

**HB**

**31**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

MAY 03 2004

SENATE FINANCE  
COMMITTEE

DATE: 3/4/04

FURTHER:

DATE TURNED  
IN TO OFFICE: 3 May 2004

Finance Committee considered HOUSE BILL NO. 31

## HB 31 INITIATIVE/REFERENDUM PETITIONS

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

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- Same Title
- New Title

**House Bill:**

- Same Title
- Technical Title Change
- New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero.	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
GOV				✓	#2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	No REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✗			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

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<i>[Signature]</i>	✓			
<i>[Signature]</i>	✗			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

MAY 03 2004

SENATE FINANCE  
COMMITTEE

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2  
Bill Version: HB 31  
(H) Publish Date: 2/2/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: GOV  
Title An Act relating to initiative and referendum RDU Elections  
petitions; and providing for an effective date. Component Elections  
Sponsor Representative Williams  
Requester House Rules Component No. 21

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

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Prepared by: Leonard G. Jones Phone 465-3051  
Division: Division of Elections Date/Time 1/30/04 11:30 AM  
Approved by: Laura A. Glaiser, Director Date 1/30/2004  
Agency: Office of the Lt. Governor, Division of Elections

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Phone 465-3051  
Date/Time 1/30/04 11:30 AM  
Date 1/30/2004

REPORTED OUT

MAY 03 2004

SENATE FINANCE COMMITTEE

# SENATE FINANCE COMMITTEE REPORT

DATE: 3/4/04

FURTHER:

DATE TURNED IN TO OFFICE: 3 May 2004

Finance Committee considered

HOUSE BILL NO. 31

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Department	Date	Fiscal	Indet.	Zero.	FN#

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GOV				✓	#2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Paul Ryan</i>	✓			
<i>John H. ...</i>	✓			
<i>...</i>	✓			
<i>...</i>	✓			
<i>Sen. ...</i>				
COCHAIR: <i>Syde Green</i>	✓			
COCHAIR: <i>...</i>	✓			

HOUSE BILL NO. 31  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES WILLIAMS, Meyer, Morgan

Introduced: 1/21/03  
Referred: State Affairs, Judiciary

A BILL  
FOR AN ACT ENTITLED

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

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 15.45.140 is amended to read:

5 Sec. 15.45.140. Filing of petition. (a) The sponsors must file the initiative  
6 petition within one year from the time the sponsors received notice from the lieutenant  
7 governor that the petitions were ready for delivery to them. The [, AND THE]  
8 petition may be filed with the lieutenant governor only if it meets all of the  
9 following requirements: it is [MUST BE] signed by qualified voters

10 (1) equal in number to 10 percent of those who voted in the preceding  
11 general election;

12 (2) [AND] resident in at least three-fourths [TWO-THIRDS] of the  
13 house districts of the state; and

14 (3) who, in each of the house districts described in (2) of this

1        subsection. are equal in number to at least seven percent of those who voted in  
 2        the preceding general election in the house district.

3            (b) If the petition is not filed within the one-year period provided for in (a) of  
 4        this section, the petition has no force or effect.

5        \* Sec. 2. AS 15.45.370 is amended to read:

6            Sec. 15.45.370. **Filing of petition.** The sponsors may file the petition

7            (1) only within 90 days after the adjournment of the legislative session  
 8        at which the act was passed; and

9            (2) only if it is signed by qualified voters

10            (A) equal in number to 10 percent of those who voted in the  
 11        preceding general election; and

12            (B) [AND] resident in at least three-fourths [TWO-THIRDS]  
 13        of the house districts of the state; and

14            (C) who, in each of the house districts described in (B) of  
 15        this paragraph, are equal in number to at least seven percent of those who  
 16        voted in the preceding general election in the house district.

17        \* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to  
 18        read:

19            **CONDITIONAL EFFECT OF ACT.** This Act takes effect only if a constitutional  
 20        amendment requiring signatures from seven percent of the qualified voters who voted in the  
 21        district in the preceding general election in each of three-fourths of the house districts of the  
 22        state is passed by the legislature and approved by the voters at the 2004 general election.

23        \* Sec. 4. If this Act takes effect under sec. 3 of this Act, it takes effect on the effective date  
 24        of the amendment described in sec. 3 of this Act.

MAY 03 2004

SENATE FINANCE  
COMMITTEE

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# Alaska State Legislature

Co-Chair  
House Finance Committee  
Subcommittee Chair  
Environmental Conservation  
Courts



*Representative William K. Williams*

During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
50 Front Street, Suite 203  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-8546

## **Sponsor Statement for HB 31/ HJR 5 Initiative and Referendum Petitions**

### **“An Act relating to initiative and referendum petitions; and providing for an effective date”**

House Bill 31 and House Joint Resolution 5 (“HB 31/ HJR 5”) were introduced to encourage broad, statewide support for the idea contained within an initiative before it gets on the ballot. By including voters from all parts of Alaska in the process, the legislation promotes awareness of initiatives to people throughout the state.

The legislation supports the letter and spirit of Article XI, Section 3, of the Alaska Constitution, which requires initiative sponsors to obtain a minimum of one signature from residents of at least two-thirds of the House Districts in the State of Alaska (27 districts). HB 31 and HJR 5 propose that initiative sponsors gather signatures from residents of at least three-quarters of House Districts (30 districts). The legislation also proposes that the total number of signatures in each of those districts amount to at least seven percent of the number of people who voted in the most recent election in that district. It does not change the constitution’s requirement that the total number of signatures statewide in support of an initiative or petition amount to at least ten percent of the number of people who voted in the most recent election. The legislation would put a proposed constitutional amendment on the ballot, leaving it to the people of the state to decide if these changes are warranted.

*Contact: Tim Barry, Aide to Representative Bill Williams, at (907) 465-2812*

## **Additional Information for the Sponsor Statement for HB 31/ HJR 5 Initiative and Referendum Petitions**

### **THIS BILL CARRIES OUT THE INTENT OF THE FRAMERS OF ALASKA'S CONSTITUTION**

The Framers of Alaska's Constitution spoke about wanting to ensure that no particular part of the state could get an Initiative on the Ballot without some support from throughout the State – that's why they included a geographic distribution requirement in the Constitution.

HB31/HJR5 work to achieve the goals of the Framers, by adjusting the Constitution to reflect changes in Alaska since the Constitution was written. In 1956, there were three areas of the state with roughly equivalent populations (Southeast, Fairbanks/Interior and Anchorage); now there is one dominant community.

Also, communication and technology have changed radically since the Constitution was written. It is much easier now to send signature books around the state and gather support for an issue.

### **THE NCSL SUPPORTS THIS KIND OF A REQUIREMENT**

The National Conference of State Legislators published a report last year which urges States to adopt a geographic distribution requirement for Initiative Petition signatures, like the one proposed in this legislation. As this report says, there have been problems in other states with excessive and frivolous Initiatives making it difficult for legislatures to do their work.

### **THIS LAW WOULD NOT CREATE AN UNDUE HARDSHIP FOR INITIATIVE SPONSORS**

#### **IN FACT, THIS LAW WOULD EXPORT DEMOCRACY TO ALL AREAS OF THE STATE**

Data from the Division of Elections show that initiative supporters in recent years would not have had to work too hard to have met the requirements of HB31/HJR5. Among the ten initiatives that have been on the ballot since 1998, sponsors would have had to gather an average of 935 additional valid signatures to comply with this law. On these ten petitions, sponsors gathered an average of 40,148 total signatures. In fact, the proposed legislation only requires signature gatherers to get signatures from as few as 2.4 and at the most 6.4 percent of registered voters in each district.

Currently, most Initiatives are getting on the ballot without any substantial support from many areas of the state. For example, an average of only 59 voters from Ketchikan, Alaska's 4<sup>th</sup> largest city, signed each of the petitions for the last ten initiatives to reach the ballot. That's 9/10ths of 1 percent of the number of people who voted in the most recent election.

### **THE BILL HAS WIDESPREAD SUPPORT FROM PEOPLE AND GROUPS AROUND THE STATE**

The fiscal note is \$1,500 – the cost to the Division of Elections of printing an additional page in the election pamphlet next fall for the Constitutional Amendment Vote.

The legislation is supported by the Alaska Outdoor Council, the Alaska Miners' Association, the Alaska League of Women Voters and the Alaska State Chamber of Commerce.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 3, 2003

**SUBJECT:** Initiative and Referendum Petitions  
(HB 31, Work Order No. 23-LS0201\A)

**TO:** Representative Bill Williams  
Attn: Tim Barry

**FROM:** Kathryn L. Kurtz *KK*  
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Changes the statutory signature requirements for filing an initiative petition with the lieutenant governor. Requires that the petition be signed by residents of at least three-fourths of the house districts in the state (an increase from two-thirds), and requires that the number of signatures from voters in each of those house districts be equal to at least seven percent of the number of people who voted in that district in the preceding general election.

**Section 2.** Makes the same changes as in section one to the corresponding statute relating to referenda.

**Section 3.** Makes the act effective only if a constitutional amendment to the same effect is passed by the voters at the 2004 general election.

**Section 4.** Makes the act effective the same date as the constitutional amendment, if the act takes effect.

KLK:lmb  
03-059.lmb

# SENATE COMMITTEE REPORT

DATE: 2/6/04

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 3/3/04

Judiciary Committee considered

HOUSE BILL NO. 31

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GOV	1/30		✓		2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
Therriault <i>[Signature]</i>	X			
Ogawa <i>[Signature]</i>	✓			
French <i>[Signature]</i>			X	
CHAIR: Salins <i>[Signature]</i>	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

HB 31-INITIATIVE/REFERENDUM PETITIONS

NAME: TIM BARRY Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: AIDE TO REP WILLIAMS Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
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