

**HJR**

**38**

# ALASKA STATE LEGISLATURE

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REPRESENTATIVE PEGGY WILSON  
HOUSE DISTRICT 2

## SPONSOR STATEMENT House Joint Resolution 38

**“Proposing amendments to the Constitution of the State of Alaska relating to and increasing the number of members of the House of Representatives to 44 and the number of members of the Senate to 22.”**

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“...Each house district shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area...” Alaska Constitution Article VI, Section 6, titled Legislative Apportionment.

HJR 38 will put a constitutional amendment before the voters in the 2010 general election that would increase the size of the legislature to 44 representatives and 22 senators. Upon voter approval, the measure would apply to the 2012 determination of new boundary's for the election district.

In the first 50 years of statehood, Alaska has not changed the 20 senator, 40 representative size of its legislative body, the smallest bicameral legislature in the nation. In this time span, the population of the state has more than tripled. Most significantly, the population increase is disproportionate, strongly favoring large urban areas over rural and small community areas. The task then of applying the proscriptions of Article VI, above, has correspondingly become more difficult and contentious. Except for the 1960 reapportionment, all subsequent reapportionments have faced successful legal challenges, requiring boundary adjustments and on several occasions, a court constructed plan.

Federal protections of the U.S. Voter Rights Act of 1965 for large minority concentrations further complicate Alaska's reapportionment process. Indeed, they can act to counter the Section 6 requirements. Rural election district distortions are evident in the current plan. There is a probability that the new population distribution of the 2010 census cannot reconcile Section 6 and the Voter Rights Act without increasing the size of the legislature.

Between 1960 and 2006, twenty nine states have changed the size of their legislative body. For the nine states with small populations similar to Alaska (509,000 to 1,429,000), the average size of their legislative bodies is 134 members.

Another measure of the effect of the state's growth and complexity on the work of the legislature is its budget responsibilities. Legislative expenditures for government programs and projects has risen from a figure of \$104 million in FY 61 to somewhere in the neighborhood of \$7 billion currently. This is an increase from \$2700 per capita in 1961 nominal dollars to \$10,000 per capita today.

For these reasons, putting a proposal to increase the size of the legislature before the voters is timely and merited.

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHJR38(STA)  
 () Publish Date: \_\_\_\_\_

Identifier (file name): CSHJR38(STA)-LEG-COU-2-18-10 Dept. Affected: Legislature  
 Title: "Proposing amendments to the Constitution of the State of Alaska relating to and increasing the number of members..." RDU: All  
 Sponsor: Representative Peggy Wilson Component: Various  
 Requester: House State Affairs Component Number: Various

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

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

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services				1,904.0	1,904.0	1,904.0	1,904.0	
Travel				178.0	178.0	178.0	178.0	
Contractual				260.0	260.0	260.0	260.0	
Supplies				90.0				
Equipment				1,500.0				
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>3,932.0</b>	<b>2,342.0</b>	<b>2,342.0</b>	<b>2,342.0</b>	<b>2,342.0</b>
<b>CAPITAL EXPENDITURES</b>								
<b>CHANGE IN REVENUES ( )</b>								

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF				3,932.0	2,342.0	2,342.0	2,342.0	
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>3,932.0</b>	<b>2,342.0</b>	<b>2,342.0</b>	<b>2,342.0</b>	<b>2,342.0</b>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time				18	18	18	18
Part-time				7	7	7	7
Temporary							

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

CSHJR38(STA) proposes amending the Constitution of the State of Alaska by ballot proposition in the next general election which would increase the membership of the Alaska Senate by two Senators and the Alaska House of Representatives by four Representatives. If this resolution passes, the ballot proposition would be voted on in the November 2010 general election. If the ballot proposition passes, the Redistricting Board would create their redistricting plan using the new number of districts. For purposes of this fiscal note, it is assumed that the number of Legislators elected to office for the 28th Legislature would total 66. Please note the figure included for capital outlay is for the remodeling cost to accommodate the increased number of Legislators in the Capitol. The figure 1,500.0 is used for remodeling costs. Depending on which design was adopted, costs could vary. If a decision were made to create an addition to the Capitol or to construct a new building the figure would be much higher and would likely be included in a capital appropriation.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626  
 Division: Legislative Affairs Agency Date/Time 2/18/2010  
 Approved by: Pamela Varni, Executive Director Date 2/18/2010  
Legislative Affairs Agency

FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

BILL NO. CSHJR38(STA)

**ANALYSIS CONTINUATION**

Personal Services - 6 Additional Legislators - 482.0

Assume for staff allocation 1/2 Legislators are in the majority and 1/2 are in minority.  
17 full-time staff and 4 part-time staff to Legislators; LAA support staff include full time - 1 attorney;  
Session only - 2 LIO Officers, 1 Enroller or Help Desk Technician - 1,422.0 Total increase in Personal  
Services - 1,904.0.

Travel - Cost to move 6 Legislators and families - 30.0; Costs to relocate an additional 17 full-time and 3 part-time staff to  
Legislators - 15.0; Cost of increased session per diem - 103.0; Increase in Legislature's travel budget related to 6 new  
Legislators - 30.0; Total increase in Travel - 178.0.

Contractual - Allowance Accounts for 2 Senators at 10.0 and 4 Representatives at 8.0 = \$52.0;  
Connectivity for computers, phones, faxes, and printers - 33.0. Increase in office space for either expanding  
existing Legislative Information Offices or establishing new offices - 175.0. Total increase in contractual - 260.0.

Supplies - Cost to equip two offices per Legislator and their staff, one office in the district and one office in the Capitol.  
Items include desktop computers, one laptop per office, printers, hardware, software, which will be shipped  
to and from the Capital City each year, and one set of furniture for a district office and one set for the Capitol.  
Furniture items include desks, chairs, phones, file cabinets, fax machines - Total cost to equip offices - 90.0.

Capital Outlay - Costs to remodel the existing chambers in the Capitol and reconfigure space in the Capitol Complex to  
accommodate new offices would likely, at a minimum, be at least 1,000.0. For purposes of this  
fiscal note 1,500.0 is used for remodeling costs. Depending on which design was adopted, costs could vary.  
The cost could be much higher if the Legislature decided to build an addition to the Capitol or construct a new  
building.

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHJR 38(STA)  
 (H) Publish Date: 2/19/10

Identifier (file name): HJR-038-OOG-DOE-2-1-10 Dept. Affected: OOG  
 Title: Constitutional amendment relating to and increasing the RDU: Elections  
number of members of the house of representatives to.... Component: Elections  
 Sponsor: Representative Peggy Wilson  
 Requester: House State Affairs Component Number: 21

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

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

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual			1.5					
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		<b>0.0</b>	<b>1.5</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>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

	FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
1002 Federal Receipts							
1003 GF Match							
1004 GF			1.5				
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>0.0</b>	<b>1.5</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 (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time							
Part-time							
Temporary							

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

The passage of this resolution would require the constitutional amendment to appear on the 2010 general election ballot. The cost of providing information about the constitutional amendment in the Official Election Pamphlet, as required by AS 15.58 is \$1.5. Should the addition of this question require printing an 8-1/2 by 18 inch ballot, the cost will increase to \$22.0.

Prepared by: Gail Fenumiai, Director  
 Division: Division of Elections  
 Approved by: Linda Perez, Director  
Division of Administrative Services

Phone 465-4611  
 Date/Time 2/9/10, 8:59am  
 Date 2/9/2010

FISCAL NOTE #2

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

BILL NO. CSHJR 38(STA)

**ANALYSIS CONTINUATION**

Personal Services - 6 Additional Legislators - 482.0

Assume for staff allocation 1/2 Legislators are in the majority and 1/2 are in minority.  
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The cost could be much higher if the Legislature decided to build an addition to the Capitol or construct a new  
building.

## Two legislative redistrictings - one in 2012 and perhaps another in 2014

Alaska could go through two legislative reapportionments after the 2010 census. The first would be the result of our own state districting process. Inclusive within this process will be contentious litigation that always results. And in Alaska, it has not been infrequent that the Court has taken control and redrawn the plan by appointed court masters.

Now comes the test! Any Alaska plan, or even election laws must be pre-cleared by the U.S. Justice Department civil rights division to ensure it complies with the requirements of the federal U.S. Voters Rights Act of 1965, and subsequent revisions. Alaska is in a special category with nine others states (*all in the Old South*). There were a number of reasons why we earned inclusion, but one was an "English language" test for voting in our state constitution. This was never implemented, and subsequently repealed. **Note:** In fact, Alaska did not even implement voter registration until the election of 1968.

Nevertheless, getting tangled up with U.S. Justice preclearance on the state 2012 plan could cause delay preventing resolution and implementation prior to the 2012 elections. The result of delay would be some kind of interim plan for 2012, i.e. use of the existing plan, the state proposed plan, or temporary court imposed plan.

### **The problem been with us since before statehood, and is built into the small size of our House and Senate**

Alaska's increasingly skewered districting map is a natural result of a very small but fixed number of our 20 member Senate and 40 member House (*smallest in the nation*). The size of the House and Senate is fixed. However, the state's population has grown much faster in the urban areas, along the railbelt, and in coastal cities like Juneau, than in the smaller communities scattered along the extensive Alaska coastline and in the vast rural Interior of the state. This means districts in urban centers become more numerous and compact, but rural districts become fewer and must become huge and ungainly to gather sufficient population for a district, taking in regions completely unrelated and separated from each other.

For example, Sen. Johnny Ellis, D-Anchorage, can walk his downtown Anchorage district North and South, East and West, in just a few hours. Sen. Al Kookesh, D-Angoon, must catch a plane to Juneau (or ferry), catch Alaska Airlines to Anchorage, and then fly to Aniak of the Lower Kuskokwim or Holy Cross on the Lower Yukon. This district is half the size of Alaska.

*- Continued on next page*

We started with an enlarged hour of 40 districts that  
fit the Alaska socio-economic map perfectly

*- Continued from previous page*

At statehood our first district plan for the House fit the "constitutional socio-economics criteria" almost perfectly. We wonder whether constitutional crafters of this first plan (*done at the 1955 Constitutional Convention*) knew that an increase in the House from 24 members to 40 members would fit the existing socio-political map so well, making most happy. Nevertheless, it did just that "political job. It kept everyone happy, and that may have been especially important during the time of Congressional review and creation of the Statehood Act (*as well as our own Alaska local vote on statehood*).

**Note:** *The constitutional committee charged with drafting the scheme was not without its bit of controversy and regional politics, i.e. Anchorage against everyone else, the latter reportedly wanting a plan, at least partially, radiating out from turban centers.*

*So, to avoid the "others," meaning Anchorage delegates, reportedly Fairbanks Delegate George Cooper and Nenana/Yukon Delegate Jack Coghill, put together a little mid-night caucus in Delegate George Cooper's basement. Meanwhile, one of their faith kept the Anchorage delegation busy at the Fairbanks Second Avenue Mecca Bar.*

**Note:** *As most states did at this time Alaska had a Senate based on regional geography.*

This 1955 plan by "population count" was out-of-date by statehood, but another census was just around the corner. Further, everyone probably understood this, because the 1960 reapportionment plan had to do some serious revising, and yet produced little acrimony. *It was the only plan that has escaped court review and litigation.*

The point is that the first statehood districts fit the socio-economic map perfectly. However, from that day on every decennial redistricting forced the outlying and coastal districts into contortions, struggling to fit constitutional criteria and then the mandates of the ethnic criteria imposed by the 1965 U.S. Voters Right Act and subsequent revisions. Further, almost simultaneously the U.S. Supreme Court Tennessee case brought down the traditional regional Senates across the country. This was a political shock in itself

With a 20 member Senate and 40-member House, and a landmass that imposes huge barriers, we are now about out-of-gas in being able to meet the mandates of the U.S. Voters Rights Act. The issue is! Might the U.S. Justice Department question the size of our legislative bodies, and due to their small fixed size, our ability to provide ethnic representation required under the U.S. Voters Rights Act.

*- Ongoing series of back grounders*

## Population trend for Election Districts in 2010

Election District	Pop. 2000	DOL 2008 Est.	2010 Extrapolation	Diff. From Average	HB 38 w/ 46 Eds Diff. From Average
1 Ket.	15,031	13,832	13,532	-3,777	-1,519
2 Sit-Wran-Pet	14,991	14,104	13,882	-3,427	-1,169
3-Jun	15,203	15,207	15,208	-2,101	157
4-Jun	15,508	15,220	15,148	-2,161	97
5 SE islands	15,048	13,368	12,948	-4,361	-2,103
6 Interior Bush	14,906	14,564	14,479	-2,830	-573
7 Fbks	15,494	16,725	17,033	-276	1,982
8 Fbks	15,552	16,597	16,858	-451	1,807
9 Fbks	15,723	17,323	17,723	414	2,672
10 Fbks	15,599	17,017	17,372	63	2,321
11.N. Pole	15,904	17,129	17,435	126	2,384
12 Valdez-Hwys	16,303	17,465	17,756	447	2,705
13 Mat-Su	16,231	22,529	24,104	6,795	9,053
14 Mat-Su	16,119	22,384	23,950	6,641	8,899
15 Mat-Su	16,137	22,477	24,062	6,753	9,011
16 Mat-Su	16,104	20,015	20,993	3,684	5,942
17 Anch	15,819	17,171	17,509	200	2,458
18 Anch	15,639	17,032	17,380	71	2,329
19 Anch	15,841	17,394	17,782	473	2,731
20 Anch	15,837	17,330	17,703	394	2,652
21 Anch	15,850	17,321	17,689	380	2,638
22 Anch	15,831	17,353	17,734	425	2,683
23 Anch	15,847	17,671	18,127	818	3,076
24 Anch	15,812	17,415	17,816	507	2,765
25 Anch	15,836	17,464	17,871	562	2,820
26 Anch	15,823	17,443	17,848	539	2,797
27 Anch	15,820	17,261	17,621	312	2,570
28 Anch	15,839	17,279	17,639	330	2,588
29 Anch	15,846	17,322	17,691	382	2,640

30 Anch	15,839	17,229	17,577	268	2,526
31 Anch	15,811	17,216	17,567	258	2,516
32 Anch	15,839	16,717	16,937	-372	1,886
33 Kenai	16,466	17,488	17,744	435	2,693
34 Kenai	16,409	17,477	17,744	435	2,693
35 Kenai	16,436	17,613	17,907	598	2,856
36 Kodiak	14,928	14,240	14,068	-3,241	-983
37 Bristol B- Chain	15,150	13,623	13,241	-4,068	-1,810
38 Bethel-YK	14,921	15,793	16,011	-1,298	960
39 Nome	14,966	15,862	16,086	-1,223	1,035
40 Kotz-Barrow	15,155	14,693	14,578	-2,731	-474
<b>TOTAL</b>	<b>627,413</b>	<b>679,363</b>	<b>692,351</b>		
Average Population	15,673	16,993	17,309		15,051

By Sen. Olson Office



March 8, 2010

Dear Alaska Legislator;

As our state continues to grow and the population increasingly concentrates itself into relatively few urban areas, reapportionment will lead to even larger legislative majorities who call the Anchorage basin their home. Conversely, corresponding legislative districts will cover wider and wider swaths of sparsely populated areas having relatively little in common. Already senate districts C, S and T are each larger than most states in the Union. In order to assure that we continue to hear the voices from every corner of the state, not just the urban centers, we believe it is time to increase the size of the Alaska legislature.

Southeast Conference is a private membership organization that works to advance the collective interests of the people, communities, and businesses of Southeast Alaska. It is the Alaska Regional Development Organization (ARDOR), Federal Economic Development District (EDD), and USDA Resource Conservation and Development (RC&D) Council for the region. The Conference's Mission is to help develop strong economies, healthy communities, and a quality environment in Southeast Alaska. In keeping with that mission we feel it is of utmost importance we are all heard with an equal voice.

Southeast Conference respectfully asks for your support for HJR38 and SJR21.

Sincerely,

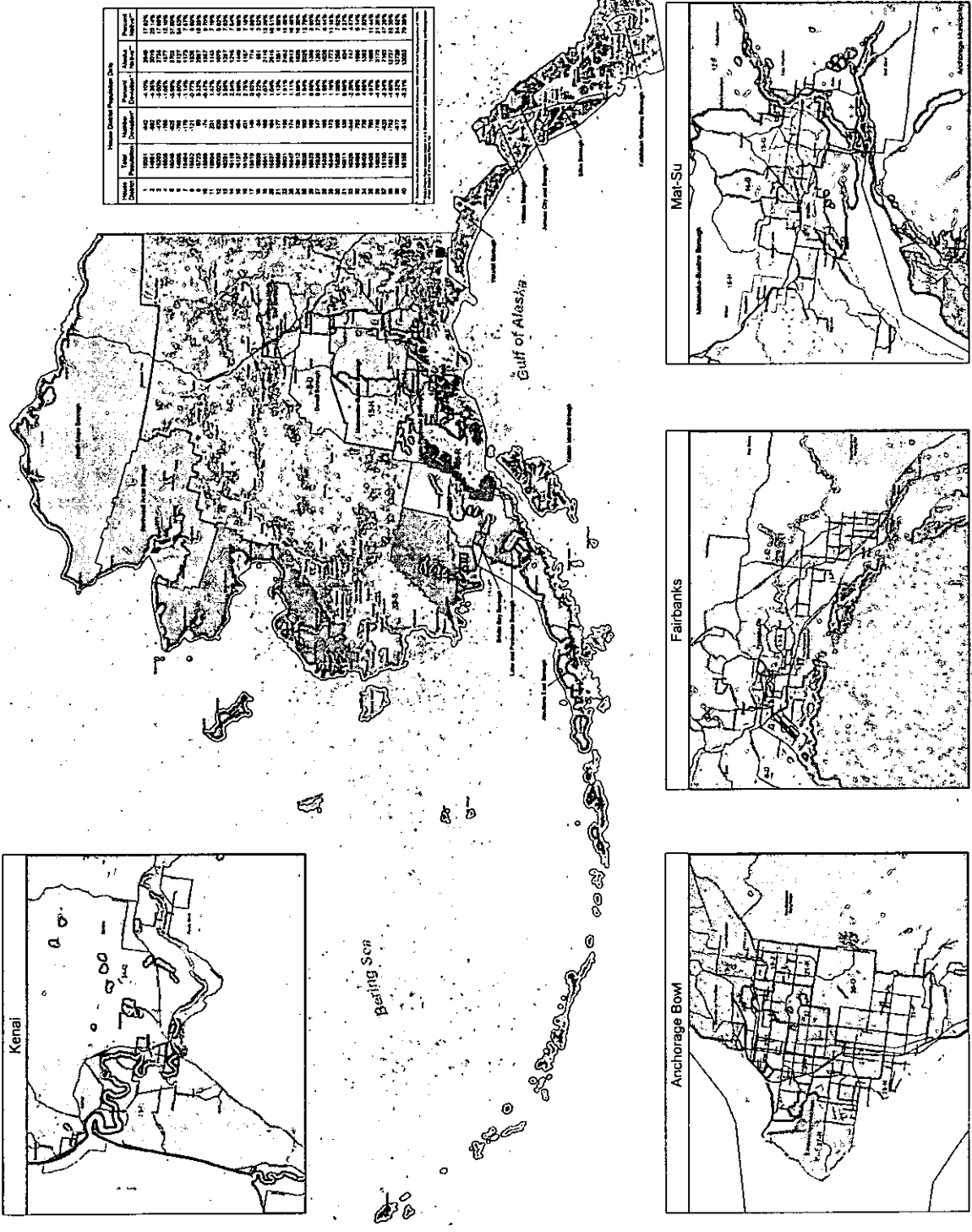
Shelly Wright  
Executive Director

P.O. Box 21989 612 W. Willoughby Avenue, Suite B, Juneau Alaska 99802

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# State of Alaska - Amended Final Redistricting Plan



Amendments adopted by  
April 13, 2002 as recorded in April 15, 2002