

HJR

7

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 24, 1999

FURTHER REFERRALS:

Date of Committee Action: 4/23/99

The FINANCE Committee considered:

HJR 7

HOUSE JOINT RESOLUTION NO. 7

CONST AM: INITIATIVE/REFERENDUM PETITIONS

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

recommends it be replaced with the following committee substitute 19 HJR. 7 (FIN) [] the same title
[] a new title

[] additional referral to _____ Committee
[] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

[] fiscal note(s) _____

[X] fiscal note(s) of ci of 900 2/26/99

[] zero fiscal note(s) _____

[] zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Therian</i>			X	
<i>Therian</i>	✓			
<i>Bundle</i>	✓			
<i>Kalving</i>	X			
<i>Austerman</i>			X	
<i>J. Davis</i>	X			
<i>Amendment</i>	X			
<i>J. Davis</i>			X	
<i>Williams</i>	X			
<i>Therian</i>	X			

CHAIR'S SIGNATURE _____

Therian

Mulvan

FISCAL NOTE

Bill Version: CSHJR 7 (STA)
 (H) Publish Date: 2/26/99

STATE OF ALASKA
 1999 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected Office of the Governor
 Title Constitutional Amendment relating to BRU Elective Operations
initiative and referendum petitions Component General and Primary
 Sponsor Representative Williams
 Requester House State Affairs Committee Component Serial No. 22

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual	1.5					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	1.5	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1.5					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	1.5	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58. However, only six measures can be printed on an 8-1/2 by 14 inch ballot. If this measure requires printing an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

Prepared by Gail Fenumiaik Phone 465-3935
 Division Division of Elections Date/Time 2/9/99 9:43 AM
 Approved by LI. Governor Fran Ulmer Date 2/9/99
 Agency Office of the Lieutenant Governor

FISCAL NOTE

Bill Version: CSHJR 7 (STA)
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STATE OF ALASKA 1999 LEGISLATIVE SESSION

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CAPITAL EXPENDITURES						
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 Division Division of Elections
 Approved by Lt. Governor Fran Ulmer
 Agency Office of the Lieutenant Governor

Phone 465-3935
 Date/Time 2/9/99 9:43 AM
 Date 2/9/99

Alaska State Legislature

Member:
House Finance
Subcommittee Chair:
Transportation
Environmental Conservation
Subcommittee Member:
Fish and Game



Representative William K. Williams

During Session:
State Capitol
Juneau, AK 99801-1100
(907) 465-3424
Fax (907) 465-3793

In Ketchikan:
50 Front Street, Suite 223
Ketchikan, AK 99901
(907) 247-4672
Fax (907) 225-7157

Sponsor Statement

CS HJR 7 (STA)/CS HB 45 (STA)

HJR 7, and its companion measure HB 45, were introduced to ensure statewide support of an issue prior to it being put before the voters.

The legislation would require signatures from 10% of those who voted in the preceding general election in at least 75% of the house districts for a question to reach the ballot. It also requires signatures from 10% of the total number of voters in the prior election.

Currently, because of our population dispersal, initiative sponsors can easily gather the required signatures from single areas of the State. The current system does not require a statewide perspective in determining which topics will appear on the ballot as amendments to State law.

I am concerned that the whole of Alaska will suffer as question after question, of limited perspective, is placed on the ballot.

I urge your support of this legislation.

3-29-99

1998 Election

District		# of signatures gathered, by district, for Initiatives on the 1998 General Election Ballot							
		Ballots	10% of '96	15% of '96	Wofl	Terms	Mariluana	English	Billboards
		Cast '96	Ballots	Ballots					
1	Ktn	6358	636	954	48	28	34	24	31
2	Sitka	6810	681	1022	475	52	50	27	103
3	Juneau	7388	739	1108	1354	678	798	36	630
4	Juneau	7143	714	1071	1266	746	823	36	409
5	POW	5406	541	811	224	91	100	25	163
6	Kodiak	4667	467	700	144	40	520	115	100
7	Kenai	6750	675	1012	438	421	314	504	1095
8	Kenai	5943	594	891	418	508	385	855	540
9	Kenai	5404	540	811	243	808	254	588	346
10	Anch	6676	668	1001	1027	958	957	1090	1162
11	Anch	5242	524	786	1095	979	1070	1003	1030
12	Anch	5505	551	826	1027	935	1046	980	1017
13	Anch	6507	651	976	1440	966	1136	1013	1569
14	Anch	4271	427	641	821	745	685	645	553
15	Anch	4293	429	644	1432	934	1147	1077	1043
16	Anch	3049	305	457	1403	1154	1369	1099	586
17	Anch	5324	532	799	1253	1193	1327	1228	1011
18	Anch	6194	619	929	1291	972	1132	1096	1640
19	Anch	5367	538	805	1227	1105	1238	1163	1069
20	Anch	5369	537	805	1181	954	1068	1142	1032
21	Anch	5004	500	751	1138	1098	1130	1027	1002
22	Anch	6723	672	1008	1106	985	972	995	1142
23	Anch	3134	313	470	640	677	608	614	454
24	Eagle Rive	5753	575	863	977	1053	932	871	1072
25	Eagle Rive	6159	616	924	863	1059	974	1006	995
26	Wasilla	5974	597	896	765	870	895	1033	939
27	Palmer	7245	725	1087	691	963	940	1053	1180
28	Willow	7058	706	1059	919	1006	1070	998	851
29	FBX	6973	697	1046	481	302	280	407	419
30	FBX	5007	501	751	252	193	174	393	147
31	FBX	4903	490	735	251	205	180	425	150
32	N. Pole	4189	419	628	121	151	73	284	58
33	N. Pole	6571	657	986	214	198	166	465	148
34	N. Pole	5450	545	818	180	153	108	312	98
35	Valdez	5205	521	781	205	227	236	271	297
36	Tanana	4611	461	692	124	202	214	136	124
37	Kotzebue	3995	400	599	140	180	186	124	113
38	Nome	4161	416	624	113	146	162	87	126
39	Akiak	4543	454	681	113	217	161	152	112
40	Unalaska	2104	210	316	110	145	173	125	182

Total

218,428	21,843	32,764	27,210	24,797	25,087	24,524	24,738
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3-29-99

Election 2000-(Based on Ballots Cast in 1998 General Election)

District		Ballots	10%	15%
		Cast '98	Of '98 Ballots	Of '98 Ballots
1	Ktn	5025	503	754
2	Sitka	5890	589	884
3	Juneau	7198	720	1080
4	Juneau	6712	671	1007
5	POW	4924	492	739
6	Kodiak	4025	403	604
7	Kenai	6832	683	1025
8	Kenai	5917	592	888
9	Kenai	5223	522	783
10	Anch	6932	693	1040
11	Anch	5299	530	795
12	Anch	5791	580	869
13	Anch	6331	633	950
14	Anch	3258	326	489
15	Anch	4292	429	644
16	Anch	3162	316	474
17	Anch	5328	533	799
18	Anch	7814	781	1172
19	Anch	5573	557	836
20	Anch	5332	533	800
21	Anch	4973	497	746
22	Anch	6666	667	1000
23	Anch	2694	269	404
24	Eagle River	5666	567	850
25	Eagle River	6103	610	915
26	Wasilla	6401	640	960
27	Palmer	7868	787	1180
28	Willow	7772	777	1166
29	Fbx	6931	693	1040
30	Fbx	4751	475	713
31	Fbx	4688	469	703
32	N. Pole	3618	362	543
33	N. Pole	6388	639	952
34	N. Pole	4650	465	698
35	Valdez	5015	502	752
36	Tanana	4762	476	714
37	Kotzebue	4059	406	609
38	Nome	4412	441	662
39	Akiak	4708	471	706
40	Unalaska	2556	256	383
Total		215,539	21,555	32,328

3-29-99

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Table 2.3
Characteristics of Area and Components
of Population Change, U.S. and Alaska, 1980, 1990-1997

Area	April 1, 1980-1990		April 1, 1990-April 1, 1997		April 1, 1990 to July 1, 1997		Rate Per 1,000 Population	Rate Per 1,000 Population	Natural Increase	Net Migrants	Average Annual Rate of Change (%)	Percent of State Population End Date	Persons Per Square Mile
	1980, 1990	Population at the End of the Period	Population Change	Births	Deaths	Rate Per 1,000 Population							
UNITED STATES 1 3,536,338 Sq. Mi.	1980	227,224,657										Alaska as % of U.S. 0.18	64.25
	1980-90	248,709,573	21,485,192	36,629,000	15.4	20,682,000	8.7	5,947,000	5,538,192	0.90	0.22	70.33	
	1990-91	252,124,322	3,414,489	5,171,116	16.5	2,656,721	8.5	2,514,395	900,094	1.09	0.23	71.30	
	1991-92	255,301,227	2,877,465	4,105,689	16.2	2,180,115	8.6	1,925,574	951,891	1.13	0.23	72.11	
	1992-93	257,752,722	2,750,875	4,027,125	15.7	2,226,027	8.7	1,801,098	949,777	1.07	0.23	72.89	
	1993-94	260,292,427	2,539,735	3,971,136	15.3	2,282,354	8.8	1,688,282	851,453	0.98	0.23	73.61	
	1994-95	262,760,535	2,468,202	3,933,170	15.0	2,302,015	8.8	1,631,155	837,047	0.94	0.23	74.30	
	1995-96	265,179,411	2,418,772	3,879,771	14.7	2,330,870	8.8	1,548,901	869,871	0.92	0.23	74.99	
1996-97	267,636,551	2,456,650	3,901,790	14.6	2,327,854	8.7	1,573,936	882,714	0.92	0.23	75.68		
ALASKA 570,373.6 Sq. Mi.	1980	401,351										100.0	0.70
	1980-90	550,043	148,192	115,963	24.4	19,673	4.1	96,290	51,902	3.1	100.0	0.36	
	1990-91	569,300	19,257	14,819	21.2	2,726	3.9	12,093	7,164	2.8	100.0	1.00	
	1991-92	587,129	17,829	11,734	20.3	2,205	3.8	9,529	8,300	3.1	100.0	1.03	
	1992-93	597,669	10,540	11,331	19.1	2,472	4.2	8,859	1,681	1.8	100.0	1.05	
	1993-94	607,888	3,886	10,970	18.7	2,397	4.0	8,573	-4,687	0.6	100.0	1.05	
	1994-95	602,257	1,342	10,437	17.3	2,473	4.1	7,964	-6,622	0.2	100.0	1.06	
	1995-96	607,314	4,417	10,051	16.6	2,662	4.4	7,389	-2,972	0.7	100.0	1.06	
1996-97	611,300	3,986	10,000	16.4	2,601	4.3	7,399	-3,413	0.7	100.0	1.07		
ANCHORAGE-MATANUSKA-SUSITNA REGION 26,391.2 Sq. Mi.	1980	192,247										47.8	7.28
	1980-90	266,221	73,774	54,805	23.9	8,109	3.5	46,696	27,078	3.2	48.4	10.28	
	1990-91	277,523	11,561	6,999	20.6	1,212	3.6	5,787	5,774	3.4	48.9	10.52	
	1991-92	288,553	11,371	5,676	20.0	969	3.4	4,707	6,604	4.0	49.2	10.95	
	1992-93	297,455	8,513	5,543	18.9	1,123	3.8	4,423	4,093	2.9	49.3	11.07	
	1993-94	302,134	4,668	5,413	18.1	1,121	3.7	4,312	356	1.6	50.2	11.15	
	1994-95	302,451	317	5,313	17.6	1,153	3.8	4,154	-3,837	0.1	50.2	11.16	
	1995-96	304,543	2,392	4,964	16.3	1,256	4.1	3,708	-1,316	0.8	50.2	11.55	
1996-97	307,237	2,454	4,831	15.8	1,196	3.9	3,635	-1,161	0.9	50.3	11.64		
MUNICIPALITY OF ANCHORAGE 1,697.6 Sq. Mi.	1980	174,421										43.4	102.75
	1980-90	226,338	51,907	47,746	23.8	6,311	3.4	40,835	11,072	2.6	41.1	133.33	
	1990-91	235,747	9,409	6,105	21.1	394	3.4	5,111	4,298	3.3	41.4	138.87	
	1991-92	244,548	8,098	4,942	20.6	311	3.4	4,131	4,967	3.8	41.7	144.23	
	1992-93	251,511	6,656	4,827	19.5	323	3.7	3,904	2,752	2.7	42.1	148.15	
	1993-94	254,771	3,269	4,739	18.7	908	3.5	3,851	-582	1.3	42.4	150.08	
	1994-95	253,458	-1,332	4,581	18.0	966	3.8	3,615	-4,947	-0.5	42.0	149.29	
	1995-96	254,178	740	4,211	16.6	1,036	4.1	3,175	-2,435	0.3	41.9	149.73	
1996-97	254,848	671	4,144	16.3	958	3.8	3,186	-2,515	0.3	41.7	150.12		
MATANUSKA-SUSITNA BOROUGH 24,693.6 Sq. Mi.	1980	17,818										4.4	0.72
	1980-90	39,563	21,867	7,059	24.6	1,198	4.2	5,861	16,006	7.6	7.2	1.61	
	1990-91	41,835	2,152	894	17.5	218	4.3	676	1,476	4.2	7.3	1.69	
	1991-92	44,128	2,273	734	17.1	158	3.7	576	1,697	5.3	7.5	1.79	
	1992-93	45,965	1,857	716	15.9	200	4.4	516	1,341	4.1	7.7	1.86	
	1993-94	47,324	1,399	674	14.4	213	4.6	461	938	3.3	7.9	1.92	
	1994-95	49,113	1,649	732	15.2	133	4.0	539	1,110	3.4	8.1	1.99	
	1995-96	50,965	1,652	753	15.1	220	4.4	533	1,110	3.3	8.3	2.05	
1996-97	52,448	1,783	687	13.3	238	4.6	449	1,124	3.5	8.6	2.12		
GULF COAST REGION 59,486.9 Sq. Mi.	1980	43,563										10.8	0.73
	1980-90	64,263	20,494	12,610	23.4	2,478	4.6	10,132	10,362	3.8	11.6	1.08	
	1990-91	65,211	1,138	1,586	19.6	337	4.2	1,249	-111	1.4	11.5	1.10	
	1991-92	67,935	2,734	1,153	17.3	240	3.6	913	1,821	4.1	11.6	1.14	
	1992-93	67,995	60	1,133	16.7	299	4.4	834	-774	0.1	11.4	1.14	
	1993-94	70,245	2,050	1,111	16.1	284	4.1	827	1,223	3.0	11.6	1.18	
	1994-95	71,126	1,101	1,038	15.4	295	4.2	793	308	1.6	11.8	1.20	
	1995-96	71,430	294	1,075	15.1	338	4.7	737	-453	0.4	11.8	1.20	
1996-97	72,178	646	1,074	15.0	353	4.9	721	-75	0.9	11.8	1.21		

Table 2.3 (cont.)
Characteristics of Area and Components
of Population Change, U.S. and Alaska, 1980, 1990-1997

Area	April 1, 1980-1990		April 1, 1990-April 1, 1990		April 1, 1990 to July 1, 1997		Average		Percent of State Population End Date	Persons Per Square Mile		
	1980	July 1, 1991-97	Rate Per 1,000 Mid-Period Population	Rate Per 1,000 Mid-Period Population	Natural Increase	Net Migrants	Annual Rate of Change (%)					
	Population at the End of the Period	Population Change	Births	Deaths								
KENAI PENINSULA BOROUGH												
16,078.9 Sq. Mi.	1980	25,282							6.3	1.57		
	1980-90	40,802	15,520	7,724	23.4	1,570	4.6	6,214	9,706	4.7	7.4	2.54
	1990-91	42,149	1,347	962	18.6	224	3.9	758	589	2.6	7.4	2.62
	1991-92	43,185	1,036	727	17.0	152	3.6	575	461	2.4	7.4	2.69
	1992-93	43,330	145	702	16.2	135	4.3	517	-372	0.3	7.2	2.69
	1993-94	44,757	1,427	688	15.6	134	4.4	494	933	3.2	7.4	2.78
	1994-95	46,060	1,303	688	15.2	139	4.2	499	804	2.9	7.6	2.86
	1995-96	46,881	821	676	14.5	223	4.8	453	368	1.8	7.7	2.92
	1996-97	48,098	1,217	677	14.3	259	5.5	418	799	2.6	7.5	2.99
KODIAK ISLAND BOROUGH												
6,462.6 Sq. Mi.	1980	9,939							2.5	1.54		
	1980-90	13,309	3,370	3,042	26.2	513	4.6	2,509	861	2.9	2.4	2.06
	1990-91	13,025	-284	428	26.0	77	4.7	351	-635	-1.7	2.3	2.02
	1991-92	14,525	1,500	271	19.7	44	3.2	227	1,273	10.9	2.5	2.25
	1992-93	14,391	-134	285	19.7	53	4.4	222	-356	-0.9	2.4	2.23
	1993-94	14,951	560	295	19.4	46	3.1	239	321	3.8	2.5	2.31
	1994-95	14,631	-318	277	18.7	58	3.9	219	-537	-2.1	2.4	2.26
	1995-96	14,562	-571	265	18.5	52	4.3	203	-774	-4.0	2.2	2.18
	1996-97	13,547	-515	270	19.6	48	3.5	222	-737	-3.7	2.2	2.10
VALDEZ-CORDOVA C.A.												
36,945.4 Sq. Mi.	1980	8,348							1.8	0.25		
	1980-90	9,952	1,604	1,844	20.2	435	4.8	1,409	195	1.8	1.9	0.27
	1990-91	10,027	75	196	15.7	56	4.5	140	-65	0.6	1.8	0.27
	1991-92	10,225	198	155	15.3	44	4.3	111	87	2.0	1.7	0.28
	1992-93	10,274	49	146	14.2	51	5.0	95	-46	0.5	1.7	0.28
	1993-94	10,337	63	132	13.4	44	4.3	94	-31	0.5	1.7	0.28
	1994-95	10,453	116	123	11.8	48	4.6	75	41	1.1	1.7	0.29
	1995-96	10,467	14	134	12.8	53	5.1	81	-47	0.3	1.7	0.28
34,067.4 Sq. Mi.	1996-97	10,431	-56	127	12.1	45	4.4	81	-137	-0.5	1.7	0.31
INTERIOR REGION												
190,477.8 Sq. Mi.	1980	67,532							16.8	0.35		
	1980-90	92,111	24,579	20,560	25.8	3,124	3.9	17,436	7,143	3.08	16.75	0.48
	1990-91	95,164	3,053	2,507	21.4	409	3.5	2,098	955	2.61	16.72	0.50
	1991-92	96,053	889	2,027	21.2	344	3.6	1,683	-794	0.93	16.36	0.50
	1992-93	97,749	1,696	1,893	19.5	350	3.6	1,543	153	1.75	16.36	0.51
	1993-94	97,575	-174	1,848	18.9	394	4.0	1,454	-1,628	-0.18	16.22	0.51
	1994-95	96,509	-1,066	1,747	18.0	333	4.0	1,354	-2,420	-1.10	16.07	0.51
	1995-96	96,839	330	1,675	17.3	413	4.2	1,272	-942	0.34	15.95	0.51
	1996-97	96,886	47	1,719	17.7	372	3.8	1,347	-1,300	0.05	15.95	0.51
FAIRBANKS NORTH STAR BOROUGH												
7,362.4 Sq. Mi.	1980	53,983							13.43	7.33		
	1980-90	77,720	23,737	16,995	25.8	2,333	3.6	14,642	9,095	3.60	14.13	10.56
	1990-91	80,693	2,973	2,142	21.6	329	3.2	1,822	1,151	3.00	14.17	10.96
	1991-92	81,412	719	1,758	21.7	259	3.2	1,499	-780	0.89	13.97	11.06
	1992-93	83,106	1,694	1,650	20.1	278	3.4	1,372	322	2.06	13.97	11.29
	1993-94	83,044	-62	1,505	19.3	225	3.6	1,310	-1,372	-0.07	13.80	11.28
	1994-95	81,797	-1,247	1,520	18.4	326	3.7	1,214	-2,461	-1.51	13.57	11.11
	1995-96	82,289	492	1,454	17.7	257	2.6	1,157	-665	0.60	13.55	11.18
	1996-97	82,278	-11	1,470	17.9	319	3.8	1,161	-1,172	-0.01	13.46	11.18
SOUTHEAST FAIRBANKS C.A.												
25,994.1 Sq. Mi.	1980	5,676							1.4	0.22		
25,934.3 Sq. Mi.	1980-90	5,913	237	1,474	25.4	277	3.7	1,257	-1,020	-0.41	1.06	0.23
	1990-91	6,011	98	149	20.0	14	3.2	125	-27	1.31	1.06	0.23
	1991-92	6,086	75	91	15.0	21	3.5	70	5	1.24	1.04	0.23
	1992-93	6,224	138	90	14.6	24	3.9	66	72	2.24	1.04	0.24
	1993-94	6,269	45	115	18.4	40	6.4	75	-30	0.72	1.04	0.24
	1994-95	6,468	199	108	17.0	32	5.0	76	123	3.12	1.07	0.25
	1995-96	6,271	-197	106	16.6	36	5.7	70	-267	-3.09	1.03	0.24
	1996-97	6,354	83	124	19.6	25	4.1	98	-15	1.31	1.04	0.25
YUKON-KOYUKUK C.A.												
157,121.3 Sq. Mi.	1980	7,873							1.96	0.05		
148,258.4 Sq. Mi.	1980-90	8,478	605	2,091	25.6	554	6.8	1,537	-932	0.74	1.54	0.05
	1990-91	6,678	-36	189	20.0	54	5.7	135	-171	-0.04	1.17	0.05
	1991-92	6,800	122	155	23.0	52	7.7	103	19	1.77	1.16	0.05
	1992-93	6,648	-152	133	19.8	44	6.5	89	-241	-0.50	1.11	0.04
	1993-94	6,442	-206	104	15.9	55	8.4	49	-255	-1.15	1.07	0.04
	1994-95	6,403	-39	92	14.3	50	7.8	42	-81	-0.61	1.06	0.04
	1995-96	6,373	-30	88	13.8	57	10.5	21	-51	-0.47	1.05	0.04
	1996-97	6,355	-18	104	16.3	34	5.3	70	-88	-0.28	1.04	0.04

Table 6a. Population of Unincorporated Places of 25 to 999: 1970 and 1960—Continued

(3)

(Places shown in this table are not recognized as places in the tables by size and type of place. For information on boundary changes and meanings of symbols, see text.)

Unincorporated Places of 25 to 999	Census Divisions	1970			Percent change	Unincorporated Places of 25 to 999	Census Divisions	1960			Percent change
		Population	Area	Density				Population	Area	Density	
Stevens Village (U).....	Upper Yukon.....	74	...	...	Tuluksak (U).....	Bethel.....	195	137	42.3
Stony River (U).....	Kuskokwim.....	74	...	...	Tuntutuliak (U).....	Bethel.....	158	144	9.7
Jurmit (U).....	Matanuska-Susitna.....	34	39	-12.8	Twin Hills (U).....	Bristol Bay.....	67	...	...
Sutro (U).....	Yukon-Koyukuk.....	67	81	-17.3	Tyonek (U).....	Kenai-Cook Inlet.....	232	187	24.1		
Sutton (U).....	Matanuska-Susitna.....	78	162	-53.1	Unalakleet (U).....	Nome.....	434	574	-24.4		
Talkeetna (U).....	Matanuska-Susitna.....	182	76	139.5	Usibelli (U).....	Yukon-Koyukuk.....	102	30	240.0		
Tascross (U).....	Southeast Fairbanks.....	84	102	-17.6	Usibelli Mine (U).....	Upper Yukon.....	65	...	...
Tanook (U).....	Bethel.....	274	183	49.7	Venetie (U).....	Upper Yukon.....	112	107	4.7		
Tatitlek (U).....	Valdez-Chitina-Whittier.....	111	96	15.6	Ward Cove (U).....	Ketchikan.....	105	69	52.2		
Teakee Springs (U).....	Angoon.....	95	109	-21.1	Wasilla (U).....	Matanuska-Susitna.....	300	112	167.9		
Tekin (U).....	Southeast Fairbanks.....	114	122	-6.6	West Petersburg (U).....	Wrangell-Petersburg.....	36	26	38.5		
Tourne Bay (U).....	Prince of Wales.....	443	...	...	Wildwood Station (U).....	Kenai-Cook Inlet.....	750	...	...
Tok (U).....	Southeast Fairbanks.....	214	129	65.9	Willow (U).....	Matanuska-Susitna.....	38	78	-51.3		
Tosook Bay (U).....	Bethel.....	257	...	...	Woody Island (U).....	Kodiak.....	41	78	-47.4

Table 7. Population of Incorporated Places of 10,000 or More: Earliest Census to 1970

[Data are shown for earliest census for which available. For meaning of symbols, see text.]

Places	Population	Change from preceding census		Places	Population	Change from preceding census	
		Number	Percent			Number	Percent
ANCHORAGE				FAIRBANKS			
1970.....	48,029	3,792	8.6	1970.....	14,771	1,460	11.0
1960.....	44,237	32,983	293.1	1960.....	13,311	7,540	130.7
1950.....	11,254	7,759	222.0	1950.....	5,771	2,316	67.0
1939.....	3,493	1,218	53.5	1939.....	3,455	1,354	64.4
1929.....	2,277	421	22.7	1929.....	2,101	946	81.5
1920.....	1,855	...	...	1920.....	1,155	-2,346	-67.4
				1910.....	3,541	...	...

In 1950 Anchorage had a population of 11,254 (9% of Alaska population)

By 1960 Anchorage had a population of 44,234 (20% of Alaska population)

Table 8. Population in 1970 of Areas Annexed Between 1960 and 1970

[For meaning of symbols, see text.]

Incorporated Places of 2,000 or More, 1960	1970 population			1960 population	Change, 1960 to 1970, in 1960 population
	Total	In 1960 area	Annexed area		
All places ¹	83,012	77,493	5,519	76,693	776
Anchorage city.....	48,029	47,189	840	44,237	2,912
Fairbanks city.....	14,771	11,514	3,257	13,311	-1,772
Juneau city.....	6,030	5,936	94	6,757	-807
Ketchikan city.....	6,924	6,078	846	6,483	-401
Kodiak city.....	3,790	3,413	377	2,628	763
Sitka city.....	3,370	3,315	55	3,237	76

¹Excludes Nome city; information on number of persons in annexed area not available.

WILLIAM A. EGAN

President of the Convention

/s/

THOMAS B. STEWART

Secretary of the Convention

Attest:

Signed and the Seal of the

State of Alaska affixed this

(seal) 14th day of May, 1965.

/s/

HUGH J. WADE

Secretary of State

ALASKA CONSTITUTIONAL CONVENTION

University of Alaska

1955

DELEGATES AND OFFICERS

WILLIAM A. EGAN -- President

FRANK PERATKOVICH -- First Vice President

RALPH J. RIVERS -- Second Vice President

MILDRED R. HERMANN - Temporary President

THOMAS B. STEWART -- Secretary

KATHERINE T. ALEXANDER -- Chief Clerk

Alaska Place of Date of

Delegate Home Resident Birth Birth

Since

Armstrong, R. Rolland Juneau 1940 Pennsylvania 1910

Awes, Dorothy J. Anchorage 1945 Minnesota 1918

Barr, Frank Fairbanks 1932 Illinois 1903

Boswell, John C. Fairbanks 1926 Oregon 1905

Buckalew, Seaborn J. Anchorage 1950 Texas 1920

Coghill, John B. Nenana 1925 Alaska 1925

Collins, E. B. Fairbanks 1904 Indiana 1873

Cooper, George D. Fairbanks 1949 Colorado 1923

Cross, John M. Kotzebuc 1934 Kansas 1895

Davis, Edward V. Anchorage 1939 Idaho 1910

Doogan, James P. Fairbanks 1914 Alaska 1914

Egan, William A. Valdez 1914 Alaska 1914

Emberg, Truman C. Dillingham 1935 Minnesota 1909

Fischer, Mrs. E.A. Anchorage 1905 Washington 1905

(Helen)

Alaska Place of Date of

Delegate Home Resident Birth Birth

Since

Fischer, Victor Anchorage 1950 Germany 1924

Gray, Douglas Douglas 1912 Montana 1908

Harris, Thomas C. Valdez 1950 Oklahoma 1926

Hellenthal, John S. Anchorage 1915 Alaska 1915

Hermann, Mildred R. Juneau 1919 Indiana 1891

Hilscher, Herb Anchorage 1906 Washington 1902

Hinckel, Jack Kodiak 1922 Massachusetts 1901

Hurley, James Palmer 1933 California 1915

Johnson, Maurice T. Fairbanks 1937 Minnesota 1901

Kilcher, Yule F. Homer 1936 Switzerland 1913

King, Leonard H. Haines 1920 Michigan 1901

- Knight, William W. Sitka 1919 England 1889
- Laws, W. W. Nome 1935 Washington 1884
- Lee, Eldor R. Petersburg 1920 Alaska 1920
- Londborg, Maynard D. Unalakleet 1946 Nebraska 1921
- McCutcheon, Steve Anchorage 1911 Alaska 1911
- McLaughlin, George W. Anchorage 1949 New York 1914
- McNealy, Robert J. Fairbanks 1940 Nebraska 1907
- McNees, John A. Nome 1942 Idaho 1917
- Marston, M. R. Anchorage 1941 Washington 1900
- Metcalf, Irwin L. Seward 1927 Washington 1908
- Nerland, Leslie Fairbanks 1930 Yukon Territory 1902
- Nolan, James Wrangell 1920 Massachusetts 1901
- Alaska Place of Date of
- Delegate Home Resident Birth Birth
- Since
- Nordale, Katherine D. Juneau 1925 Washington 1902
- Peratrovich, Frank Klawock 1895 Alaska 1895
- Poulsen, Chris Anchorage 1933 Denmark 1904
- Reader, Peter L. Nome 1934 North Dakota 1913
- Riley, Burke Haines 1938 Montana 1914
- Rivers, Ralph J. Fairbanks 1906 Washington 1903
- Rivers, Victor C. Anchorage 1906 Washington 1905
- Robertson, R. E. Juneau 1906 Iowa 1885
- Rosswog, John H. Cordova 1905 Washington 1904
- Smith, W. O. Ketchikan 1932 New Mexico 1907
- Stewart, B. D. Sitka 1910 Montana 1878
- Sundborg, George Juneau 1938 California 1913
- Sweeney, Dora M. Juneau 1907 Minnesota 1907

Taylor, Warren A. Fairbanks 1909 Washington 1891

VanderLeest, H. R. Juneau 1908 Michigan 1882

Walsh, M. J. Nome 1905 Ireland 1882

White, Barrie M. Anchorage 1947 New York 1923

Wien, Ada B. Fairbanks 1907 Alaska 1907

V. RIVERS: I move and ask unanimous consent that we adopt that amendment.

PRESIDENT EGAN: Mr. Victor Rivers moves that the proposed amendment be adopted.

JOHNSON: I object.

V. RIVERS: I so move.

SMITH: I second the motion.

PRESIDENT EGAN: The question is open for discussion. Mr. Victor Rivers.

V. RIVERS: Mr. President, it seems to me in view of the geographical distribution of the country and in view of the varied interests, economic and otherwise, that we would be defeating practically the purpose of the initiative and referendum if we require two-thirds of the districts to be represented on this petition. I think that half is a fair figure. It seems to me that if you were going to have an initiative or referendum on mining matters that in all probability it would be very hard to get votes for that initiative in two-thirds of the districts where their main interests perhaps would lie in fish, or fur, or timber. I put this amendment in in all sincerity, because I think it will make the initiative and referendum more workable and more fair if we allow it to go through.

PRESIDENT EGAN: Mr. Sundborg.

SUNDBORG: I would like to say that we are talking not about precincts here, which at the present time there are something like 400 in the Territory. but about election districts under the constitution. and my understanding is that the Committee on Apportionment will bring in a proposal which will specify there will be 24 election districts. That would mean if we leave it the way it is that it would require at least one person's signature only from 16 of the districts to be among either ten or fifteen per cent as we may vote tomorrow on Mr. McNealy's motion to reconsider. The way Mr. Rivers would propose to change it, it would be necessary to get signatures from only 12 different districts, that is 12 signatures would be necessary, one from each district, making up a total of a round 4,000 at the present time. I feel that as it is it is not at all cumbersome or difficult. If we had required that a large number had to be obtained from the districts, it might be, but all that is necessary is one lone signature from each district.

PRESIDENT EGAN: Mr. Kilcher.

KILCHER: Fellow delegates, I hope that most of you are more aware of this issue that is getting more and more confused than I am. As I have shown on the last vote, and I want to be well aware that those among you who are in favor of the initiative in principle should see that any other attempt to emasculate the initiative as such should be voted down, and I see that Mr. Rivers' amendment is in favor of reinjecting some strength in the initiative. Since Section 3 has been amended to take more rights away

from the people, since the first sentence will give the legislature the right to prescribe procedures, it is only fair that we reduce the "two-thirds" to one-half" because if those that are opposed now and in the future to the initiative will have their way, they will have the legislature immediately to go about and have strict procedures established, for instance that in two-thirds of all the election districts we will have to have the full 15 per cent of signatures prorated in each district. I think the legislature will try to do that, and if they try to do it, if it is unconstitutional, it will have to be the people who go to the court and prove that such an act by the legislature would be unconstitutional. I think the legislature would get away with it and I wouldn't blame them for trying. It is not true that it will take only eleven signatures, one signature from each of the other eleven districts, and the one that tries to "railroad" something, I have no doubt whatsoever that those elements opposed to the initiative in the legislature will circumscribe the necessary procedure where we would end up by having two thirds of all the election districts required to furnish 15 per cent of the signatures. They would not rest quiet before they have that. Consequently, they will make the initiative unworkable. Consequently I am in favor of Mr. Rivers' amendment that only half of the election districts be required to furnish signatures. I have no doubt that before long they will be required to furnish each 16 per cent of the signatures, and be well aware of that, that attempt will be made, and all in favor of the initiative in principle should vote in favor of Mr. Rivers' amendment.

PRESIDENT EGAN: The question is -- Mr. Victor Rivers, V.

RIVERS: I ask that the roll be called.

PRESIDENT EGAN: The question is, "Shall the proposed amendment offered by Mr. Victor Rivers be adopted by the Convention?" The Chief Clerk will call the roll.

(The Chief Clerk called the roll with the following result:

Yeas: 26 - Aves, Coghill, Doogan, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McNees, Marston, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Taylor, VanderLeest.

Nays: 26 - Armstrong, Barr, Boswell, Buckalew, Collins, Cooper, Davis, V. Fischer, Hellenthal, Johnson, Laws, Londborg, McLaughlin, McNealy, Metcalf, Nolan, Poulsen, Reader, Robertson, Rosswog, Sundborg, Sweeney, Walsh, White, Wien, Mr. President.

Absent: 3 - Cross, McCutcheon, Nerland.)

CHIEF CLERK: 26 yeas, 26 nays and 4 absent.

PRESIDENT EGAN: So the motion has failed of adoption. Mr. Buckalew



R. RIVERS: I now move the adoption of the amendment in the form presently presented and before you.

PRESIDENT EGAN: The Chief Clerk will read the proposed amendment.

CHIEF CLERK: "Page 1, Section 4, strike lines 13 to 18 inclusive, and lines 1 to 5 inclusive, on page 2 and substitute the following: 'Section 4. Prior to general circulation, an initiative petition containing a draft of the proposed law in bill form shall be signed by ten qualified electors as sponsors and have its sufficiency as to form certified by the attorney general. Denial of certification shall be reviewable by the court. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 15% of the number of votes cast for governor in the preceding general election at which the governor was chosen. The petition shall contain signatures from at least two-thirds of the election districts of the State. The petition may be filed with the attorney general who shall prepare a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided.

PRESIDENT EGAN: Is there a second to the motion by Mr. Ralph Rivers?

BARR: I second the motion.

PRESIDENT EGAN: It has been moved and seconded, and the motion is open for discussion. Mr. Taylor.

TAYLOR: I have an amendment to offer. It is on the desk, an amendment changing "15" as a per cent in the unnumbered lines here, but it is the last word in the original proposal, changing the 15% to "10%".

PRESIDENT EGAN: Your amendment is out of order at this time. This motion is before us. A new amendment is on the floor at this time.

TAYLOR: Amending the amendment though.

PRESIDENT EGAN: Amending the "15%" to "10%"? Mr. Taylor then offers an amendment to the amendment seeking to change to read "10%". Is there a second?

MARSTON: I second the motion.

SWEENEY: I object.

PRESIDENT EGAN: The question is on the amendment to the amendment seeking to make it ten per cent of the number of votes cast. Mrs. Sweeney.

SWEENEY: This matter was voted on in the Committee of the Whole last night, and in coming into the plenary session we adopted the oral report of the Committee. Now I don't feel that we can vote on that issue again any more than we can vote on the 19 or 20 years again.

6-4

PRESIDENT EGAN: Mrs. Sweeney, the Chair does not recall that we ever voted on ten per cent. But anything that happened in the Committee of the Whole session would just come to the plenary session as a recommendation. That is all. Mr. Sundborg.

SUNDBORG: Mr. President, I believe Mrs. Sweeney's recollection is perhaps incorrect and that we did in plenary session amend from the figure eight to fifteen per cent. I don't believe we discussed that matter at all in Committee of the Whole.

PRESIDENT EGAN: No one could again offer the amendment and be in order to make it eight per cent, Mrs. Sweeney; but the Chair will have to rule that the particular amendment to the amendment offering ten per cent as the figure is in order. Mr. Taylor.

TAYLOR: I would like to speak briefly. I think this has been argued pro and con at the time that the original proposal was eight per cent. I think a number of the Committee have spoken against the fifteen per cent on the grounds that it would positively make it impossible or so difficult to circulate a petition for an initiative that it would render the law inoperative. Now as Mr. Londborg, said, this morning he was reading some statistics in Missouri, and to initiate a law it only requires five per cent. Now, of course, we realize that in Missouri it is much easier to get petitions circulated. The transportation problem is nothing. The people who circulate them can drive around different places and counties and get them signed. Here with the vast distances and the difficulties of transportation, it would be a little bit difficult. So that would leave us, if we adopt the ten per cent, still twice as high as the State of Missouri where transportation is very easy. So I think ten per cent would be a good compromise.

PRESIDENT EGAN: Mr. Londborg.

LONDBORG: I think if we read the Missouri Constitution carefully we will find that it is "five per cent of the qualified electors". We are only asking for a certain per cent of the governor's vote. There is a lot of difference because I don't think half or maybe a third of the people who can vote go out and vote. So actually five per cent in Missouri would be equivalent to maybe fifteen or twenty per cent here. Not only that, they also require five per cent of the electors in each of two-thirds of the voting precincts. We are saying that they can get all but fourteen, I believe it is, in one precinct and then just go out and spot enough so that they qualify in the two-thirds in the other.

PRESIDENT EGAN: Mrs. Sweeney.

SWEENEY: I don't go along with Mr. Taylor that this is going to be such a difficult task to get the fifteen per cent. Every petition will have at least ten sponsors, and if they know it is going to have to come from two-thirds of the legislative districts, those ten sponsors will in all likelihood come from ten different districts or maybe five. If you have 4,000 votes to get it requires each sponsor to secure 400 votes, and I believe it should be left at fifteen per cent.

MARSTON: The 19 states who have the initiative and referendum laws have averaged a little below eight per cent requirement. We went over this document and this figure with the experts here. It was in keeping with their thinking, and eight per cent is higher than the average of the 19 states who have this, and it is the right number. I want to warn the people here of one thing I see coming up. The person or persons who are issuing most of these amendments are people against initiative and referendum. I know that.

PRESIDENT EGAN: The Chair will have to hold from here on that the Chair will have to declare any one out of order if they allude to the motives behind any delegate.

MARSTON: Can I say who is for and against? It has been said on the floor.

PRESIDENT EGAN: This does not particularly refer to your statements, but the Chair is going to have to hold firm on allusions as to what might be the motives of other delegates on the floor.

MARSTON: Eight per cent is above the average required. If you want the initiative and referendum to work, if you want the people of Alaska to have a chance to initiate and recall laws, keep it at eight per cent. That is the right figure. Ten per cent would be plenty high. Fifteen per cent rules it out. It is not effective.

PRESIDENT EGAN: Mr. Harris.

HARRIS: I am both in agreement and in disagreement with Mr. Taylor's proposal. Ten per cent at the present time with our present voting population perhaps would be a little low. Also, I have an amendment on the desk, and if Mr. Taylor would adopt the latter part of my amendment, I think maybe we would straighten this situation out. I would go ten per cent provided however that no petition shall have less than 5,000 signatures.

SUNDBORG: Question.

COOPER: I move the previous question.

PRESIDENT EGAN: Mr. Cooper moves the previous question.

BUCKALEW: I second the motion.

PRESIDENT EGAN: The question is, "Shall the previous question be ordered?" All those in favor of ordering the previous question will signify by saying "aye", all opposed "no". The ayes have it and the previous question has been ordered. The question is, "Shall Mr. Taylor's proposed amendment to the amendment be adopted by the Convention?"

JOHNSON: Roll call.

PRESIDENT EGAN: The Chief Clerk will call the roll.

(The Chief Clerk called the roll with the following result:

Yeas: 29 - Coghill, Collins, Davis, Doogan, Emberg, H. Fischer, Harris, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest.

Nays: 21 - Armstrong, Aves, Barr, Boswell, Buckalew, Cooper, Gray, Hellenthal, Johnson, Laws, Londborg, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, White, Wien. Mr. President.

Absent: 5 - Cross, V. Fischer, Hilscher, McCutcheon, Nerland.)

LONDBORG: I have an amendment. It is the one I submitted before the recess. I would like to resubmit it.

PRESIDENT EGAN: The Chief Clerk may read the proposed amendment. The amendment was not voted upon, is that right?

LONDBORG: It was not voted upon, I had asked that it be withdrawn.

CHIEF CLERK: This was to Section 4, is that right?

LONDBORG: I believe so. It is in the Ralph Rivers amendment. I think you will find it better on page 2, line 8 of the changed copy, although I can't legally attach it to that.

CHIEF CLERK: "After the word 'signatures' in the next to the last sentence of the Ralph Rivers amendment, delete the rest of the sentence and substitute the following: 'from each of two-thirds of the election districts of the State with signatures equalling not less than 3% of the number of voters casting ballots for governor in each such district in the preceding general election at which a governor was elected'."

PRESIDENT EGAN: What is your pleasure, Mr. Londborg?

LONDBORG: I move the adoption of the amendment.

JOHNSON: I second the motion.

PRESIDENT EGAN: The question is open for discussion and the Chief Clerk might read the proposed amendment once more.

CHIEF CLERK: You can find it on page 5 of the journal of the 42nd day, next to the last paragraph, it is the bottom of the page.

PRESIDENT EGAN: Is there discussion of the proposed amendment? Mr. Londborg.

LONDBORG: The reason for this proposed amendment is to make it a little more clear that there should be at least more than one signature in each of these two-thirds of the districts. As the proposal now reads, they are to obtain signatures in at least two-thirds of the election districts of the state. Now, as I take it, that would mean that a person wanting to start an initiative, if he would get ten per cent of the total votes cast in one city, then he could send out or go out, either way, and just get one signature in each of two-thirds remaining districts and that would make the petition valid. Probably he would get two or three to play safe, but he would only have to get one. He would get a signature in each of the two-thirds districts and I believe that when we have such an important thing as an initiative and if the legislature has failed to the great extent that initiative is necessary, then that initiative should be a vital interest over all the state and not just in one area, and I believe that that interest will be best shown if we have at least three per cent of the voters in each of those two-thirds districts signing. Now three per cent is not very high. I put that purposely low so that it would not make it hard to get the signatures in any one of those areas, but at least it should be

more than one signature in two-thirds of the election districts. That is not going to make the initiative, I don't believe, any harder to work but it will at least show and prove that that proposed bill or that proposed law is gaining interest over the whole state, not just a local affair that the ten per cent would indicate if they were taken from one city or one locality and just go out and get one signature to comply with our initiative.

PRESIDENT EGAN: Mr. Ralph Rivers.

R. RIVERS: I am going to support the amendment because I think it makes good sense.

PRESIDENT EGAN: Mr. Hurley.

HURLEY: I am going to vote against the amendment because I don't think it makes good sense. The reasoning behind it sounds perfectly logical but I call attention to the fact that in this proposal that we have so far, we have at least three types of initiative which are not possible. We have put safeguards on it as far as the people are concerned so that the Territorial legislature will not be faced with a law they do not want. I think we also should remember that the initiative petition is just the beginning, that it will still be referred to the people for a vote throughout the Territory of Alaska, and I am sure by that time there will be sufficient discussion of it so it will be taken up, but I have the feeling we have gone to too large an extent in legislating this matter of initiative and referendum in the first place. We are continually getting into numbers. We are getting into things that are subject to critical glances from the people that are trying to get the job done, and I think generally that the less restrictions that we put on this thing the better off we are going to be, and I don't think the amendment will serve the purpose that the proposer thinks it will.

PRESIDENT EGAN: Mr. Victor Rivers.

V. RIVERS: Mr. Chairman, I believe I agree with Mr. Hurley's position on this. Even though the signatures originate in one area I want you to note that in Section 5 it states. "Neither the initiative nor referendum may be used as a means of making or defeating appropriations of public funds or earmarking of revenues nor for local or special legislation." Well, if there is no special local interest in the legislation, even though the signatures should come from a local area, if it is an overall general legislation, it would be my assumption that they would probably try to get as widespread number of signatures as possible to get as widespread interest as possible. I see no reason to impose some other percentage figure now. I don't see we gain a thing by it. I think it is an extra handicap and does not add to but detracts from the initiative and referendum as we now have it.

PRESIDENT EGAN: Mr. Londborg.

LONDBORG: I would like to close this short debate. In answer to the last objection, I don't believe Section 5 is a safeguard at

all. It just merely says that they may not be used for means of earmarking revenues, etc., but there still may be a law that one locality might particularly want, maybe it isn't pertaining to them, but it may pertain to the whole state, but the state may not be particularly interested in it, and the initiative may spring out of a populous area and they could get the ten per cent in just an overnight campaign and get the one signature out around, and then in answer to the former objection where we should not make it hard or things of that nature, let us remember that the initiative is not enacting laws by an apportionment representation. We are enacting laws by popular vote, and we have set up a machinery in the legislature to make our laws and they are sitting representing the various areas of the country, but when it comes to a popular vote, then you will find that it is where the people are that is going to count, and I think as a safeguard, and again I say it is not a high safeguard but very low, if you get three per cent of the qualified voters in these two-thirds districts you will have a good indication of whether it is of statewide interest.

PRESIDENT EGAN: The question is, "Shall the proposed amendment as offered by Mr. Londborg be adopted by the Convention?"

LONDBORG: Mr. President, I request a roll call.

PRESIDENT EGAN: The Chief Clerk will call the roll on the proposed amendment.

(The Chief Clerk called the roll with the following result:

Yeas: 17 - Barr, Boswell, Cross, Hinckel, Johnson, Kilcher, Laws, Londborg, McNealy, Metcalf, Nerland, Poulson, Reader, R. Rivers, Stewart, Sweeney, Walsh.

Nays: 31 - Barr, Coghill, Collins, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, King, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nordale, Riley, V. Rivers, Rosswog, Smith, Sundborg, VanderLeest, White, Wien, Mr. President.

Absent: 7 - Armstrong, Buckalew, Davis, Nolan, Peratrovich, Robertson, Taylor.)

CHIEF CLERK: 17 yeas, 31 nays and 7 absent.

PRESIDENT EGAN: The "nays" have it, and the proposed amendment has failed of adoption. Mr. Sundborg.

PRESIDENT EGAN: The Chief Clerk will please read Mr. Johnson's amendment.

CHIEF CLERK: "Page 1, Section 4, line 18. Strike word 'eight' at the end of the line and insert in lieu thereof the word 'fifteen'."

JOHNSON: I move the adoption of the amendment.

PRESIDENT EGAN: Mr. Johnson moves the adoption of the proposed amendment.

MCNEALY: I second the motion.

GRAY: I would like to ask the mover how he arrived at the figure "fifteen". I had in mind "twenty-five" but I don't know what

the difference is between eight, ten, or fifteen per cent.

JOHNSON: I suppose I arrived at my fifteen like you arrived at your twenty-five. It was simply an estimate of what I thought would be a far better percentage of the electorate needed to initiate a proposal under this act. It seemed to me that eight per cent was a little bit low.

SUNDBORG: I think we should all be clear that all that this figure refers to is the percentage of the electors or of those voting at the last election who would have to sign a petition in order to get it voted upon. It does not mean that eight or fifteen percentage means it goes into effect. It just puts it on the ballot. I venture if we change this to fifteen there would be very few initiative measures would ever get on the ballot. That is quite a high percentage to get when you carry petitions around.

LONDBORG: If you can't get fifteen per cent to put it on the ballot they certainly would not get enough to pass it when it does come out. I think it should be a little bit higher than eight per cent because its not eight per cent of the qualified electors, it's only eight per cent of the ones that voted . and I think we ought to have it a little bit higher to preclude any possibility of throwing in legislation that might also call for special elections and a lot of expense.

PRESIDENT EGAN: Mr. Barr.

BARR: Mr. President, I am not an authority on the subject, but I understand there are other states who have as high a percentage as 15 and I believe one has as high as 20 per cent. I can't quote the number of states. I would like to hear from some of the Committee that has investigated that.

MARSTON: Mr. Chairman, the average requirement is eight per cent of the states that have this form of law. The average is eight per cent.

PRESIDENT EGAN: Mr. Kilcher, did you want the floor?

KILCHER: Yes. I advise that this amendment be defeated. It is exorbitantly high and I intend to suggest an amendment at a

much lower figure than this. The average is slightly less than eight per cent, as for as my figures show. Considering the distance and geography of Alaska, we should rather have a figure lower than eight or leave it as it is. That defeats the purpose of the measure.

GRAY: I feel that this is an important figure. I feel that this is the one place, if this is a constitutional measure, to insure that the people want the measure rather than some small

group in one locality. I believe that this figure should be sufficiently high. Under a republican form of government we are going to legislate through our legislature. We want to keep the principle of the law ultimately belongs to the people, and I think the figure should denote and be used only at a time that the legislature is not conforming to the wishes of the people, and that is why I believe this figure is very important, and by this figure I think we save the initiative for the constitution or we lose it due to the cumbersome expenses of practice of possibly poor legislation.

PRESIDENT EGAN: If there is no further discussion -- Mr. Barr?

BARR: Mr. President, as I stated before, I am against the basic idea of an initiative but I realize it has some value if it is in the constitution. In fact it may be a deterrent on the actions of legislature if they know it is there and could be used, but my main fear was it would be used too often for no good purpose. I may change my mind and vote for it if this figure of fifteen per cent is adopted.

PRESIDENT EGAN: Mr. Victor Rivers.

V. RIVERS: Mr. President, I think that possibly the adoption of this 15 per cent motion would make the program of the initiative unworkable. I notice that the states that used the initiative for statutory purposes, there are none of them that are above ten. Now I will grant that for purposes of amending the constitution there are some states that go as high, I believe, as thirty. I think it would be an error to adopt this fifteen per cent because of the fact it would be practically impossible to get that number of signatures on the petition required to initiate an initiative.

PRESIDENT EGAN: Mr. Taylor.

TAYLOR: Mr. President, now they call this a petition by the voters, how to get a certain per cent of it. Now in looking at it another way, it is a motion by a certain percentage of the electors that they would like to have something voted on. Now you say eight per cent is too much, but as important as this session is, less than two per cent of the body of this house can initiate anything they want to before this body and have it voted on, so why should you have to have the electors, eight per cent or fifteen per cent more. Eight per cent I think is a fair compromise. We discussed that considerably in the Committee, but when you figure that less than two per cent in here can start something, all a man has to do is to make a motion. That one man is less

than two per cent and everybody considers it, so I think if we have eight per cent on this initiative, that is plenty.

PRESIDENT EGAN: Mr. Marston.

MARSTON: Eight per cent is a little higher than the average state that uses this law. Now we know how hard it was to go out and get 250 names on a paper to get the chance to run for this Constitutional Convention. It was a lot of work for most of us to go out and do it ourselves. To get one of these initiative measures before the people it takes over 2,000 people to sign up. You would not get any place if you had to get 2,000. You would not be here and neither would I. It's a hurdle high enough if they feel that 2,000 votes to get on the ballot is what you have to get, they have a cause and then the people have a chance to say "yes or "no". I think eight per cent is right.

BOSWELL: I wondered if the Committee had studied the statistics of voting and about what eight per cent would require. Is that the figure -- 2,000?

MARSTON: My recollection is 27,000 votes here all over Alaska. Eight per cent of that is 2,160.

BOSWELL: I would speak in favor of a higher figure than eight per cent. It seems to me that one of the things, one of the abuses is that a number of bills could get introduced with a few voters and with only 2,000 it seems to me that it would be very easy for one locality to get 2,000 votes on a particular issue. That is why I would favor a higher figure, and I think fifteen per cent is about right.

PRESIDENT EGAN: Mr. Hurley.

HURLEY: If Alaska had a static population I would be inclined to agree, but I feel we have an expanding population, and by the time we become a state, the people that are concerned with introducing proposals, our population and our voting population will be such that eight per cent will be a reasonable figure.

PRESIDENT EGAN: Mr. Barr.

BARR: Mr. President, talking about the difficulty of getting that number of signatures to a petition, I maintain it is pretty easy to get a petition signed. I know of one candidate to this Constitutional Convention who merely typed up some petitions and mailed them to friends and he got 800 signatures with no effort on the part of himself.

PRESIDENT EGAN: Mr. Gray.

GRAY: I have to rise a second time because of that 200-vote

deal. The gentleman on that pointed directly at me. I wish to cite right now the principle of the thing. On the extraneous, unimportant matters, we don't care what the percentage is, two per cent, but on these important matters we must raise it to a higher value.

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PRESIDENT EGAN: Mr. Sundborg.

SUNDBORG: Mr. President, I would just like to say that the effect of the amendment, if it is adopted, would be that in Alaska right now in order to get any measure up before the people on an initiative basis, it would require 4,050 signatures on petitions. That is a lot of signatures to try to go out and get in Alaska. That is what fifteen per cent of 27,000 is. This is not going to carry the proposition. This is what is required to simply get it on the ballot so the people can have a chance to vote on it. The eight per cent now in there, as Mr. Marston said, would require slightly over 2,000, so that is what we are voting on.

ROSSWOG: Mr. Chairman, I would like to say a few words.

PRESIDENT EGAN: Mr. Rosswog.

ROSSWOG: I think it should be hard to get these petitions out and have them filled out, and I would be in favor of a little higher figure than the eight per cent.

PRESIDENT EGAN: Mr. Buckalew.

BUCKALEW: I am recalling the other arguments that have been made prior to this particular question. And if you will recall various people stated "Well, when the legislature fails to enact some necessary legislation the people can put the blocks to them. If the legislature has fallen down that much, it is not going to be any trouble at all to get fifteen per cent because they are all going to be up in arms. If the legislature has fallen down that much and they have to resort to the initiative, I think you can get fifteen per cent, if it's that important.

PRESIDENT EGAN: Mr. Londborg.

LONDBORG: I take my second turn here. I still believe it should be a lot higher. If that small percentage can throw the wheels in motion and perhaps calls for a special election and have \$40,000 every time a few people get together and want it if it does not happen to fall on a primary or general election, I think it should be relatively hard to do it because if it is something that that many people want, I am sure you can get the signatures. There have been various experiments performed on the idea of getting people to sign their names, and they say in cities that one out of ten will refuse to sign their signatures on a petition and perhaps not even look at the petition.

COOPER: I would like to point out that the figure fifteen per cent as used in the proposal, the figures that were presented on the floor were fifteen percent of 27,000 votes, and the last general election, as I recall I am not letter perfect on these figures -- was over 40,000. Is that correct? Might I ask if any of the delegates know?

PRESIDENT EGAN: Twenty seven thousand the Chair believes, or something like that.

COOPER: Of the general election?

PRESIDENT EGAN: Twenty seven thousand, six hundred and something.

COOPER: I just wanted to point out in argument that the delegate that was elected at large with the greatest number of votes, Territory wide, received 7,000 votes, which in effect would be a signature. The 15 per cent of the 27,000 votes then would be over 4,000 signatures. I believe it is a little high.

R. RIVERS: That delegate was running in a field of seven candidates. The 27,000 reflects the number of votes cast per delegate, I believe.

HILSCHER: According to the report of PAS slightly less than eight per cent seems to be the average in the states where this provision applies. Those states have a far more static population than we have. They are closely allied through transportation, through numerous radio stations, telephones, and it is much easier to get your message across. Here in Alaska where we have such a large area, the great distances between our towns and communities, our lack of communications comparable to those in the states places an additional penalty upon our people. So if we are to adopt the fifteen per cent, we might in essence from the standpoint of inconvenience, be setting it up almost at 25 per cent. I am in favor of the figure as it stands at the present time in Section 4, at eight per cent.

HINCKEL: I originally proposed or composed an article in which I set forth fifteen per cent. In Committee they changed my mind and I agreed to the eight per cent. In view of the fact that we have now removed all restrictions on the voters, a voter does not have to be able to read, etc., the qualified elector who would be permitted to sign this petition, I now favor that we raise the percentage back to a higher figure than eight -- possibly as high as fifteen.

UNIDENTIFIED DELAGATE: Question.

TAYLOR: I would like to say too that some of the states don't favor too large petitions. New York with three or four million voters, you can't present a petition that has more than 50,000 signatures, so it is a very small percentage of the voters that are on the petition because they are too bulky, there is too much trouble checking them. So in New York State you can't get more than 50,000 people on which would be a small percentage.

MCNEALY: I had not intended to speak on this, but everybody is taking a turn. The point is that I have some amendments to offer here which if the fifteen per cent went through I would be inclined to go along with the initiative and not offer my proposed amendments. Mr. Taylor speaks of New York. I think there are others here in the body who talked with Congressman O'Brien from New York. He said in one of his last words of parting from a little meeting, he said, "Don't get stuck like the State of New York with an initiative system or you will be spending out a good percentage of the Territory's money. You will find that your

initiative elections will cost you far more than your regular elections. As a Congressman from New York I sincerely hope you do not write the initiative into the constitution." I think this fifteen per cent would be somewhat of a safeguard against too many elections at least.

PRESIDENT EGAN: The question is, "Shall the proposed amendment as offered by Mr. Johnson be adopted by the Convention?" That is changing "eight per cent" to read "fifteen per cent". All those in favor of the adoption of the amendment will signify by saying "aye", all opposed by saying "no".

SWEENEY: Roll call.

PRESIDENT EGAN: The Chief Clerk will call the roll.

(The Chief Clerk called the roll with the following result:

Yeas: 25 - Armstrong, Awes, Barr, Boswell, Buckalew, Cross, Doogan, V. Fischer, Gray, Hinckel, Johnson, Laws, Londborg, McCutcheon, McNealy, Nerland, Nolan, Poulsen. Reader, Rosswog, Sweeney, Walsh, White, Wien, Mr. President.

Nays: 23 - Coghill, Collins, Cooper, Davis, Emberg, Harris, Hermann, Hilscher, Hurley, Kilcher, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nordale, Peratrovich. R. Rivers, V. Rivers, Smith, Stewart, Taylor..

Absent: 7 - H. Fischer, Hellenthal, King, Riley. Robertson, Sundborg, VanderLeest.)

CHIEF CLERK: 25 yeas, 23 nays and 7 absent.

PRESIDENT EGAN: And so the motion has carried and the amendment is ordered adopted.

V. RIVERS: It takes a majority of all of the members to which the body is entitled for final action.

PRESIDENT EGAN: The Chair will declare a two-minute recess.

PRESIDENT EGAN: The Chief Clerk will please read Mr. Johnson's amendment.

CHIEF CLERK: Do you want this one taken up next?

JOHNSON: Yes, please.

CHIEF CLERK: "Page 2, line 3. Section 4, after word 'chosen' add new sentence, 'The petition shall be from two-thirds of the voting precincts.'"

JOHNSON: Mr. President, I move the adoption of the amendment.

PRESIDENT EGAN: "The petition shall be from two-thirds of the voting precincts" -- where, Mr. Johnson, of the Territory?

JOHNSON: Of course it would be from the state.

PRESIDENT EGAN: The Chair stands corrected.

CHIEF CLERK: Do you want to add that?

JOHNSON: It is not necessary.

PRESIDENT EGAN: Do you move the adoption of the proposed amendment?

JOHNSON: I do.

ROBERTSON: I second the motion.

JOHNSON: I might explain. Mr. President, that it occurs to me that under the present wording that a petition could be circulated in one large population area and the required number of signatures be obtained from that one population area, and I believe that it would be better or equitable to have the petitions circulated in at least two-thirds of the voting precincts and signatures obtained all around the state rather than just in one locality.

PRESIDENT EGAN: Mr. Marston.

MARSTON: We went all through this, and in this big land of Alaska we said the other day one voting precinct was bigger than 40 of the states, and we concluded it was not fair if we want the initiative to work, to chase them all over the great land of Alaska to get these petitions. You nullify it. Here is one man with five petitions here. It is not improving this thing. If you want to nullify it, this is one way to do it. We worked on it for about four weeks, good men, even if I was on there, the rest of them anyway, and we decided that some of these people -- we had it in there. We took it out. It was too big a land to chase them over the mountains and across the rivers and the oceans to get this scattered vote, so I wish if you want this initiative and referendum you would hold back on a lot of these amendments. They are not improving it. That is the reason we did not put it in there. We considered Mr. Johnson's amendment carefully. I would like to hear some of the other Committees on this.

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PRESIDENT EGAN: The question is, "Shall Mr. Johnson's proposed amendment be adopted by the Convention?" Mr. Davis.

DAVIS: May I ask Mr. Johnson a question? If I understood your explanation correctly, Mr. Johnson, what you intended was that the petition should be circulated or that signatures should be secured from at least two-thirds. It seems to me the form does not quite carry out what you are trying to do. I am in favor of the suggestion that I think you are trying to make there.

JOHNSON: We could add the words "shall be circulated in at least two-thirds of the voting precincts." I will accept Mr. Davis' suggested amendment, and insert, "The petition shall contain signatures from at least two-thirds of the election districts of the State."

PRESIDENT EGAN: Mr. Davis, do you offer that proposed amendment?

DAVIS: Yes.

PRESIDENT EGAN: Is there objection to Mr. Davis's proposed amendment to the amendment? Mr. McLaughlin.

MCLAUGHLIN: Are you substituting the word "circulating" and do not require signing, Mr. Davis?

DAVIS: Either "circulated" or "signatures should be secured

from". Either one would be all right from my standpoint. But as it reads it says, "it shall be from" and I think it is meaningless.

MCLAUGHLIN: I am just anxious to know what the amended amendment is.

DAVIS: I will say "circulated" as an amendment.

PRESIDENT EGAN: Mr. Cooper.

COOPER: Mr. President, I have the same question in mind, and in my mind it would have been at least two-thirds of the voting precincts that would be represented, and that would indicate at least one vote from at least two-thirds of the voting precincts in Alaska.

PRESIDENT EGAN: Mr. Londborg.

LONDBORG: I can certainly see a value in having signatures from that many of the precincts. That would be one of the best ways to get the people all over the State of Alaska acquainted with what is coming up, otherwise many people will have to depend on radio or newspapers, etc., to find out and first thing you know there is a special election and a lot of them will have the initiative before them to vote and come to the polls and probably have not had a chance to talk it over and can't read, and we are going to have a lot of confusion, but if it can be circulated around I think it is going to stimulate a lot of interest and a lot of study on the initiative.

PRESIDENT EGAN: Mr. Metcalf.

METCALF: I am partially in favor of Mr. Johnson's motion, and I am against it for the use of the phraseology "of all the voting precincts", which would be a difficult job. I would like to amend the motion and make it similar to the Missouri Constitution, what they say on the matter. I would like to amend the motion and say "the major political subdivisions" and put the word "each" before that. In other words, you have Nome, Fairbanks, Anchorage, and Juneau, and you have to get two-thirds of your signatures from those major areas, and you won't work a hardship on the people with the initiative.

PRESIDENT EGAN: Mr. Metcalf, at the present time the particular motion cannot be further amended in its present state. There has already been an amendment to the proposed amendment offered and an amendment to the amendment to the amendment the Chair would hold would be out of order at this time. Mr. Stewart.

STEWART: Mr. President, just one question of information. Would the word "circulating include posting in a public place?"

DAVIS: Mr. President, in order to get away from the confusion which I caused here, I would like to withdraw the proposed amendment, putting it back to Mr. Johnson's amendment, then we can start over again.

PRESIDENT EGAN: If there is no objection, Mr. Davis asks unanimous consent to withdraw his proposed amendment to the amendment.

MCNEALY: I object.

PRESIDENT EGAN: That will take a motion before we can discuss it further. Mr. Davis.

DAVIS: I move that I be allowed to withdraw my proposed amendment to Mr. Johnson's amendment.

JOHNSON: I second.

MCNEALY: I withdraw my objection.

PRESIDENT EGAN: The proposed amendment to the amendment was withdrawn. Mr. Metcalf.

METCALF: I should like to read the amendment to Mr. Johnson's motion here.

PRESIDENT EGAN: If you could get it in writing. The Convention will sit at ease for a minute or two. The Convention is at ease. The Convention will come to order. Mr. Johnson.

JOHNSON: Mr. President, I ask leave by unanimous consent to withdraw my original amendment and substitute in lieu thereof a different wording which I have placed on the Secretary's desk.

PRESIDENT EGAN: Mr. Johnson asks unanimous consent that he be allowed to withdraw his original amendment and substitute another amendment. Is there objection? If there is no objection it is so ordered, and the Chief Clerk may read the proposed amendment.

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CHIEF CLERK: "Page 2, line 3, Section 4, after word 'chosen' add a new sentence, 'The petition shall contain signatures from at least two-thirds of the election districts of the State.'"

JOHNSON: I move the adoption of the amendment as read.

ROBERTSON: I second it.

PRESIDENT EGAN: The motion is open for discussion. Mr.

Smith.

SMITH: Mr. President, my recollection of the Committee discussion on this question was that under Section 3 the legislature would have the authority to require that signatures be obtained from as many legislative districts as they might deem necessary. The Committee felt, that is my version of the Committee feeling was, that due to the changes which will inevitably come, that the legislature could safely make those requirements. They could change those requirements to meet changing conditions and, therefore, I am opposing the amendment.

TAYLOR: I would just like to substantiate the remarks of Mr. Smith. We went over this quite carefully. We argued pro and con as to whether we should put anything in about where the petition was to be circulated, how many names to it, studied the other states' provisions along these same lines, and we felt due to our geographical limits that it would be better to leave that to the legislature. Now that is an untried thing in Alaska, and if we put this in here the legislature then would be unable to change it. It would take a constitutional amendment to make any change in the method of getting the signatures or where you got them from. So we thought we would leave this thing in the fluid stage so if there was an attempt to initiate legislation by this method, and they found out that the provision by law pursuant to the article was unwieldy, cumbersome, and made it practically impossible to get a measure through, that the legislature could change it at the first session if they realize it should be done. So we purposely left that out. We felt it would be better to leave it fluid so by trial and error we can find out what is the best manner to handle this, so I would think that the amendment should be defeated.

PRESIDENT EGAN: Mr. Hinckel.

HINCKEL: I was going to state for the advocacy of the delegates that the original wording we had in there was that not over 25 per cent of the signatures on a petition should come from any one political subdivision, and we all agreed that it would probably be adequate but as Mr. Taylor has said, we finally decided that we might be wrong and it would be better to leave it to the legislature so it could be amended or changed without all the trouble of going through constitutional amendment.

PRESIDENT EGAN: Mr. Cooper.

COOPER: Line 25 on page 2, actually Section 5, says this measure of the initiative shall not pertain to local or special legislation. Therefore, I don't think the amendment is in any way, shape or form out of order. If the people of the state at-large are to be affected by eventual legislation, then I believe that petition should be distributed within at least two-thirds of the voting precincts.

PRESIDENT EGAN: Mr. Londborg.

LONDBORG: There seems to be a feeling here that this is making it too hard to get an initiative. I would like to call the attention to the initiative provision in the State of Missouri where they not only ask that it be circulated in two-thirds of the congressional districts of the state, but that it be signed by a certain per cent of the legal voters. Now in the case of the constitutionality amendment it is eight per cent. In case of the law it is five per cent, which I think would compare to our fifteen per cent of those who voted. This is five per cent of the legal voters and it shall be signed by five per cent of the voters in each of two-thirds of the districts, so they certainly have their initiative a lot harder than we are proposing here.

PRESIDENT EGAN: Mrs. Hermann.

HERMANN: Mr. President, I think we are losing sight of one of the main things to be considered in connection with this proposal. These amendments and others that have already been adopted, as well as some of the sections themselves, are clearly attempts to replace fundamental law with statutory law, and I think that the whole thing of setting up the procedure for initiative and referendum, which is now being clumsily done by the body, should be left in the hands of the legislature. I have said once on this floor, if I have said it once I have said it a dozen times and probably will say it that many more, we have got to leave things to the legislature that belong among the legislature's functions, and instead of trying to write statutory law into the constitution of the State of Alaska let's get down to brass tacks and write the fundamental law on which the legislature may base its actions. I am against the amendment.

SUNDBORG: I have to take a view opposite to that of Mrs. Hermann's, something which I do not often do, for the reason that this provision would cover not only initiative petitions but referendum petitions, and I do not believe it proper to leave in the hands of the legislature the writing of basic provisions on how petitions which would override and defeat actions which the legislature has taken would have to be handled. Now under your view it is open here if we don't mention it, and it is open to the legislature to put up any kind of a provision it wants. It could require that there would have to be signatures from every voting precinct in the state which would defeat it because it would be impossible to get such signatures, and I don't believe that if we are going to have the referendum at all which is the process for the people to say, "We don't want this law which the legislature has just passed. We don't want to leave it to the legislature to set up the ground rules of how those things are going to be

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handled. I think that the amendment as now submitted does not require very much. All it says is that the petition shall contain signatures from at least two-thirds of the election districts of the state. The Apportionment Committee is bringing out a report which is going to set up 24 election districts in the state. This would require that anyone who wants to get a matter on the ballot would only have to have signatures from 16 of those election districts. Say that we need 4,000 as it is in Alaska today, he could have 3,985 signatures from the City of Anchorage and he could get one each from the other 16 election districts and he's on the ballot. Now I don't think that is going to restrict very many initiative or referendum petitions.

PRESIDENT EGAN: Mr. Buckalew.

BUCKALEW: I certainly agree with Mrs. Hermann. It seems to me a lot of delegates, and I have had the same idea myself up to this point, that you can't write into the constitution provisions that are going to take care of every imaginary evil that might come up. I think you can trust the legislature. We are going to trust the judges. We have created judges. We have given to the judges the power to incarcerate people and even hang them, and it is not any more illogical to trust the legislature. I might say that I offered an amendment which I think will cure all of this discussion, and I don't mean any reflection on Mr. Collins or his Committee, but I certainly agree with Mrs. Hermann. Now you can see the hassle we have gotten into over whether it is going to be ten or fifteen per cent, and it is all legislation, and if it proves to be unworkable you have got to amend the constitution to change it, and Mrs. Hermann is absolutely right.

MCLAUGHLIN: Without committing myself either way, I am just a little bit puzzled. Under Mrs. Hermann's suggestion it would all be left to the legislature. If the legislature exercises its authority under Section 3 prescribing the procedures to be followed in the exercise of powers of initiative and referendum, it makes it an emergency act, and you can't have a referendum on your referendum.

PRESIDENT EGAN: Mr. Smith.

SMITH: Mr. President, the only value for the initiative and referendum procedure is if there is a clear channel for enactment of legislation by the people. That is, if it goes directly from the people bypassing the legislature. If you give the legislature the power to block that channel, then you just as well as have no initiative and referendum at all. Now this is the second time I have had to change my mind on the question that is concerned with this, but I will now support the amendment offered.

PRESIDENT EGAN: Mr. Taylor.

TAYLOR: I think, in answering Mr. Smith's objections, he possibly loses sight of the fact that this Convention, if we adopt this proposal would be bound by it, as it says "No law shall be enacted to hamper, restrict or impair the exercise of powers reserved herein...by the people." They have got to pass the legislation. It has got to be introduced. It has got to be implemented

by the proper legislative measure. Let us trust the legislature. Let us leave this just as much as basic law as we possibly can.

Otherwise, we are coming out of here with a constitution that the voters will not ratify. Maybe some of these amendments are put in for the purpose of defeating the constitution.

PRESIDENT EGAN: Mr. Davis.

DAVIS: Mr. President, I want to say that I agree, strange as it may seem, with what Mrs. Hermann has said here. I think a good deal that is in this bill as written is legislation. The amendment which Mr. Johnson offered and which I supported was a matter to amend something that is legislation in my opinion to make the thing clearer and more nearly responsive to the will of the people of the whole rather than one section. That was the reason for offering the amendment. I would agree right off that if this part of Section 4 could be stricken as legislation.

PRESIDENT EGAN: Mr. Johnson.

JOHNSON: Mr. President, I resent the implication that I have offered any amendments for the purpose of defeating this constitution. I don't believe that Delegate Taylor had any right to make such an inference. I think that any delegate here has the right to offer amendments as long as they feel they are justified and it is part of the subject matter at hand. Now certainly in this instance, the constitutions that have been read to us, clearly indicate that this provision which is now before us by way of amendment is not unusual. There is nothing strange about it, and as Delegate Sundborg points out, it is not an impractical proposition because you can get, as he says, 3,995 signatures in Anchorage and get the rest of them, one signature from the other 15 voting precincts, so it is not an impractical proposition. It still acts as an additional safeguard on the misuse of the initiative. Yesterday I was opposed to the initiative principle, but the delegation in the Committee of the Whole voted to support the principle, and it is now in our constitution and will be I assume, but I still think that we have the right to make it as strong as possible because certainly it can be very easily misused as has been pointed out, and a special election under the initiative could cost the taxpayers \$40,000 and you might have a number of those special elections every year, and it runs into money, and I don't think we are going to have any too much money after we become a state, at least not for awhile, so I believe it is a reasonable safeguard and that the amendment should be passed.

PRESIDENT EGAN: Mr. McNaly.

MCNEALY: Mr. President, I am a strong advocate of leaving matters to the legislature, but I want to point out that when you start writing legislation into the constitution then you have got to write more legislation in order to supplement the legislation that you already have written in, and I too want to call attention to Section 3, the last line where it states, "No law shall be enacted to hamper, restrict, or impair the exercise of powers reserved herein by the people. If this is left blank, the percentage of the voters

who must sign the petition, and if it is left in the blank about what districts they shall be signed in, then I can foresee and very clearly there will be untold litigation, because if the legislature attempted to pass a bill and required fifteen per cent of the signatures, the people, or a small segment, would attack it on the grounds that it was hampering or restricting or impairing the voters. If the legislature attempted to say that the petitions had to be secured in certain districts they could always refer back to this clause here of hampering, restricting, or impairing. I think as long as we started writing legislation into this, unless the matter is clearly spelled out in the bill and left up to the legislature, then we must spell out these things in order to protect against future court action.

PRESIDENT EGAN: The Chair is going to adhere to the rule, Mr. Taylor, that each delegate is allowed two times around. Mr. Kilcher.

KILCHER: Point of information. I would like to address a question to Mr. Johnson. If Mr. Johnson's amendment should be adopted, would that leave enough power to the legislature later on to determine the percentage of signatures required in each of the two-thirds of the legal subdivisions?

JOHNSON: Offhand, I would say no, but it seems to me that it might be construed that if the legislature should determine later that each voting precinct would have to produce a proportionate share of the signatures, that might be in contravention of the constitutionality. I am not enough of a constitutional lawyer to know, but my offhand opinion is that this provision as it is now before us would make it flexible. and if the legislature attempted to put any restrictions on that flexibility, that it would not be improper.

PRESIDENT EGAN: Mr. Kilcher.

KILCHER: Personally I think that the legislature would be entitled to make further specifications that are not limited by any of the constitutional sections, and I hope that it will. and provided that I am right in my assumption, I am in favor of Mr. Johnson's amendment.

ARMSTRONG: If Section 4 is to stay in the act, it seems to me that we have to have this provision. I want to revert back to the thing that Mr. Marston constantly talks about, the people. I have a feeling so often that when I vote on the wrong side of an issue that I am voting against the people because that word has been underscored so emphatically. I think that to eradicate sectionalism and provincialism from Alaska we must have an expression from as many sections of the state as possible. I think one of the great things that is hampering us now is the feeling that one area wants to dominate another area, and I will vote for this amendment because of my inner feeling that this is bridging all of these depressions of sectionalism. It is asking for a widespread opinion on a piece of legislation. If folks say "Well, we are not intelligently" enlightened on this enough so that we

can sign this petition, then let them dig into it before they sign it. It will probably give a wider base of opinion when it comes to a vote. We can probably vote on it more intelligently. I will support this amendment if we are keeping in Section 4.

BOSWELL: I move the previous question.

HERMANN: I second the motion.

PRESIDENT EGAN: The question is, "Shall the previous question be ordered?" All those in favor of the question will signify by saying "aye", all opposed by saying no. The "ayes have it and the previous question is ordered. The question is, "Shall Mr. Johnson's proposed amendment be adopted by the Convention?" All those in favor --

TAYLOR: Roll call.

PRESIDENT EGAN: The Chief Clerk will call the roll. Will the Chief Clerk please read the amendment.

CHIEF CLERK: "Page 2, line 3, Section 4, after the word 'chosen' add a new sentence, 'The petition shall contain signatures from at least two-thirds of the election districts of the State.'"

PRESIDENT EGAN: The question is, "Shall the proposed amendment be adopted by the Convention?" The Chief Clerk will call the roll.

(The Chief Clerk called the roll with the following result:

Yeas: 38 - Armstrong, Barr, Boswell, Coghill, Collins, Cooper, Davis, Doogan, H. Fischer, Gray, Harris, Hellenthal, Hilscher, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Nolan, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, Mr. President.

Nays: 13 - Aves, Buckalew, Emberg, Hermann, Hinckel, Hurley, King, Metcalf, Nordale, Peratrovich, Riley, V. Rivers, Taylor.

Absent: 4 - Cross, V. Fischer, McCutcheon, Nerland.)

CHIEF CLERK: 38 yeas, 13 nays and 4 absent.

PRESIDENT EGAN: The "ayes" have it and the proposed amendment is ordered adopted. Mr. Hellenthal.

CHAIRMAN R. RIVERS: Mrs. Sweeney.

SWEENEY: I would like to ask Mr. Taylor a question. On Section 4, the last line on page 1 and going to the top of page 2 it

provides that you will have eight per cent of the number of votes cast for governor in the preceding general election, at which the governor was elected. I am wondering if your Committee considered the possibility of a restriction in there similar to the one that is in the model constitution requiring that only a certain percentage of those signatures can come from a certain district. That is, that the petition must represent a large area rather than a restricted area.

TAYLOR: We did talk that over. We gave it consideration. We felt that with the geographical limitations of the state of Alaska, we felt that in view of the size of Alaska, the geographical size of it in proportion to the population, that if we put a limitation upon the number of voters that could come from any political subdivision or of any particular area, that it would make it very difficult up here by reason of the great sparsely populated areas, we did not hold that up. We felt it would make it very difficult if 25 per cent of, say 25 or 30 per cent of the petitions had to be from one division or one part of a division. Well, you could go in there and get those all right, but it is so difficult to circulate those petitions in the outlying precincts.

SWEENEY: On the other hand, I feel that, if just speaking of divisions now, if one division, for instance the Southeast, had a bit of legislation they wanted passed, they could get the eight per cent of the votes very easily and yet we would be imposing, if the legislature then passed whatever it was we wanted, we would be imposing our will on the whole of Alaska, and it seems to me that a portion should be required to come from another division, perhaps a third or even half from another section.

CHAIRMAN R. RIVERS: The Committee will be at ease for a moment while our guests pass out. (Guests left gallery.) The Committee will come to order.

TAYLOR: Mr. Chairman, I would like to answer Mrs. Sweeney's question in this way. Although as she states the eight per cent of the voters, of the number of voters that cast their votes for the governor at the previous election was secured in one division, that does not make it a law because that then is submitted, if they get the sufficient number of signatures on there, then it is submitted to the entire electorate and then it can be defeated by the voters of other divisions or political subdivisions whichever they might be, because the entire electorate then votes upon what eight per cent of the electorate initiated.

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FISCAL NOTE

Bill Version: CSHJR 7 (STA)

(H) Publish Date: 2/26/99

STATE OF ALASKA 1999 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected _____ Office of the Governor _____
 Title Constitutional Amendment relating to _____ BRU _____ Elective Operations _____
 initiative and referendum petitions _____ Component _____ General and Primary _____
 Sponsor Representative Williams _____
 Requester House State Affairs Committee _____ Component Serial No. 22 _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual	1.5					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	1.5	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1.5					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	1.5	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58. However, only six measures can be printed on an 8-1/2 by 14 inch ballot. If this measure requires printing an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

Prepared by Gail Fenumial *Gail Fenumial*
 Division Division of Elections
 Approved by Lt. Governor Fran Ulmer *Fran Ulmer*
 Agency Office of the Lieutenant Governor

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