02	3145	(S)	STA RPT CS 2DP 1NR SAME TITLE
05/07/02		(S)	RLS AT 9:30 AM FAHRENKAMP 203
05/07/02		(S)	RLS AT 11:45 AM FAHRENKAMP 203

05/09/02	3260	(S)	RULES TO CALENDAR 5/9/02
05/09/02	3268	(S)	READ THE SECOND TIME
05/09/02	3268	(S)	STA CS ADOPTED UNAN CONSENT
05/09/02	3269	(S)	ADVANCED TO 3RD READING FLD Y14 N6
05/09/02	3269	(S)	ADVANCED TO THIRD READING 5/10 CALENDAR
05/10/02	3312	(S)	READ THE THIRD TIME CSSB 370(STA)
05/10/02	3312	(S)	PASSED Y18 N- A2
05/10/02	3321	(S)	TRANSMITTED TO (H)
05/10/02	3321	(S)	VERSION: CSSB 370(STA)
05/11/02		(H)	STA AT 1:00 PM CAPITOL 102

**WITNESS REGISTER**

JOE BALASH, Staff  
to Senator Gene Therriault  
Alaska State Legislature  
Capitol Building, Room  
Juneau, Alaska 99801

POSITION STATEMENT: Presented SB 370 on behalf of the Senate  
State Affairs Committee, sponsor.

**ACTION NARRATIVE**

TAPE 02-56, SIDE A  
Number 0001

CHAIR JOHN COGHILL called the House State Affairs Standing  
Committee meeting to order at 6:08 p.m. Representatives  
Coghill, James, Fate, and Crawford were present at the call to  
order. Representative Wilson arrived as the meeting was in  
progress.

SB 370 - CONSTITUTIONAL CONVENTION PROCEDURES

CHAIR COGHILL announced that the first order of business would  
be CS FOR SENATE BILL NO. 370(STA), "An Act establishing  
procedures relating to constitutional conventions."

Number 0058

JOE BALASH, Staff to Senator Gene Therriault, Alaska State  
Legislature, presented SB 370 on behalf of the Senate State  
Affairs Committee, sponsor. He referred to article XIII,  
section 3 of the Alaska Constitution and read: "at least once

every ten years the voters are to be asked whether they want to convene constitutional convention." If the voters approve the convening of a convention this fall, the constitution states that the lieutenant governor shall issue the call after the election is certified, unless otherwise provided by law. If there are no other provisions in law, the call is to be issued as closely as possible to the original call by the territorial legislature in 1955. He noted that the way that call was issued may not be constitutional itself for a variety of reasons. Equal protection decisions that were rendered that struck down the old Senate districts' structure that was originally in the constitution could arguably be applied to a call for convention. He added that there is some question as to whether a lieutenant governor really has the ability to issue a constitutional call for convention.

Number 0261

MR. BALASH noted that rather than try to wade into all of the details, the Senate State Affairs Committee proposed to delay the call of the convention to be issued by the lieutenant governor until at least October 1 of the year after the question is voted on affirmatively. If the voters choose to have the convention this fall, the lieutenant governor will not be able to issue the call until October 1, 2003, at the earliest. That will give the next legislature an opportunity to take up the issue, invite scholars and experts to investigate these issues and make recommendations to the legislature, and it will give the legislature an opportunity to spell out some of the finer points.

Number 0374

MR. BALASH said that in the event that the next legislature isn't able to reach agreement, there will be 60 delegates, one from each House district, and one from each Senate district. They will be subject to the same APOC [Alaska Public Offices Commission] provision as candidates for the State House. That would hopefully avoid the influence of corporations, unions, and other outside interest groups that shouldn't influence the conduct of the convention.

Number 0382

MR. BALASH told the committee that the convention will be held at the University of Alaska Fairbanks campus.

REPRESENTATIVE JAMES inquired about any specific issues that would be decided at a constitutional convention.

Number 0569

MR. BALASH explained that the question on the ballot this fall will simply ask the voters whether they wish to convene a constitutional convention. Once the convention is called, then amendments, revisions, or an entirely new constitution can be proposed.

Number 0830

CHAIR COGHILL asked for an explanation on the provisions in AS 15.13.

Number 0890

MR. BALASH explained that candidates would not be able to receive more than \$500 each year from another individual; no more than 10 percent of the money they receive may come from a source outside the state. It may not come from any of the prohibited entities - generally for-profit corporations and unions - and there are requirements for certain disclosure reports at various times.

CHAIR COGHILL commented that he asked that question because it is significantly different than the candidates' selection process for the original call to convention in the 1950s. The disclosure laws have changed significantly from then to now, and so has the whole party process.

Number 0912

MR. BALASH pointed out one issue that the next legislature would want to consider is how candidates for delegate to the convention would get their name on the ballot. In 1955 it was a petition process in which a person had to get at least 5 percent of the voters from the previous general election to sign a petition. However, the size of those districts varied to such a degree that a person had to have at least 50 signatures but no more than 200. He indicated that there are a lot of little things to be considered if the people did vote yes.

CHAIR COGHILL asked why October 1 was chosen.

MR. BALASH replied that October 1 was chosen somewhat arbitrarily and to give the next legislature an opportunity to come to some kind of agreement. If by chance it couldn't come to agreement, it would provide an opportunity for the governor to issue a special session if necessary. That way there would be enough time between the end of session in May and October 1 for a reasonable special session to be called, and to take into consideration people's summer activities.

Number 1065

REPRESENTATIVE CRAWFORD commented that he hopes the wisdom of the people is not to call a constitutional convention. It didn't pass the last two times, and he doesn't know if now is a good time to put this process in motion in the eleventh hour of the Twenty-Second Legislature.

Number 1120

CHAIR COGHILL commented that this is the first time since the original convention that having a constitutional convention has been seriously considered. He noted that there are political action groups forming to have a constitutional convention. One of the original signers of the constitution is heading up one of those groups. He said it is a significant issue this year and worthy of being dealt with.

REPRESENTATIVE WILSON asked what some of the things are that people want to change in the constitution.

MR. BALASH answered that subsistence, the right to privacy, the permanent fund, the whole spectrum of resource issues, and the location of the capital are things that the convention could deal with.

Number 1262

REPRESENTATIVE FATE moved to report CSSB 370(STA) out of committee with individual recommendations and the accompanying zero fiscal notes. There being no objection, CSSB 370(STA) was reported out of the House State Affairs Standing Committee.

**ADJOURNMENT**

Number 1292

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 6:24 p.m.