

Introduced: 3/19/80
Referred: Judiciary

BY THE RULES COMMITTEE
BY REQUEST

1 IN THE HOUSE

2

HOUSE CONCURRENT RESOLUTION NO. 62 am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

Relating to the federal census.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

7

WHEREAS art. I, sec. 22 of the Alaska Constitution guarantees that the
8 right of the people to privacy is recognized, shall not be infringed and
9 directs the legislature to implement this section; and

10

WHEREAS art. III, sec. 16 of the Alaska Constitution directs that the
11 governor shall be responsible for the faithful execution of the laws and
12 further directs that the governor and attorney general may, by appropriate
13 court action or proceeding brought in the name of the state, enforce com-
14 pliance with any constitutional mandate; and

15

WHEREAS a citizen's right to privacy is an implicit right guaranteed by
16 the Bill of Rights of the United States Constitution; and

17

WHEREAS the 1980 federal census is currently being conducted throughout
18 the state and will be conducted in all urban areas of the state on April 1,
19 1980; and

20

WHEREAS the legitimate constitutional reasons for the taking of the
21 federal census include the apportionment of the House of Representatives in
22 Congress, the apportionment of the state legislatures, and the apportionment
23 of other taxes, duties and contributions enumerated in the United State
24 Constitution, but do not include unnecessary intrusions into the private
25 lives of the state's citizens; and

26

WHEREAS a significant number of census forms contain questions that
27 infringe upon the privacy interests and rights of Alaska citizens; some of
28 those rights intruded upon include questions regarding the person's income,
29 physical and mental health conditions, reasons for being married more than

1 once, ancestry, and specific questions intruding upon the private rights of
2 women with regard to pregnancies and children;

3 BE IT RESOLVED by the Alaska State Legislature that all citizens of
4 Alaska are urged to answer those questions on the federal census which are
5 necessary to enumerate the people of the State of Alaska for purposes of
6 apportionment of the House of Representatives in Congress, the apportionment
7 of the state legislature, and the apportionment of other taxes, duties and
8 contributions set forth in the United States Constitution; and be it

9 FURTHER RESOLVED that the governor and attorney general are respectfully
10 requested to inform appropriate officials of the federal government that the
11 state intends to protect and defend the rights of all Alaska citizens to
12 responsibly refuse to answer other questions on the federal census that
13 unnecessarily interfere with their right to privacy.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29