

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 0072

10436 HOUSE STATE AFFAIRS

276



Alaska State Legislature

Please enter into the record my testimony to the House State Affairs Committee
committee name

Committee on HB 213, dated 4-26-01
bill # / subject

I am against HB 213.

This bill needlessly dilutes the constitutional powers of the people.

I believe that there has not been any past problems with trivial initiatives and there is no problem requiring this legislative "fix" or amendment.

This is a valuable and necessary power yielded by the people of this state.

This bill simply makes ballot initiatives more expensive to pursue.

For these reasons I am against this legislation.

Signed:

James Price - James Price

Testifier

Self

Representing (optional)

PO Box 7043, Nikiski, AK 99635

Address

907-776-3481

Phone number



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legislature before the end of such regular session. If any such initiative measures shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.

(b) Referendum. The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted: Provided, That the legislature may not order a referendum on any initiative measure enacted by the legislature under the foregoing subsection (a). The number of valid signatures of registered voters required on a petition for referendum of an act of the legislature or any part thereof, shall be equal to or exceeding four percent of the votes cast for the office of governor at the last gubernatorial election preceding the filing of the text of the referendum measure with the secretary of state.

(c) No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: Provided, That any such act, law, or bill may be amended within two years after such enactment at any regular or special session of the legislature by a vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no amendatory law adopted in accordance with this provision shall be subject to referendum. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon.

(d) The filing of a referendum petition against one or more items, sections, or parts of any act, law, or bill shall not delay the remainder of the measure from becoming operative. Referendum petitions against measures passed by the legislature shall be filed with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure

4/25/01 5:40 p.m.

WASHINGTON STATE LEGISLATURE
History of SJR8206

SJR8206 Requiring a geographic distribution of initiative petition signatures.

Sponsors: Senators Hargrove; McDonald; Jacobsen; Long; Costa; Rega; Snyder; Winsley; T. Sheldon; Gardner; McCaslin; Morton; Rasmussen; Hochstatter; Honeyford; Oke; McAuliffe

Companion Bill(s): HJR4207

-- 2001 REGULAR SESSION --

Jan 17 First reading, referred to State & Local Government.
Feb 20 SLG - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Minority; do not pass.
Referred to Ways & Means.
Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
Mar 8 Passed to Rules Committee for second reading.
Made eligible to be placed on second reading.
Mar 9 Placed on second reading by Rules Committee.
Mar 13 2nd substitute bill substituted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 34; nays, 15; absent, 0.

-- IN THE HOUSE --

Mar 22 First reading, referred to State Government.
Apr 22 By resolution, returned to Senate Rules Committee for third reading.

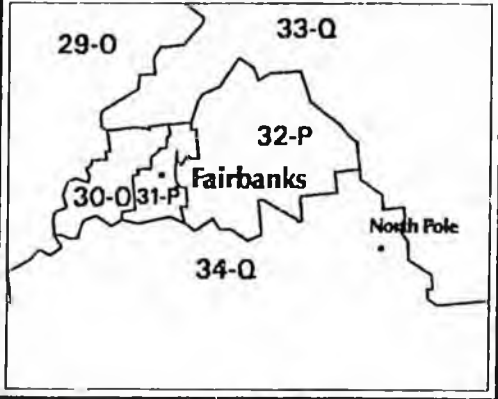
-- 2001 1ST SPECIAL SESSION --

-- IN THE SENATE --

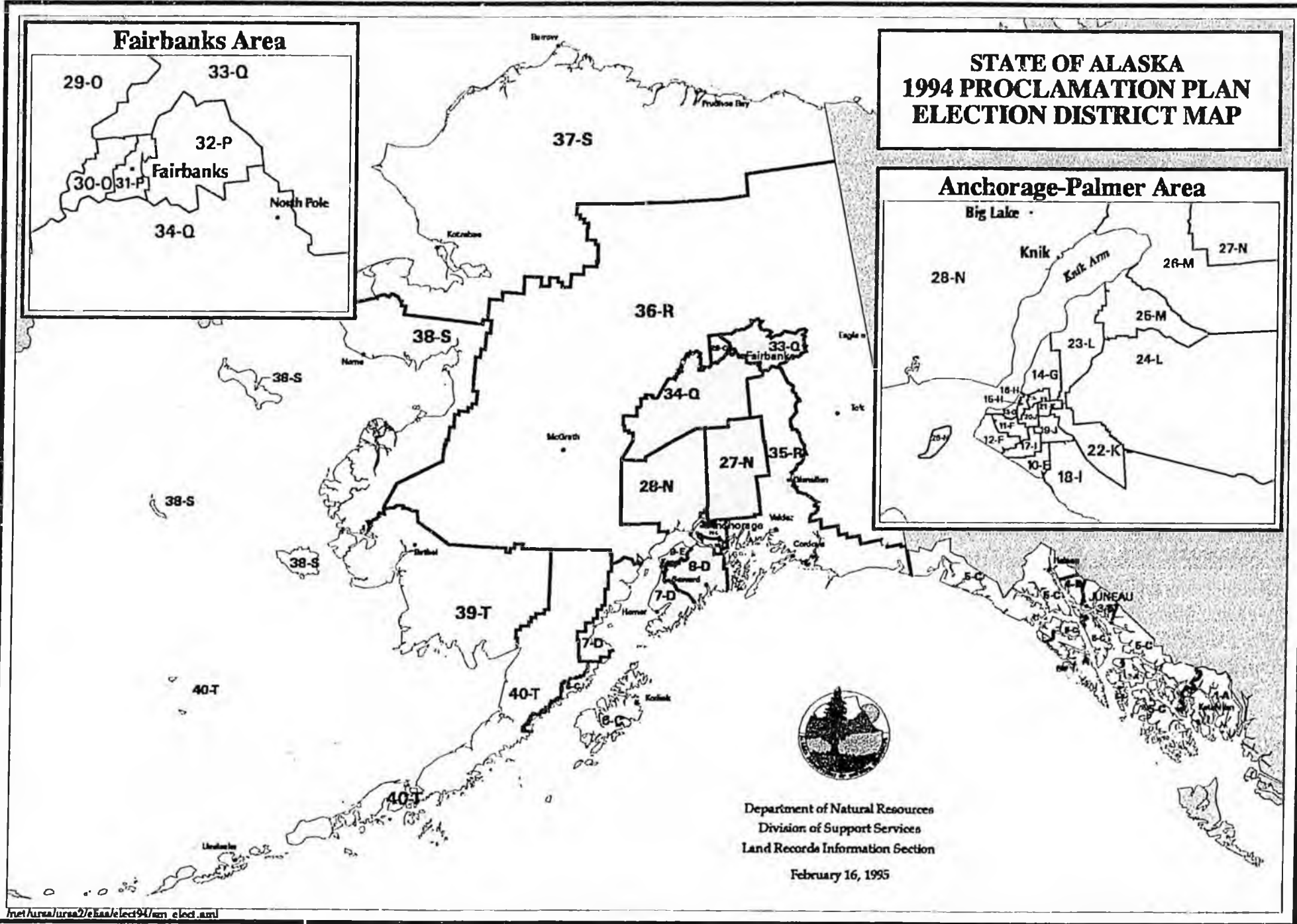
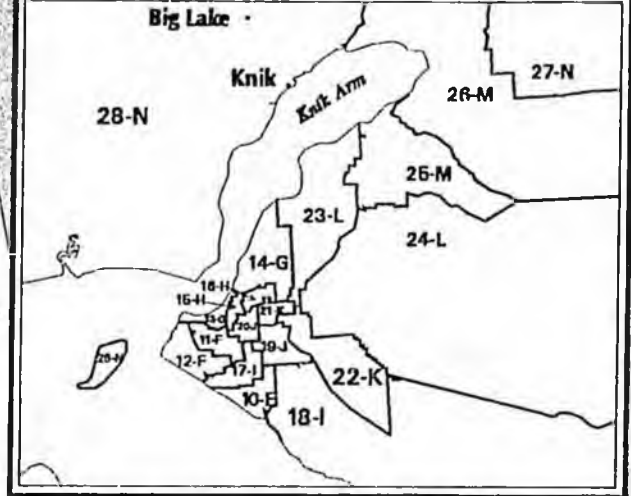
Apr 25 By resolution, reintroduced and retained in present status.

**STATE OF ALASKA
1994 PROCLAMATION PLAN
ELECTION DISTRICT MAP**

Fairbanks Area



Anchorage-Palmer Area



Department of Natural Resources
Division of Support Services
Land Records Information Section

February 16, 1995

WYOMING SECRETARY OF STATE

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Initiative Process

This document is intended as a guide for those considering filing an initiative application. It is highly recommended that before beginning the initiative process that the applicants consult the Wyoming Constitution and the Election Code of the Wyoming State Statutes. Copies of both documents are available from the Secretary of State's Office (\$3.00 for the Election Code and for the Wyoming Constitution)

Governance

Wyoming Constitution Article 3 Section 52 Various Wyoming State statutes particularly W.S. 22-24-101 through 22-24-125

Requirements

The initiative must be in bill form (W S. 8-1-101 through 8-1-108). The bill must be on legal size paper, attached to the application form. The entire subject of the bill must be included in the title. The enacting clause must read: "Be it enacted by the people of the state of Wyoming". The bill must have an effective date. The application must be filed with the Secretary of State. A fee of \$500 must accompany the application.

Restrictions

The bill may not contain more than one subject. The bill may not dedicate revenues. The bill may not make or repeal appropriations. The bill may not create courts, define the jurisdiction of courts or prescribe their rules. The bill may not enact local or special legislation. The bill may not enact anything that is prohibited by the constitution. The bill may not be substantially the same as that defeated by an initiative election within the previous five years.

Committee

There must be a committee of three people who will be the main sponsors of the initiative. These committee members will be the contact people for the initiative, may be served with legal notices and will be responsible for statutory fees and costs.

Certification for Circulation

After the application is filed, the Secretary of State will hold a conference with the sponsors to discuss;

problems with the format or contents; fiscal impact to the state; and the initiative amendment process. The sponsors may then amend the initiative language. If the proposed bill will not be amended the committee of sponsors shall submit the names, signatures, addresses and the date of signing of one hundred (100) qualified electors to act as sponsors supporting the application in its final form to the Secretary of State. If the application meets all constitutional and statutory requirements, the Secretary of State will certify the application as filed. If the application is denied, the Secretary of State will notify the committee in writing of the grounds for denial. Denial of certification is subject to judicial review if any aggrieved person files an application within 30 days of the notification.

Petitions

The Secretary of State will develop the petition form which is the only form that may be circulated. The Secretary of State shall print and number the petitions for distribution, but the cost of petition preparation is the responsibility of the sponsors.

Circulation

Sponsors have 18 months from the initial date the petitions are delivered to the sponsor to file the petitions for verification. Petitions are to be circulated throughout the state only by a sponsor and only in person. The committee may designate additional sponsors by giving written notice to the Secretary of State of those names and addresses. Sponsors will be required to submit an affidavit upon submission of each petition he/she circulated. **Sponsors must submit at least 26,760 registered voter signatures representing fifteen percent (15%) of those resident in at least two-thirds of Wyoming counties.** Failure of a petition to qualify as of the filing date voids the future use of all signatures.

Circulators may not be paid based upon the number of signatures gathered nor shall a circulator pay or offer to pay any compensation to another person for that person's signature. Any person who signs a name other than his own or who knowingly signs his name more than once or who signs knowing that he is not a qualified registered voter or who makes a false affidavit or verification, upon conviction can be fined up to \$1000 or imprisoned up to one year, or both.

Certification for the Ballot

Within 60 days after the filing of the petition, the Secretary of State will notify the committee of whether or not enough valid signatures had been obtained. If so, the Secretary of State will prepare a proposition and ballot title summarizing the proposed law. The proposition will then be voted on in the first statewide election held more than 120 days after adjournment of the legislative session. If, before the election, substantially the same measure has been enacted the petition is void.

Enactment

The measure is enacted if it receives approval of more than 50% of those voting in the general election. Election results are certified by the State Canvassing Board. An initiated law becomes effective 90 days after certification, is not subject to veto, and may not be repealed by the legislature within two years of its effective date. It may be amended at any time.

Rev. 3/99

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Initiatives and Referendums Summary Sheet

The people of the State of Wyoming have had the privilege of proposing and enacting laws by the initiative, or rejecting acts of the legislature by the referendum, since December 1968.

The first amendments to the initiative and referendum law were made by the 1985 Wyoming Legislature. An 18-month circulation period was established, and the definition of a political action committee was amended to include any group organized for the support or defeat of any initiative or referendum petition drive.

Listed below are all the past initiatives/referendums filed in Wyoming.

1. Declaring gambling to be lawful. Filed May 8, 1970. Principal sponsor: Harry Poulos, 6902 Bomar Drive, Cheyenne, WY 82009.
2. Disclosing private interests by certain public officials; requiring such disclosure and providing penalties for failure to disclose and for false disclosure. Filed July 9, 1973. Principal sponsor: Rodger McDaniel, P.O. Box 1707, Cheyenne, WY 82003.
3. Relating to private ownership or possession of big and trophy game animals and importation of same into Wyoming. Filed September 19, 1973. Principal sponsor: Dick Sadler, 2626 Bonnie Brae, Casper, WY 82601.
4. Providing for a constitutional amendment on the General Election ballot to create the office of Lt. Governor. Filed May 14, 1976. Principal sponsor: John Jacobs, P.O. Box 98, Gillette, WY 82716.**
5. Imposing a 23% severance tax on the value of coal produced by open mining. Filed November 23, 1976. Principal sponsor: Donald Shanor, 5001 Sagebrush, Cheyenne, WY 82001.
6. Authorizing the issuance of malt beverage and wine permits by cities and counties to restaurants. Filed August 31, 1978. Principal sponsor: Bob Hulburt, 162 N. Beech, Casper, WY 82601.
7. Imposing an additional 5% severance tax on the value of coal produced. Filed September 22, 1978. Principal sponsor: Bob Burnett, P.O. Box 1123, Laramie, WY 82070.

8. Preserving minimum in-stream flows. Filed October 20, 1980. Principal sponsor: Dr. Charles Stebner. Petitions filed December 11, 1981. Verification completed January 26, 1982 and the Secretary of State notified the sponsors that the initiative fell 1,266 signatures short of the 27,154 needed.
 - In February 1982 the In-Stream Flow Committee filed an action for review of the Secretary of State's determination. On May 10, 1982 the action was heard in District Court. The decision handed down by Judge Alan Johnson on August 12, 1982 reversed the letter decision of the Secretary of State.
9. Replacement of exported groundwater. Filed June 22, 1981. Principal sponsor: Wiuslow Taylor, P.O. Box 39, Story, WY 82842.
10. Deposits in credit unions. Filed March 3, 1982. Principal sponsor: Roshara J. Holub, Wyoming Credit Union League, Inc., 864 Spruce St, Casper, WY 82601.
11. Constitutional Amendment - Article 3, Section 52(c) and (d) on initiative. Filed June 16, 1982. Principal sponsor: Sweetwater County Rep. James Roth, P.O. Box 432, Green River, WY 82935. Amending constitutional provision on initiative process and lowering signature requirement for placement of an initiative on the general election ballot from 15% to 10%.**
12. Instream flows as a beneficial use of water under Wyoming law. Filed May 23, 1982. Principal Sponsor: Tom Dougherty, Wyoming Citizens for Committee for Instream Flow, P.O. Box 15732, Cheyenne, WY 82003. Initial verification by Secretary of State completed January 6, 1984. Initiative fell short of the 25,810 required signatures. Because of a February 1984 ruling by the Attorney General, 4,370 additional signatures were submitted on November 5, 1984. The Wyoming Citizens Committee for Instream Flow was notified on November 13, 1984 that the initiative petition had been properly filed and qualified for ballot placement in the 1986 General Election. However, this initiative did not appear on the 1986 General Election ballot as legislation passed in 1985 was determined to be substantially the same.
13. Water storage for instream flows. Filed August 22, 1983. Principal sponsor: Gilbert Engen, Wyoming Citizens for Wyoming Water, P.O. Box 1348, Laramie, WY 82070. Failed to file petition by the December 16, 1983 deadline for placement on the 1984 General Election Ballot. The Committee continued to gather signatures for the 1986 General Election ballot. However, failed to file the requisite number of signatures by February 17, 1986, the first day of the legislature. (Note: An Attorney General's opinion issued January 10, 1986 stated an initiative petition need not be verified 60 days prior to a legislative session but rather, the initiative petition must only be deposited prior to the convening of the legislative session.
14. Election of Public Service Commission Members. Filed July 11, 1985. Principal Sponsor: Fremont County Sen. John P. Vinich, P.O. Box 67, Hudson, WY 82515. The 18-month circulation period established by the 1985 legislature expired January 11, 1987.
15. Link Deposit Program. Filed July 15, 1988. Principal sponsor: Russ Donley, 1120 Ivy Lane, Casper, WY 82607. The 18-month circulation period expired with the sponsors filing 267 verified signatures. 1990 General election ballot placement required 27,962 signatures.
16. Local Option Gambling. Filed July 15, 1989. Principal sponsor: Mary Allison, P.O. Box 775, Dubois, WY 82513. The 18-month circulation period expired with the sponsors submitting 11,787

signatures. 1990 or 1992 general election ballot placement required 27,962 signatures.

17. Prohibiting triple trailers. Filed August 27, 1990. Principal sponsor: John Rogers, 2909 Capitol Avenue, Cheyenne, WY 82001. The sponsors were notified January 4, 1991 that the Secretary of State had verified 27,962 signatures. The initiative appeared on the 1992 general election ballot and was passed: Yes votes - 165,879; No votes - 31,997.
18. Term Limitations. Filed September 13, 1991. Principal sponsor: Dave Dawson, 3518 Partridge, Casper, WY 82604. The sponsors were notified February 4, 1992 that the Secretary of State had verified 24,646 signatures. The initiative appeared on the 1992 general election ballot and was passed: Yes votes - 150,113; No votes - 44,424.
19. Railway Safety. Filed October 31, 1991. Principal sponsor: Tom Jones, 215 Lakeshore Drive, Cheyenne, WY 82009. The sponsors were notified February 14, 1992 that the Secretary of State had verified 24,646 signatures. The initiative appeared on the 1992 general election ballot and was passed: Yes votes - 130,803; No votes - 52,835.
20. Abortion Restrictions. Filed August 8, 1991. Coordinator: Richard Grout, 4950 Antelope Drive, Bar Nunn, WY 82801. The sponsors were notified on December 8, 1992 that the Secretary of State had verified 24,646 signatures. The initiative will appear on the 1994 ballot. The initiative was defeated: Yes votes - 78,978; No votes - 118,760. Total votes cast were 204,025.
21. Local Option Gambling. Filed October 30, 1991. Principal sponsor: Leo McCue, 4 Cortell, Laramie, WY 82070. The sponsors were notified April 19, 1993 that the Secretary of State had verified 24,646 signatures and April 23, 1993 that the Secretary of State had verified 30,540 signatures. The initiative appeared on the 1994 general election ballot. The initiative was defeated: Yes votes - 61,980; No votes - 137,379. Total votes cast were 204,025.
22. Invest in Wyoming. Filed May 17, 1993. Principal sponsor: Russ Donley, 1120 Ivy Lane, Casper, WY 82607. 30,540 signatures of registered voters needed for ballot access. This petition reached the appropriate number of signatures and appeared on the 1994 ballot. The initiative was defeated: Yes votes - 75,547; No votes - 114,273. Total votes cast were 204,025.
23. Legislative Accountability. Filed August 19, 1993. Principal sponsor: Betty Jo Beardsley, 814 Hillcrest Road, Cheyenne, WY 82001. 30,540 signatures needed for ballot access. The initiative failed to gather enough signatures to qualify.
24. Term Limits. An application for a referendum to repeal Senate Enrolled Act 4 was certified March 14, 1995. Principal Sponsor: Mr. Jack Adsit, 73 Metz Road, Sheridan, WY 82801. 30,604 signatures were needed to make the 1996 ballot. The needed signatures were gathered and filed by the deadline. The question appeared on the 1996 ballot, but failed: Yes votes - 104,544; No votes - 90,138.
 - *In order to pass a constitutional amendment, initiative or referendum it must receive a majority of the total votes cast in the election. The total votes cast was 215,844. Therefore, the majority needed was 107,923.
25. Term Limits. An application for an initiative was certified. This initiative was to require candidates for a legislative office to have a statement next to their name on the ballot indicating their support of congressional term limits by past votes or a signed pledge. It also would instruct the legislators to

call for a federal constitutional convention. 30,604 signatures were needed to make the 1996 ballot. Sponsors were Jack Adsit, Jim Brady and Steve Richardson. This petition gained the appropriate number of signatures and appeared on the 1996 ballot. The initiative was defeated: Yes votes - 105,093; No votes - 89,018. Total votes cast were 215,844.

- *In order to pass a constitutional amendment, initiative or referendum it must receive a majority of the total votes cast in the election. The total votes cast was 215,844. Therefore, the majority needed was 107,923.

26. Dentistry. An application for an initiative was certified by the Secretary of State's Office on April 18, 1997. This initiative would have established professional licensure of denturists; require the Board of Dental Examiners to regulate denturists, dental hygienists and dentists and to function with a lay person majority vote; and repealing the authority of dentists to make and repair dentures, bridges and appliances. Sponsors of the bill were Billy M. Strickland, Christine L. Conley and Marilyn V. Anderson. 32,377 signatures were needed to make the 1998 ballot. The 18-month circulation period established by the 1985 legislature expired October 18, 1998.
27. Ethics In Government. An application for an initiative was certified by the Secretary of State's Office on September 3, 1997. This initiative would have established ethical standards and specify unlawful acts for specified public employees, officials and other public members; require financial disclosure and other filings; provide for enforcement; provide definitions, procedures, penalties and remedies; authorize investigations; make conforming amendments; and provide for an effective date. Sponsors of the bill were Curt Kaiser, Angeline M. Kinneman and Nyla Murphy. 32,377 signatures were needed to make the 1998 or 2000 ballot. The 18-month circulation period established by the 1985 legislature expired March 3, 1999.

** In Wyoming the initiative process cannot be used to propose an amendment to the Wyoming Constitution.

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NOTES TO DECISIONS

Quoted in *Walters v. Cease*, 388 P.2d 263 (Alaska 1964).

Stated in *Burgess v. Miller*, 654 P.2d 273 (Alaska 1982).

Cited in *Citizens Coalition for Tort Reform, Inc. v. McAlpine*, 810 P.2d 162 (Alaska 1991); *Shetters v. State*, 832 P.2d 181 (Alaska Ct. App. 1992).

Section 3. Petition. After certification of the application, a petition containing a summary of the subject matter shall be prepared by the lieutenant governor for circulation by the sponsors. If signed by qualified voters, equal in number to ten per cent of those who voted in the preceding general election and resident in at least two-thirds of the house districts of the State, it may be filed with the lieutenant governor.

Cross references. — See note to Alaska Const., art. XI, § 2.

Effect of amendment. — The amendment, effective October 10, 1970 (6th Legislature's SJR 2 (1970)), substituted "lieutenant governor" for "secretary of state" in the first and second sentences.

Effect of amendment. — The amendment effective January 3, 1999 (20th Legislature's SCS CSHJR 44(JUD)), substituted "house districts" for "election districts" in the last sentence.

Opinions of attorney general. — An initiative petition which, on its face, is seen to contain an insufficient number of signatures may not be filed and later supplemented to cure the deficiency. February 1, 1984 Op. Att'y Gen.

An initiative petition must be sufficient on its face before it may be accepted for filing, i.e., it must have the requisite number of purportedly valid signatures before it may be filed in the office of the attorney general; a petition deficient in this respect should be returned to the sponsors. February 1, 1984 Op. Att'y Gen.

AS 15.45.170 authorizes a supplementary petition, but that privilege is afforded only when a petition, believed to contain a sufficient number of signatures of qualified voters, is later found to contain signatures of persons who are not qualified voters; in such a case, the latent defect of numbers may be cured, but where the defect is patent, the petition may not be accepted for filing. February 1, 1984 Op. Att'y Gen.

NOTES TO DECISIONS

Sufficiency of summary. — In preparing summary of subject matter of proposed bill, the lieutenant governor is entitled to rely on the premise that readers of the summary understand that in the absence of explicit language to the contrary, state initiatives are intended to change state law and bind the state government, not federal law and the federal government, thus he need not give "special" reminders to the voters regarding the scope of a state initiative. *Burgess v. Miller*, 654 P.2d 273 (Alaska 1982).

Summary's prediction as to proposed bill's effect was amply supported by text of bill, consequently the summary's use of the language "would prevent" was neither misleading nor inaccurate. *Burgess v. Miller*, 654 P.2d 273 (Alaska 1982).

Quoted in *Walters v. Cease*, 388 P.2d 263 (Alaska 1964).

Cited in *Yute Air Alaska, Inc. v. McAlpine*, 698 P.2d 1173 (Alaska 1985); *Shetters v. State*, 832 P.2d 181 (Alaska Ct. App. 1992).

Section 4. Initiative Election. An initiative petition may be filed at any time. The lieutenant governor shall prepare a ballot title and proposition summarizing the proposed law, and shall place them on the ballot for the first statewide election held more than one hundred twenty days after adjournment of the legislative session following the filing. If, before the election, substantially the same measure has been enacted, the petition is void.

Effect of amendments. — The amendment, effective October 10, 1970 (6th Legislature's SJR 2(1970)), substituted "lieutenant governor" for "secretary of state" in the second sentence.

Opinions of attorney general. — An initiative

petition must be filed before the start of the legislative session in order to be presented to the electorate at the first state-wide election held 120 or more days after the conclusion of that session. February 1, 1984 Op. Att'y Gen.

NOTES TO DECISIONS

This section must be interpreted broadly and not narrowly as to the scope of legislative power. *Warren v. Boucher*, 543 P.2d 731 (Alaska 1975).

Purpose of amending section prior to its adop-

tion following the filing of the petition." This proposal was amended before adoption to read as it does now. The purpose of the amendment, as explained by one of its sponsors, was to do away with the high costs of special

not count subscriptions on petitions not properly certified. (§ 9.13 ch 83 SLA 1960; am § 3 ch 80 SLA 1998; am § 66 ch 82 SLA 2000)

Cross references. — For applicability provisions relating to the 1998 amendments to this section, see § 8(c), ch. 80, SLA 1998 in the 1998 Temporary and Special Acts.

Effect of amendments. — The 1998 amendment, effective September 7, 1998, substituted “must” for “shall” in the second sentence, added paragraphs (5)-(7), and made minor stylistic changes.

The 2000 amendment, effective July 1, 2000, substituted “person” for “sponsor” in the first sentence, references to circulators for references to sponsors throughout the rest of the section, and “meets the residency, age, and citizenship qualifications of AS 15.05.010” for “is a sponsor” near the beginning of the second sentence.

Sec. 15.45.140. Filing of petition. The sponsors must file the initiative petition within one year from the time the sponsors received notice from the lieutenant governor that the petitions were ready for delivery to them, and the petition must be signed by qualified voters equal in number to 10 percent of those who voted in the preceding general election and resident in at least two-thirds of the house districts of the state. If the petition is not filed within the one-year period provided for in this section, the petition has no force or effect. (§ 9.14 ch 83 SLA 1960; am § 1 ch 128 SLA 1971; am § 55 ch 21 SLA 2000)

Effect of amendments. — The 2000 amendment, effective April 28, 2000, substituted “house districts” for “election districts” and made a stylistic change.

Opinions of attorney general. — An initiative petition must be sufficient on its face before it may be accepted for filing, i.e., it must have the requisite number of purportedly valid signatures before it may be filed in the office of the attorney general; a petition deficient in this respect should be returned to the sponsors. February 1, 1984 Op. Att’y Gen.

An initiative petition which, on its face, is seen to contain an insufficient number of signatures may not

be filed and later supplemented to cure the deficiency. February 1, 1984 Op. Att’y Gen.

Former AS 15.45.170 authorized a supplementary petition, but that privilege is afforded only when a petition, believed to contain a sufficient number of signatures of qualified voters, is later found to contain signatures of persons who are not qualified voters; in such a case, the latent defect of numbers may be cured, but where the defect is patent, the petition may not be accepted for filing. February 1, 1984 Op. Att’y Gen.

NOTES TO DECISIONS

Quoted in *Burgess v. Miller*, 654 P.2d 273 (Alaska 1982).

Cited in *Boucher v. Engstrom*, 528 P.2d 456 (Alaska 1974).

Sec. 15.45.150. Review of petition. Within not more than 60 days of the date the petition was filed, the lieutenant governor shall review the petition and shall notify the initiative committee whether the petition was properly or improperly filed, and at which election the proposition shall be placed on the ballot. (§ 9.15 ch 83 SLA 1960)

Sec. 15.45.160. Bases for determining the petition was improperly filed. The lieutenant governor shall notify the committee that the petition was improperly filed upon determining that

- (1) there is an insufficient number of qualified subscribers; or
- (2) the subscribers were not resident in at least two-thirds of the house districts of the state. (§ 9.16 ch 83 SLA 1960; am § 56 ch 21 SLA 2000)

Effect of amendments. — The 2000 amendment, effective April 28, 2000, substituted “house districts” for “election districts” in paragraph (2).

Sec. 15.45.170. Submission of supplementary petition. [Repealed, § 7 ch 80 SLA 1998.]

97TERM

AN ACT REQUIRING BALLOT INFORMATION PERTAINING TO TERM LIMITS

HOUSE	REGISTERED		7% OF VOTES		
DISTRICT	VOTERS	SIGNATURES	1996 GENERAL		
HD 1	10613	28	475		24/40 DISTRICTS MET THE 7% REQUIREMENT
HD 2	11344	52	511		
HD 3	11858	678	553	X	
HD 4	11284	746	530	X	
HD 5	9887	91	424		
HD 6	9448	540	365	X	
HD 7	11136	421	513		
HD 8	10390	508	452	X	
HD 9	9319	808	406	X	
HD 10	11081	958	513	X	
HD 11	10664	979	417	X	
HD 12	10357	935	435	X	
HD 13	11225	966	501	X	
HD 14	10471	745	359	X	
HD 15	9944	934	361	X	
HD 16	8926	1154	259	X	
HD 17	11387	1193	424	X	
HD 18	11985	972	575	X	
HD 19	10759	1105	430	X	
HD 20	10510	954	425	X	
HD 21	10189	1098	401	X	
HD 22	11766	985	515	X	
HD 23	8938	677	261	X	
HD 24	11101	1053	449	X	
HD 25	10947	1059	469	X	
HD 26	10972	870	463	X	
HD 27	12064	963	548	X	
HD 28	13002	1006	539	X	
HD 29	11183	302	531		
HD 30	9932	193	388		
HD 31	10164	205	395		
HD 32	9978	151	341		
HD 33	11196	198	502		
HD 34	11603	153	425		
HD 35	9745	227	403		
HD 36	8491	202	363		
HD 37	8260	180	330		
HD 38	7781	146	343		
HD 39	8287	217	355		
HD 40	6628	145	215		

97TRAP
AN ACT RELATING TO USE OF SNARES IN TRAPPING WOLVES

<u>HOUSE</u>	<u>REGISTERED</u>		<u>7% OF VOTES</u>		
<u>DISTRICT</u>	<u>VOTERS</u>	<u>SIGNATURES</u>	<u>1996 GENERAL</u>		
HD 1	10613	48	475		21/40 DISTRICTS
HD 2	11344	475	511		MET THE 7%
HD 3	11858	1354	553	X	REQUIREMENT
HD 4	11284	1266	530	X	
HD 5	9887	224	424		
HD 6	9448	144	365		
HD 7	11136	439	513		
HD 8	10390	419	452		
HD 9	9319	243	406		
HD 10	11081	1027	513	X	
HD 11	10664	1096	417	X	
HD 12	10357	1027	435	X	
HD 13	11225	1440	501	X	
HD 14	10471	821	359	X	
HD 15	9944	1432	361	X	
HD 16	8926	1403	259	X	
HD 17	11387	1253	424	X	
HD 18	11985	1291	575	X	
HD 19	10759	1227	430	X	
HD 20	10510	1182	425	X	
HD 21	10189	1140	401	X	
HD 22	11766	1106	515	X	
HD 23	8938	641	261	X	
HD 24	11101	977	449	X	
HD 25	10947	863	469	X	
HD 26	10972	765	463	X	
HD 27	12064	692	548	X	
HD 28	13002	919	539	X	
HD 29	11183	481	531		
HD 30	9932	253	388		
HD 31	10164	251	395		
HD 32	9978	121	341		
HD 33	11196	214	502		
HD 34	11603	180	425		
HD 35	9745	205	403		
HD 36	8491	124	363		
HD 37	8260	140	330		
HD 38	7781	113	343		
HD 39	8287	113	355		
HD 40	6628	111	215		

00GAME
AN ACT TO REPEAL CHAPTER 20 SLA 2000

HOUSE	REGISTERED		7% OF VOTES		
DISTRICT	VOTERS	SIGNATURES	1998 GENERAL		
HD 1	11197	119	352		28/40 DISTRICTS
HD 2	11997	143	412		MET THE 7%
HD 3	12452	1056	504	X	REQUIREMENT
HD 4	11918	671	470	X	
HD 5	10608	309	345		
HD 6	10409	82	282		
HD 7	12347	1107	478	X	
HD 8	11391	441	414	X	
HD 9	9986	195	366		
HD 10	12120	1006	485	X	
HD 11	11473	942	371	X	
HD 12	11385	898	405	X	
HD 13	11982	1399	443	X	
HD 14	11544	580	228	X	
HD 15	10972	1181	300	X	
HD 16	9997	942	221	X	
HD 17	12889	973	373	X	
HD 18	12993	1469	547	X	
HD 19	11932	1030	390	X	
HD 20	11403	983	373	X	
HD 21	11124	1091	348	X	
HD 22	12920	1049	467	X	
HD 23	9972	476	189	X	
HD 24	12220	834	397	X	
HD 25	12028	766	427	X	
HD 26	12113	574	448	X	
HD 27	13662	650	551	X	
HD 28	14787	622	544	X	
HD 29	12216	740	485	X	
HD 30	10878	423	333	X	
HD 31	11120	411	328	X	
HD 32	11573	275	253	X	
HD 33	12312	433	447		
HD 34	13139	362	326	X	
HD 35	10604	163	351		
HD 36	8841	138	333		
HD 37	8762	155	284		
HD 38	8135	90	309		
HD 39	8944	120	330		
HD 40	6987	75	179		

2000 GENERAL ELECTION STATISTICS

		# VOTERS	
		VOTING	
	REGISTERED	2000	
	VOTERS	GENERAL	7 PERCENT
HD 1	11180	6492	454.44
HD 2	12139	7212	504.84
HD 3	12451	7766	543.62
HD 4	12075	7463	522.41
HD 5	10537	6170	431.9
HD 6	10431	5839	412.23
HD 7	13251	8338	583.66
HD 8	12475	7525	526.75
HD 9	10562	6504	455.28
HD 10	12783	8477	593.39
HD 11	11679	6500	455
HD 12	11763	7109	497.63
HD 13	12792	7445	521.15
HD 14	12850	5040	352.8
HD 15	11950	5259	368.13
HD 16	11007	4107	287.49
HD 17	14332	7142	499.94
HD 18	14097	9479	663.53
HD 19	13397	7217	505.19
HD 20	11423	6365	445.55
HD 21	11258	6027	421.89
HD 22	13555	8058	564.06
HD 23	10907	4213	294.91
HD 24	12577	7538	527.66
HD 25	12473	7780	544.6
HD 26	13117	7918	554.26
HD 27	15269	9942	695.94
HD 28	16818	10431	730.17
HD 29	12806	8338	583.66
HD 30	10722	5465	382.55
HD 31	10701	5355	374.85
HD 32	11592	5196	363.72
HD 33	12870	8045	563.15
HD 34	13224	6709	469.63
HD 35	10623	6028	421.96
HD 36	9167	5299	370.93
HD 37	9023	4887	342.09
HD 38	8348	4825	337.75
HD 39	9268	4957	346.99
HD 40	6166	3104	217.28

ID: 99PTAR
TYPE: INITIATIVE

NAME: AN ACT PROVIDING PROPERTY TAX AND ASSESSMENT REFORM

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	29
	2	34
	3	45
	4	45
	5	56
	6	117
	7	618
	8	587
	9	342
	10	1304
	11	1188
	12	1100
	13	958
	14	687
	15	860
	16	968
	17	1419
	18	1447
	19	1363
	20	951
	21	1071
	22	1228
	23	682
	24	1162
	25	1361
	26	1374
	27	2142
	28	1587
	29	310
	30	290
	31	302
	32	187
	33	405
	34	230
	35	293
	36	203
	37	191
	38	259
	39	235
	40	161

ID: 99PRVT
 TYPE: INITIATIVE

NAME: INITIATIVE IMPLEMENTING ALTERNATIVE VOTING ELECTORAL SYSTEM
 (CERTIFIED FOR 02PRIM ELECTION)

TOTAL BOOKLETS ISSUED: 594
 TOTAL BOOKLETS RECEIVED: 321
 TOTAL BOOKLETS ENTERED: 299

 TOTAL SIGNATURES REQUIRED: 22716
 TOTAL QUALIFIED: 22841
 TOTAL UNQUALIFIED: 7865
 TOTAL POTENTIAL SIGNATURES: 35046
 TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 40
 NUMBER OF DISTRICTS REQUIRED: 27
 NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	34
	2	44
	3	148
	4	135
	5	64
	6	85
	7	821
	8	827
	9	938
	10	1013
	11	925
	12	845
	13	796
	14	605
	15	787
	16	1005
	17	1125
	18	1208
	19	1088
	20	853
	21	995
	22	947
	23	522
	24	843
	25	754
	26	928
	27	1148

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	28	1089
	29	349
	30	211
	31	255
	32	140
	33	235
	34	162
	35	216
	36	181
	37	145
	38	109
	39	121
	40	145

ID: 97PSDM
TYPE: INITIATIVE

NAME: AN CT RELATING TO THE MEDICAL USES OF MARIJUANA FOR PERSONS SUFFERING
FROM DEBILITATING MEDICAL CONDITIONS

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 41

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	34
2	50
3	798
4	823
5	100
6	520
7	314
8	385
9	254
10	957
11	1070
12	1046
13	1136
14	685
15	1147
16	1369
17	1327
18	1132
19	1238
20	1068
21	1130
22	972
23	608
24	932
25	974
26	895
27	940
28	1070
29	280
30	174
31	180
32	73
33	166
34	108
35	236
36	214
37	186
38	162
39	161
40	173
88	3

TOTAL BOOKLETS ISSUED:	632
TOTAL BOOKLETS RECEIVED:	366
TOTAL BOOKLETS ENTERED:	360
TOTAL SIGNATURES REQUIRED:	24521
TOTAL QUALIFIED:	25090
TOTAL UNQUALIFIED:	7285
TOTAL POTENTIAL SIGNATURES:	35190
TOTAL NOT YET PROCESSED:	0

ID: 99HEMP
TYPE: INITIATIVE

NAME: AN ACT TO RE-LEGALIZE HEMP

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	45
	2	56
	3	230
	4	181
	5	80
	6	331
	7	422
	8	447
	9	281
	10	885
	11	1069
	12	900
	13	1276
	14	647
	15	1352
	16	1426
	17	1187
	18	1286
	19	1202
	20	1051
	21	1181
	22	803
	23	570
	24	778
	25	899
	26	1007
	27	1415
	28	1378
	29	265
	30	218
	31	238
	32	148
	33	333
	34	205
	35	218
	36	288
	37	285
	38	214
	39	209
	40	194

ID: 00GAME
TYPE: OTHER

NAME: A REFERENDUM PETITION TO REPEAL CHAPTER 20 SLA 2000 "AN ACT RELATING
TO MANAGEMENT OF GAME." (PASSED ON 00GENR BALLOT)

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 41

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	119
	2	143
	3	1056
	4	671
	5	309
	6	82
	7	1107
	8	441
	9	195
	10	1006
	11	942
	12	898
	13	1399
	14	580
	15	1181
	16	942
	17	973
	18	1469
	19	1030
	20	983
	21	1091
	22	1049
	23	476
	24	834
	25	766
	26	574
	27	650
	28	622
	29	740
	30	423
	31	411
	32	275
	33	433
	34	362
	35	163
	36	138
	37	155
	38	90
	39	120
	40	75
	88	4

TOTAL BOOKLETS ISSUED:	859
TOTAL BOOKLETS RECEIVED:	533
TOTAL BOOKLETS ENTERED:	524
TOTAL SIGNATURES REQUIRED:	0
TOTAL QUALIFIED:	24977
TOTAL UNQUALIFIED:	10288
TOTAL POTENTIAL SIGNATURES:	40068
TOTAL NOT YET PROCESSED:	0

VREMS TIME: 11:21:29.5
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 97TRAP

DATE: 04/26/99
PAGE: 21

ID: 97TRAP
TYPE: INITIATIVE

NAME: AN ACT RELATING TO THE USE OF SNARES IN TRAPPING WOLVES

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 41

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	48
2	475
3	1354
4	1266
5	224
6	144
7	457
8	419
9	243
10	1027
11	1096
12	1027
13	1440
14	821
15	1432
16	1403
17	1253
18	1291
19	1227
20	1182
21	1140
22	1106
23	641
24	977
25	863
26	765
27	692
28	919
29	481
30	253
31	251
32	121
33	214
34	180
35	205
36	124
37	140
38	113
39	113
40	111
88	4

TOTAL BOOKLETS ISSUED:	984
TOTAL BOOKLETS RECEIVED:	570
TOTAL BOOKLETS ENTERED:	553
TOTAL SIGNATURES REQUIRED:	24521
TOTAL QUALIFIED:	27224
TOTAL UNQUALIFIED:	11196
TOTAL POTENTIAL SIGNATURES:	44190
TOTAL NOT YET PROCESSED:	0

VREMS TIME: 11:22:16.8
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 97BILL

DATE: 04/26/99
PAGE: 15

ID: 97BILL
TYPE: INITIATIVE

NAME: AN ACT RELATING TO BILLBOARDS

TOTAL BOOKLETS ISSUED: 635
TOTAL BOOKLETS RECEIVED: 420
TOTAL BOOKLETS ENTERED: 361

TOTAL SIGNATURES REQUIRED: 24521
TOTAL QUALIFIED: 24745
TOTAL UNQUALIFIED: 7234
TOTAL POTENTIAL SIGNATURES: 38934
TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	31
2	103
3	631
4	409
5	163
6	101
7	1095
8	540
9	346
10	1162
11	1030
12	1017
13	1570
14	553
15	1043
16	587
17	1011
18	1640
19	1069
20	1032
21	1002
22	1143
23	454
24	1072
25	995
26	940
27	1181

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

28	851
29	419
30	147
31	150
32	52
33	148
34	98
35	297
36	124
37	113
38	126
39	112
40	182

ID: 99WAGE
TYPE: INITIATIVE

NAME: AN ACT TO INCREASE ALASKA'S MINIMUM WAGE.

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	231
	2	57
	3	603
	4	528
	5	142
	6	82
	7	335
	8	371
	9	404
	10	498
	11	555
	12	520
	13	553
	14	482
	15	599
	16	832
	17	651
	18	572
	19	713
	20	577
	21	937
	22	701
	23	535
	24	700
	25	670
	26	642
	27	632
	28	803
	29	712
	30	618
	31	669
	32	319
	33	656
	34	295
	35	204
	36	409
	37	232
	38	145
	39	188
	40	151

ID: 97ENGL
TYPE: INITIATIVENAME: AN INITIATIVE ADOPTING ENGLISH AS THE OFFICIAL LANGUAGE OF ALASKA
(INITIATIVE PASSED ON 11/3/98 BALLOT)

NUMBER OF DISTRICTS IN STATE:	40
NUMBER OF DISTRICTS REQUIRED:	27
NUMBER OF DISTRICTS WITH SIGNATURES:	40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	24
2	27
3	36
4	36
5	25
6	115
7	504
8	855
9	588
10	1090
11	1003
12	980
13	1013
14	645
15	1077
16	1099
17	1228
18	1096
19	1163
20	1142
21	1027
22	995
23	614
24	871
25	1006
26	1033
27	1053
28	998
29	407
30	393
31	425
32	284
33	465
34	312
35	271
36	136
37	124
38	87
39	152
40	125

TOTAL BOOKLETS ISSUED:	970
TOTAL BOOKLETS RECEIVED:	495
TOTAL BOOKLETS ENTERED:	491
TOTAL SIGNATURES REQUIRED:	24521
TOTAL QUALIFIED:	24525
TOTAL UNQUALIFIED:	7517
TOTAL POTENTIAL SIGNATURES:	36450
TOTAL NOT YET PROCESSED:	0

VREMS TIME: 11:18:47.3
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 97TERM

DATE: 04/26/99
PAGE: 12

ID: 97TERM
TYPE: INITIATIVE

NAME: AN ACT REQUIRING BALLOT INFORMATION PERTAINING TO LEGISLATIVE AND CONG
RESSIONAL TERM LIMITS

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 41

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	28
2	52
3	678
4	746
5	91
6	540
7	421
8	508
9	808
10	958
11	979
12	935
13	966
14	745
15	934
16	1154
17	1193
18	972
19	1105
20	954
21	1098
22	985
23	677
24	1053
25	1059
26	870
27	963
28	1006
29	302
30	193
31	205
32	151
33	198
34	153
35	227
36	202
37	180
38	146
39	217
40	145
88	1

TOTAL BOOKLETS ISSUED:	571
TOTAL BOOKLETS RECEIVED:	324
TOTAL BOOKLETS ENTERED:	321
TOTAL SIGNATURES REQUIRED:	24521
TOTAL QUALIFIED:	24798
TOTAL UNQUALIFIED:	5976
TOTAL POTENTIAL SIGNATURES:	33498
TOTAL NOT YET PROCESSED:	0

ID: 95HUNT
TYPE: INITIATIVE

NAME: AN ACT RELATING TO THE SAME-DAY AIRBORNE HUNTING OF CERTAIN ANIMALS

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	275
2	343
3	2355
4	1718
5	332
6	82
7	544
8	302
9	260
10	811
11	892
12	794
13	995
14	541
15	965
16	774
17	907
18	1059
19	906
20	903
21	841
22	893
23	411
24	758
25	639
26	457
27	380
28	537
29	298
30	100
31	84
32	33
33	116
34	110
35	203
36	98
37	96
38	86
39	85
40	91

TOTAL BOOKLETS ISSUED:	517
TOTAL BOOKLETS RECEIVED:	329
TOTAL BOOKLETS ENTERED:	328
TOTAL SIGNATURES REQUIRED:	21667
TOTAL QUALIFIED:	22074
TOTAL UNQUALIFIED:	9817
TOTAL POTENTIAL SIGNATURES:	34290
TOTAL NOT YET PROCESSED:	0

VREMS TIME: 11:20:26.9
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 95FISH

DATE: 05/06/99
PAGE: 8

ID: 95FISH
TYPE: INITIATIVE

NAME: AN ACT RELATING TO THE MANAGEMENT OF SALMON

TOTAL BOOKLETS ISSUED: 305
TOTAL BOOKLETS RECEIVED: 211
TOTAL BOOKLETS ENTERED: 209

TOTAL SIGNATURES REQUIRED: 21667
TOTAL QUALIFIED: 21697
TOTAL UNQUALIFIED: 4641
TOTAL POTENTIAL SIGNATURES: 27450
TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	27
2	38
3	54
4	59
5	28
6	90
7	171
8	334
9	199
10	1219
11	1116
12	1190
13	963
14	640
15	816
16	743
17	1237
18	1286
19	1227
20	1067
21	902
22	1084
23	513
24	995
25	998
26	1045
27	1315

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

28	1140
29	83
30	60
31	73
32	40
33	70
34	61
35	177
36	131
37	134
38	132
39	141
40	99

VREMS TIME: 11:19:57.9
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 95CFPO

DATE: 05/06/99
PAGE: 13

ID: 95CFPO
TYPE: INITIATIVE

NAME: AN INITIATIVE RELATING TO CAMPAIGN FINANCING AND THE ALASKA PUBLIC
OFFICES COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

TOTAL BOOKLETS ISSUED: 580
TOTAL BOOKLETS RECEIVED: 331
TOTAL BOOKLETS ENTERED: 306

TOTAL SIGNATURES REQUIRED: 21667
TOTAL QUALIFIED: 22764
TOTAL UNQUALIFIED: 7371
TOTAL POTENTIAL SIGNATURES: 33786
TOTAL NOT YET PROCESSED: 0

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	116
	2	256
	3	1472
	4	857
	5	296
	6	97
	7	520
	8	354
	9	200
	10	933
	11	954
	12	909
	13	1202
	14	484
	15	931
	16	580
	17	912
	18	1144
	19	868
	20	858
	21	803
	22	884
	23	378
	24	759
	25	770
	26	739
	27	905

28	805
29	599
30	247
31	222
32	110
33	301
34	118
35	343
36	211
37	136
38	110
39	279
40	102

VREMS TIME: 11:19:17.9
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 95BITL

DATE: 05/06/99
PAGE: 8

ID: 95BITL
TYPE: INITIATIVE

NAME: AN ACT REQUIRING BALLOT INFORMATION PERTAINING TO CONGRESSIONAL TERM
LIMIT VOTING RECORDS AND CERTAIN ACTS OR OMISSIONS OF CANDIDATES..

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	19
2	33
3	50
4	48
5	41
6	153
7	1006
8	926
9	1049
10	957
11	908
12	871
13	780
14	674
15	676
16	733
17	1071
18	1087
19	1003
20	842
21	755
22	849
23	521
24	801
25	766
26	641
27	857
28	640
29	603
30	417
31	296
32	216
33	325
34	283
35	272
36	176
37	129
38	159
39	187
40	138

TOTAL BOOKLETS ISSUED:	376
TOTAL BOOKLETS RECEIVED:	193
TOTAL BOOKLETS ENTERED:	191
TOTAL SIGNATURES REQUIRED:	21667
TOTAL QUALIFIED:	21958
TOTAL UNQUALIFIED:	3208
TOTAL POTENTIAL SIGNATURES:	26676
TOTAL NOT YET PROCESSED:	236

VREMS TIME: 11:18:47.4
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 93MCAP

DATE: 05/06/99
PAGE: 12

ID: 93MCAP
TYPE: INITIATIVE

NAME: PROPOSED BILL: SHALL THE CAPITAL OF ALASKA BE CHANGED TO WASILLA?
MEASURE FAILED ON 11/8/94 BALLOT

TOTAL BOOKLETS ISSUED: 488
TOTAL BOOKLETS RECEIVED: 375
TOTAL BOOKLETS ENTERED: 374

TOTAL SIGNATURES REQUIRED: 26143
TOTAL QUALIFIED: 26150
TOTAL UNQUALIFIED: 7724
TOTAL POTENTIAL SIGNATURES: 36954
TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	16
2	21
3	14
4	13
5	15
6	83
7	284
8	404
9	474
10	1182
11	1248
12	1259
13	1104
14	720
15	998
16	832
17	1200
18	1211
19	1173
20	1162
21	1038
22	1126
23	491
24	1120
25	1285
26	2096
27	1994

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

28	2027
29	81
30	128
31	73
32	40
33	79
34	91
35	332
36	245
37	155
38	89
39	124
40	123

VREMS TIME: 11:18:15.4
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 93LMIT

DATE: 05/06/99
PAGE: 23

ID: 93LMIT
TYPE: INITIATIVE

NAME: AN ACT LIMITING CURRENT OR FORMER INCUMBENT CONGRESSIONAL BALLOT
ACCESS.-(INITIATIVE PASSED ON 11/8/94 BALLOT)

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	26
2	55
3	480
4	692
5	81
6	151
7	592
8	686
9	1038
10	1401
11	1162
12	1104
13	1126
14	751
15	942
16	743
17	1214
18	1414
19	1165
20	1087
21	951
22	1097
23	458
24	1083
25	920
26	864
27	713
28	754
29	541
30	461
31	410
32	317
33	528
34	390
35	372
36	282
37	153
38	120
39	142
40	155

TOTAL BOOKLETS ISSUED:	1249
TOTAL BOOKLETS RECEIVED:	775
TOTAL BOOKLETS ENTERED:	778
TOTAL SIGNATURES REQUIRED:	26143
TOTAL QUALIFIED:	26621
TOTAL UNQUALIFIED:	8556
TOTAL POTENTIAL SIGNATURES:	38322
TOTAL NOT YET PROCESSED:	0

VREMS TIME: 11:17:43.9
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 93COST

DATE: 05/06/99
PAGE: 20

ID: 93COST
TYPE: INITIATIVE

NAME: AN ACT RELATING TO THE RELOCATION OF THE ALASKA LEGISLATURE OR CAPITAL
OF ALASKA-- INITIATIVE PASSED ON 11/8/94 BALLOT

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 40

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	2579
2	2220
3	5672
4	5246
5	1837
6	307
7	84
8	106
9	108
10	352
11	372
12	337
13	390
14	185
15	313
16	222
17	291
18	371
19	280
20	307
21	229
22	266
23	107
24	237
25	240
26	219
27	202
28	230
29	1059
30	652
31	654
32	338
33	686
34	384
35	414
36	123
37	75
38	122
39	84
40	83

TOTAL BOOKLETS ISSUED:	889
TOTAL BOOKLETS RECEIVED:	655
TOTAL BOOKLETS ENTERED:	666
TOTAL SIGNATURES REQUIRED:	26143
TOTAL QUALIFIED:	27983
TOTAL UNQUALIFIED:	7457
TOTAL POTENTIAL SIGNATURES:	41328
TOTAL NOT YET PROCESSED:	0

ID: 89TELE
TYPE: INITIATIVE

NAME: AN ACT RELATING TO INTRASTATE LONG-DISTANCE TELEPHONE COMPETITION
CERTIFIED FOR 1990 GENERAL ELECTION BALLOT.

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 27

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	91
2	71
3	50
4	1663
5	907
6	191
7	642
8	1426
9	1684
10	1556
11	800
12	923
13	747
14	1079
15	1498
16	2719
17	265
18	1040
19	886
20	1461
21	844
22	59
23	228
24	105
25	49
26	94
27	60

TOTAL BOOKLETS ISSUED:	964
TOTAL BOOKLETS RECEIVED:	583
TOTAL BOOKLETS ENTERED:	351
TOTAL SIGNATURES REQUIRED:	20343
TOTAL QUALIFIED:	21138
TOTAL UNQUALIFIED:	8819
TOTAL POTENTIAL SIGNATURES:	58428
TOTAL NOT YET PROCESSED:	0

VREMS TIME: 11:16:12.4
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 89ALAS

DATE: 05/06/99
PAGE: 21

ID: 89ALAS
TYPE: INITIATIVE

NAME: AN ACT RELATING TO THE CREATION OF COMPETITIVE LONG DISTANCE TELEPHONE
SERVICES WITHIN ALASKA. CERTIFIED FOR 1990 GENERAL ELECTION BALLOT.

TOTAL BOOKLETS ISSUED:	1281
TOTAL BOOKLETS RECEIVED:	423
TOTAL BOOKLETS ENTERED:	414
TOTAL SIGNATURES REQUIRED:	20343
TOTAL QUALIFIED:	22915
TOTAL UNQUALIFIED:	9517
TOTAL POTENTIAL SIGNATURES:	36108
TOTAL NOT YET PROCESSED:	0

NUMBER OF DISTRICTS IN STATE:	40
NUMBER OF DISTRICTS REQUIRED:	27
NUMBER OF DISTRICTS WITH SIGNATURES:	27

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	770
	2	260
	3	34
	4	1000
	5	1068
	6	468
	7	1000
	8	2135
	9	1758
	10	2106
	11	1304
	12	1249
	13	1429
	14	1839
	15	1955
	16	1808
	17	192
	18	372
	19	349
	20	579
	21	399
	22	147
	23	100
	24	140
	25	118
	26	201
	27	135

VREMS TIME: 11:15:21.1
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 88MARI

DATE: 05/06/99
PAGE: 19

ID: 88MARI
TYPE: INITIATIVE

NAME: AN ACT RELATING TO REPEAL OF PERSONAL USE OF MARIJUANA
CERTIFIED FOR 1990 GENERAL ELECTION BALLOT.

TOTAL BOOKLETS ISSUED: 1030
TOTAL BOOKLETS RECEIVED: 497
TOTAL BOOKLETS ENTERED: 369

TOTAL SIGNATURES REQUIRED: 20343
TOTAL QUALIFIED: 21439
TOTAL UNQUALIFIED: 7568
TOTAL POTENTIAL SIGNATURES: 42408
TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 27

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	2080
	2	383
	3	297
	4	1893
	5	467
	6	283
	7	558
	8	1417
	9	1584
	10	1073
	11	479
	12	570
	13	819
	14	1426
	15	1254
	16	1086
	17	279
	18	1334
	19	946
	20	1510
	21	860
	22	238
	23	201
	24	149
	25	161
	26	59
	27	33

VREMS TIME: 11:14:36.5
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 87TOR2

DATE: 05/06/99
PAGE: 24

ID: 87TOR2
TYPE: INITIATIVE

NAME: AN ACT RELATING TO CIVIL LIABILITY---(REVISED APPLICATION)
CERTIFIED FOR 1988 GENERAL ELECTION

TOTAL BOOKLETS ISSUED: 1110
TOTAL BOOKLETS RECEIVED: 741
TOTAL BOOKLETS ENTERED: 720

TOTAL SIGNATURES REQUIRED: 18253
TOTAL QUALIFIED: 18476
TOTAL UNQUALIFIED: 6291
TOTAL POTENTIAL SIGNATURES: 31662
TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 27

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	621
	2	224
	3	236
	4	575
	5	681
	6	429
	7	721
	8	1783
	9	1684
	10	1310
	11	686
	12	959
	13	652
	14	1292
	15	1115
	16	2762
	17	170
	18	226
	19	406
	20	531
	21	464
	22	154
	23	58
	24	34
	25	227
	26	199
	27	277

VREMS TIME: 11:13:39.3
GPVR100P-R1

STATE OF ALASKA -- DIVISION OF ELECTIONS
PETITION STATISTICS REPORT FOR PETITION - 87GAMB

DATE: 05/06/99
PAGE: 12

ID: 87GAMB
TYPE: INITIATIVE

NAME: AN ACT RE REGULATION OF GAMBLING AND ESTABLISHING A GAMBLING BOARD
CERTIFIED FOR THE 1990 PRIMARY ELECTION BALLOT.

TOTAL BOOKLETS ISSUED: 597
TOTAL BOOKLETS RECEIVED: 303
TOTAL BOOKLETS ENTERED: 303

TOTAL SIGNATURES REQUIRED: 18253
TOTAL QUALIFIED: 18461
TOTAL UNQUALIFIED: 8654
TOTAL POTENTIAL SIGNATURES: 29214
TOTAL NOT YET PROCESSED: 0

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 27

QUALIFIED SIGNATURES BY DISTRICT: DIST SIGNATURES

1	151
2	37
3	104
4	612
5	580
6	460
7	544
8	1170
9	1256
10	1348
11	1001
12	1278
13	1399
14	1287
15	1685
16	2411
17	332
18	555
19	366
20	925
21	375
22	74
23	44
24	104
25	58
26	102
27	203

ID: 87CCCA
TYPE: INITIATIVE

NAME: INIT. TO ESTABLISH AN INDEPENDENT COMMUNITY COLLEGE SYSTEM FOR ALASKA
CERTIFIED FOR 1988 GENERAL ELECTION

NUMBER OF DISTRICTS IN STATE: 40
NUMBER OF DISTRICTS REQUIRED: 27
NUMBER OF DISTRICTS WITH SIGNATURES: 27

QUALIFIED SIGNATURES BY DISTRICT:	DIST	SIGNATURES
	1	521
	2	64
	3	172
	4	133
	5	429
	6	148
	7	966
	8	2156
	9	1891
	10	1662
	11	1188
	12	1457
	13	1356
	14	1625
	15	1460
	16	1640
	17	105
	18	152
	19	134
	20	255
	21	152
	22	47
	23	161
	24	45
	25	401
	26	86
	27	48

TOTAL BOOKLETS ISSUED:	435
TOTAL BOOKLETS RECEIVED:	230
TOTAL BOOKLETS ENTERED:	230
TOTAL SIGNATURES REQUIRED:	18253
TOTAL QUALIFIED:	18454
TOTAL UNQUALIFIED:	7336
TOTAL POTENTIAL SIGNATURES:	28512
TOTAL NOT YET PROCESSED:	16



750 West Second Ave., Suite 109, Anchorage Alaska 99501 / Ph. 907.258.6171 / Fax 907.258.6177
P.O. Box 22151, Juneau Alaska 99802 / Ph. 907.463.3366 / Fax 907.463.3312 / www.acvoters.org

**HB 213 ~ Initiative/Referendum Petitions
HJR 25 ~ Constitutional Amendment**

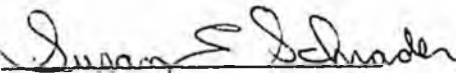
TO: House Judiciary Committee Members
FROM: Susan Schrader, Conservation Advocate
DATE: February 20, 2002

Alaska Conservation Voters is a non-profit organization dedicated to protecting Alaska's environment through public education and advocacy. Public participation in all levels of government is the hallmark of our democracy, and Alaska Conservation Voters cannot support any legislation that would limit Alaskan citizens' voice in forming the laws that govern us. Thus, we are opposed to HB 213 and HJR 25.

We agree with the sponsors that the initiative process should involve and benefit Alaskan citizens statewide, not just outside interests or certain special interest groups. However, we do not believe HB 213 and HJR 25 will achieve their desired goals. It is unlikely that raising the bar on an already arduous signature gathering process for initiatives on any subject will actually engage more Alaskans in a democratic process. More likely, the markedly burdensome requirements of HB 213 and HJR 25 will be a major disincentive for concerned Alaskans to use their constitutional rights of the initiative and referendum process.

The sound defeat in the November 2000 elections of Ballot Measure 1, to restrict the use of initiatives to make laws regulating wildlife, proved that the majority of Alaskans do not want their right to use the initiative process restricted. In a January 2002 poll of Alaskan voters conducted by Ivan Moore Research for Alaska Conservation Alliance, respondents were asked whether they favor or oppose measures that limit citizen ballot initiatives. Over 75% of respondents oppose such measures. (See attached)

Clearly, Alaskan voters want their right to petition government to remain protected and unchanged. We believe it is ill-advised for elected representatives of the citizens of Alaska to further restrict the public's right to participate in making the laws that govern them. Please oppose HB 213 and HJR 25.


Susan E. Schrader

Conserve Alaska. It's Only Natural.

EXECUTIVE SUMMARY

General findings

The results of this survey, conducted January 6th to 10th, show a very strong level of support for environmental issues in the State of Alaska and a high level of importance attached to quality of life issues related to the environment.

More than 75% of respondents feel that...

- We owe it to our children to be good stewards of our environment (96.2%)
- When it comes to protecting the environment, it matters who I vote for (94.7%)
- Being close to nature and recreational opportunities is an important part of why we live in Alaska (91.3%)
- A healthy environment is necessary for a strong economy (88.4%)
- Protecting Alaska's remaining wilderness and wildlife habitat areas is important (86.5%)
- More effort should be made to encourage economic development and jobs that do not rely on resource extraction (81.2%)
- I live in Alaska because of its healthy environment (77.4%)
- We can have a clean environment and a strong economy at the same time without having to choose one over the other (75.7%)

Clearly, a healthy clean environment is universally held to be of prime importance among voters in Alaska. What is particularly encouraging is that these issues are important to respondents when they vote, and that by and large, they don't perceive environmental issues and economic issues to be in conflict, but as ideals that can and should co-exist.

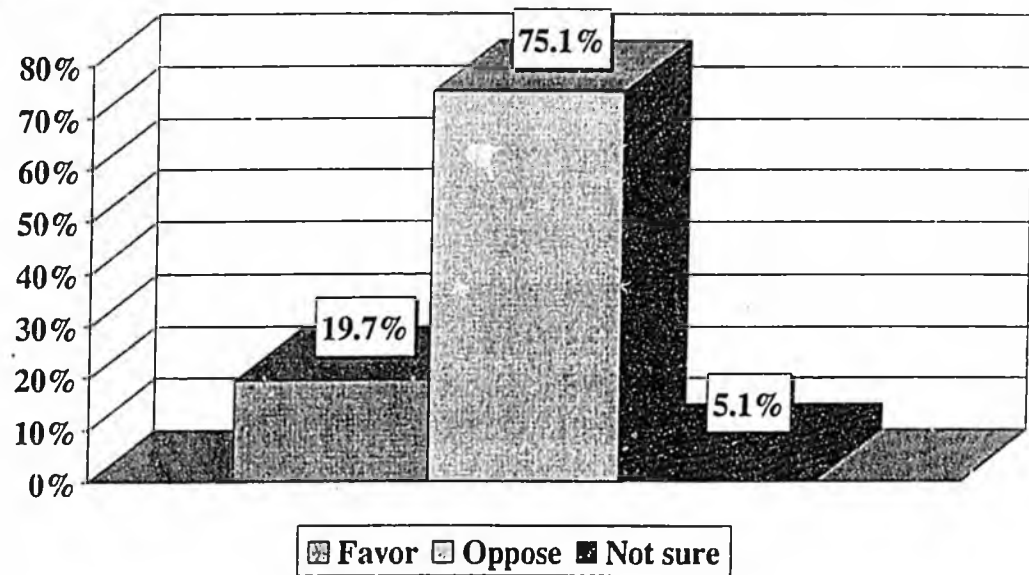
This executive summary summarizes results to this survey. Any questions concerning the contents of this report or concerning the methodology of this study can be directed to Ivan Moore at (907) 278-4600 or by e-mail at ivan@ivanmooresearch.com

Ballot Initiatives

Respondents were asked the following question concerning efforts by the legislature to limit citizen ballot initiatives:

The Alaska legislature is considering measures that would limit citizen's ability to put initiatives on the ballot. Some people think this would take away an important right guaranteed by the Alaska Constitution. Others think this would protect us from a cluttered and confusing ballot. Do you favor or oppose measures that limit citizen ballot initiatives?

Ballot initiative measure



This is a very strong result, particularly strong considering the current issue of ballot initiative signature collectors and debate concerning their right to collect signatures. There is clearly very strong opinion among voters that the right to petition government be protected and remain unchanged.

Demographics

The average respondent in this survey...

Live in families who had participated in outdoor recreation activities (like fishing, hunting, skiing and hiking) 65 times in 2001

Has lived in Alaska just over 30 years

Is just over 50 years old

Has a 2001 household income of just over \$78,000

Just over 40% have children

Just over two-thirds are married

A 50-50 gender split was brought about through statistical weighting

By areas of Alaska, we see the following distribution:

Southeast	15.7%
Rural Alaska	8.9%
MatSu-Kenai-Valdez	20.2%
Anchorage	41.8%
Fairbanks	13.3%

HB

223

Sponsor Statement

Rep. Bill Hudson

House Bill No. 223

Relating to the voluntary deduction of the amount of certain annual dues from retirement benefits

This bill creates a fairly simple change to two sections of Alaska's statutes that deal specifically with retired public employees. Retirees vested under the TRS or PERS system, may direct the Division of Retirement and Benefits to deduct their chapter membership dues directly from their pension benefits. Under current law, deductions or assignments, are prohibited. This bill proposes changes that would allow a very narrow exception - one requested by the retirees affected - to instruct the administrator of their annuity accounts to make these dues deductions directly from their benefit amount.

Membership in these retiree organizations is strictly voluntary. Membership dues are generally \$2.00 per month or \$24.00 per year. A dues check-off option created by passage of this legislation would allow a narrow exception to the "no-assignment" rule to streamline the membership dues process. The option would remain in effect until revoked by the retiree.

The bill allows the administrator to assess a reasonable administrative fee from the retiree to compensate for any actual costs, perhaps as a small percentage of the dues amount.

Sectional Analysis:

Section 1. Amends the Teacher's Retirement System chapter to allow for an exception to the non-assignment section.

Section 2. Adds a new section to allow for the assignment of a person's benefits for annual dues owed to a retirement organization.

Section 3. Amends the Public Employee Retirement System chapter to allow for an exception to the non-assignment section.

Section 4. Adds a new section to allow for the assignment of a person's benefits for annual dues owed to a retirement organization and allows the administrator to assess a fee.

Jan 22, 2002

January 10, 2002

Dear Representative Hudson:

I am a member of AARC 52 and I want to thank you for sponsoring HB223. Right off it will whittle down AARC 52's mailing costs and expenses associated with membership maintenance tasks, our biggest expense. We need a "dues check-off" for the benefit of retirees.

Sincerely yours



*Linda Bryant
10168 Marmot Circle
Anchorage, AK 99515
(907) 344-0770*

Subject: HB 223

Date: Wed, 30 Jan 2002 16:28:42 -0900

From: "Karla Josephson" <kjosephs@alaska.net>

To: <Representative_Bill_Hudson@legis.state.ak.us>

JAN 31 2002

Thanks for introduction of this. I'm a member of AFSCME Retiree Chapter 52 and I support it. I'm writing Rep Coghill urging that hearings be held on the bill.

FEB - 5 2002

Follows is the sample letter:

Dear Representative **[Hudson]/(Coghill)**:

I am a retired Alaska public employee and dues paying member of Alaska AFSCME Retiree Chapter 52. **[I want to thank you for sponsoring House Bill 223.]** Passage of this legislation is extremely important to me and I will be following the progress of this bill throughout the legislative process.

The first committee of referral for HB 223 is House State Affairs. The members of AARC 52 **[will be encouraging Chairman Coghill] (encourage you)** to hold a hearing on HB 223 as soon as possible. Then we will be working on positive support for this change to the retirement statutes.

Currently, Alaska Statutes specifically prohibit the deduction of any items from retirement pensions. Through HB 223, we are requesting a narrow exception to this rule to allow voluntary deduction for retiree membership dues. This simple change will allow retired Alaskans to use a "Dues Check-off" option on the benefit form to maintain membership in retiree organizations such as AARC52. Retiree chapters would be limited to those that are affiliated with an organization representing current public employees. Additionally, any costs for administering the check-off program would be borne by the retiree chapters.

Once again, thank you for your support. We look forward to working with you toward passage of House Bill 223. The time is right to move forward on this important legislation and achieve a "Dues Check-Off" for the benefit of retired Alaskans.

Sincerely Yours,



MR. J HAROLD MICHAL
PO BOX 3548
VALDEZ AK 99688

J. Harold Michal
AARC52 Member



Alaska AFSCME Retiree Chapter 52

HEADQUARTERS, 626 "F" Street . Anchorage, Alaska 99501

Phone: (907) 277-5200 . Fax: (907) 277-5206 . (800) Numbers: Inside Alaska - 478-2732; Outside Alaska 496-2235
retiree_chapter@afscmelocal52.org . <http://www.afscmelocal52.org>

FEB - 5 2002

February 1, 2002

The Honorable Bill Hudson
State Capitol, Room 502
Juneau AK 99801-1182

Dear Representative Hudson:

The Alaska AFSCME Retiree Chapter 52 has officially set its 2nd Biennial Convention to meet at The Holiday Inn - Anchorage, on Saturday, March 9, 2002. We extend this invitation to you with anticipation that you will join us during this time and will favor the delegation with a review of House Bill 223, Voluntary Dues Checkoff from Retirement Benefits, at approximately 10:30 a.m. Should you have any questions, please contact ASEA/AFSCME Local 52 Lobbyist Fate Putman at (907) 463-4975 or Bobbie Holmes-Carter at (907) 277-5200.

We look forward to hearing from you and would ask your confirmation in acceptance at your earliest convenience.

Sincerely,

L. Anne Bay, Treasurer
on behalf of the AARC52 Executive Board

HB 223 JAN 28, 2002

JAN 6 5 2002

Dear Representative Hudson:

I am writing to ask you to please give the most support you can to H.B. 248, a bill that would correct a long-standing, unfortunate inequity in the Public Employees Retirement System.

Currently, "youth counselors," that is, the corrections officers that work in Alaska's youth facilities are excluded from 20-year retirement benefits even though their counterparts in the adult correctional system — indeed, almost everyone in both adult and juvenile correctional systems — receives these benefits. This inequity is unfair and is pulling the Division of Juvenile Justice apart.

I work in the Division's Juvenile State Office. I am new to state government work (4 months), but already I've seen how this issue has prevented our Division from working as well as it could. Our youth counselors don't feel valued even though their work is vitally important. I am writing to you because I truly feel this inequity is one of the most pressing problems our Division faces.

Please support the passage of H.B. 248!

Sincerely,

Tony Newman
825 CALHOUN Ave
JUNEAU AK 99801

Representative JOHN Coghill
State Capital, Room 102
Juneau, AK. 99801-1182

Retiree Paul Guy
PO Box 6032
NAPASKIAK, AK. 99559

Representative Bill Hudson
State Capital, Room 302
Juneau, AK. 99801-1182

Gentlemen:

I AM A Retired ALASKA Public Employee AND dues PAYING member of ALASKA AFSCME CHAPTER 52. "I want to thank you both for SPONSORING House Bill 223" PASSAGE of this bill Legislation IS EXTREMELY IMPORTANT TO ME AND I will be following the PROGRESS of this bill thought out the LEGISLATIVE PROCESS.

The first Committee of Referral for House Bill 223 is House STATE AFFAIRS. The member of AARC 52 will be ENCOURAGING Chairman Coghill (ENCOURAGE you) to hold A HEARING ON HB 223 AS SOON AS POSSIBLE. Then we will be WORKING ON POSITIVE SUPPORT for this CHANGE to the Retirement statutes. CURRENTLY, ALASKA STATUTES SPECIFICALLY PROHIBIT the deduction of ANY ITEM FROM Retirement PENSIONS. THROUGH 223, we ARE REQUESTING A NARROW EXCEPTION to this Rule to ALLOW VOLUNTARY deduction for Retiree Membership dues. This SIMPLE change will allow Retired ALASKANS to use a "Dues Check OFF" option on the benefit form to MAINTAIN OVER

MEMBERSHIP IN RETIREE ORGANIZATION SUCH AS AARC52.

RETIREE CHAPTERS WOULD BE LIMITED TO THOSE THAT ARE AFFILIATED WITH AN ORGANIZATION REPRESENTING CURRENT PUBLIC EMPLOYEES.

ADDITIONALLY, ANY COSTS FOR ADMINISTERING THE CHECK-OFF PROGRAM WOULD BE BORNE BY THE RETIREE CHAPTERS.

ONCE AGAIN, THANK YOU FOR YOUR SUPPORT. WE LOOK FORWARD TO WORKING WITH YOU TOWARD PASSAGE OF HOUSE BILL 223. THE TIME IS RIGHT TO MOVE FORWARD ~~PASSAGE~~ ON THIS IMPORTANT LEGISLATION AND ACHIEVE A DUES CHECK-OFF FOR THE BENEFIT OF RETIRED ALASKANS.

CINCERELY YOURS,
Paul Guy
AARC52 MEMBER

Dec 8, 2001

Dear Representative Coghill:

HB 223 is sponsored by Rep Hudson. It is my understanding the first committee of referral for HB 223 is House State Affairs. I encourage you to hold a hearing on HB 223.

Currently, Alaska Statutes specifically prohibit the deduction of any items from retirement pensions. HB 223 is requesting a narrow exception to this rule to allow voluntary deduction for retiree membership dues. This simple change will allow retired Alaskans to use a "Dues Check-off" option on the benefit form to maintain membership in retiree organizations such as AAPCS2. Additionally, any costs for administering the check-off program would be borne by the retirees.

Our membership is diverse, with as many being Republicans, as are Democrats, as are Independents. Support for HB 223 is a positive and a good thing to do for retirees.

Sincerely

Bill Bryant
10164 Marriot Cr
Anchorage, AK 99515
907 344-0970

Alaska State Legislature




REPRESENTATIVE BILL HUDSON
House Finance Committee

State Capitol
Juneau, Alaska
99801-1182
(907) 465-3744
Fax (907) 465-2273

MEMORANDUM

TO: Representative John Coghill, Chairman
House State Affairs Committee

FROM: Representative Bill Hudson 
Alaska State Legislature

SUBJECT: HB 223 Hearing Request

DATE: February 14, 2002

I respectfully request that you schedule HB 223 before your committee at your earliest convenience.

I have enclosed a sponsor statement that contains a sectional analysis along with the bill, background information, and a small sample of letters of support for the bill. I have received no public comments opposed to this concept of allowing for a dues check-off for retirement membership deductions.

If you have any questions regarding this request please contact my staff member handling this legislation, Melanie Lesh at 465-4230.

Thanks for your consideration.





ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House State Affairs

Committee on HB 223 - Voluntary deduction of Committee Name Dated February 28, 2002

Bill / Subject Certain annual dues from retirement benefits -

I am grateful to Rep. Bill Hudson for his introduction of H.B. 223 which would permit retirees, vested under PERSON TRS system to deduct their retiree chapter dues directly from their retiree benefit amount.

This would permit the individual retirees (myself for example) to maintain continuing membership in the retiree chapter that we choose, without having to keep track of when our dues are due, to write checks, mail them, etc - these are minor inconveniences for most - but there are older members, whose interests the chapters are dedicated to serve, who find such things increasingly difficult to handle.

For the chapters involved, such a change would make budgeting easier (and keep the dues lower) because of the predictability of the amount - and timing - of the dues ~~to~~ income. It would also reduce the clerical effort needed to mail out dues statements, address dues payments, deposit checks, keep books on payments coming in at different times. This would reduce the pressure on limited staff - including volunteers -

Please pass this bill from committee with a "do pass" recommendation
P.S. - This has been an interesting 2 hour 20 minutes - I had understood that HB 223 would be heard before the Whittier Private Prison Bill - but...

SIGNED:

Kyle E. Johnson
Testifier

AFSCME Retiree Chapter 52
Representing

710 Chena Ridge Fairbanks, AK 99709
Address / Phone Number
fax 907-479-9466



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House State Affairs

Committee on HB 223 - Voluntary deduction of Dated February 28, 2002

Bill / Subject Certain annual dues from retirement benefits -

I am grateful to Rep. Bill Huselson for his introduction of H. B. 223 which would permit retirees, vested under PERS or TRS systems to deduct their retiree chapter dues directly from their retiree benefit amount.

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SIGNED:

Mike E. Joponen
Testifier

AFSC 11E Retiree Chapter 52
Representing

710 Chena Ridge Fairbanks, AK 99709
Address / Phone Number Fax 907-479-9466

231

13

Alaska State Legislature
House of Representatives
Minority Leader

Session address:
Alaska State Capitol
Juneau, Alaska 99801
1-888-465-4919 (toll free)
1-907-465-2137 (fax)



Interim address:
716 West 4th Avenue
Anchorage, Alaska 99501
1-907-269-0130
1-907-269-0132 (fax)

Representative Ethan Berkowitz
District 13

Date: April 17, 2001

To: Representative John Coghill, House State Affairs Committee Chair

From: Representative Ethan Berkowitz 

Re: House Bill 231 hearing

House Bill 231 - "An Act eliminating the primary election, relating to the general election, and eliminating state recognition of political parties." - has a referral to the House State Affairs Committee. Copies of the sponsor statement and the bill are enclosed. Please schedule the bill for a hearing. I suggest teleconferencing the hearing to encourage public input.

HB 231 seeks to avoid the entire primary election problem arising from *California Democratic Party v. Jones* by adopting non-partisan elections without primaries – just one general election in November. This model has been followed in local elections. For example, in Anchorage, Fairbanks and Juneau, ballots for mayor and the local assemblies do not list party affiliation. Thus, removing the need for primary elections.

I look forward to working with you and your staff on HB 231. Please contact my aide, Phelan Straube, or me if you have questions. Thank you in advance for your consideration.

Alaska State Legislature
House of Representatives
Minority Leader

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Representative Ethan Berkowitz
District 13
House Bill 231

“An Act eliminating the primary election, relating to the general election, and eliminating state recognition of political parties.”

Sponsor Statement

HB 231 seeks to eliminate the need for a costly primary election by providing for a nonpartisan general election wherein each candidate will be nominated by petition. This legislation offers Alaska the ability to take an entirely new direction rather than simply reform the existing system.

A nonpartisan legislature would allow legislators to concentrate on Alaska's interests without influence from national party agendas. Campaigns would feature candidates and their individual ideas – not stereotypes attached to party labels.

This model exists quite successfully in local elections. For example, in Anchorage, Fairbanks and Juneau, ballots for mayor and the local assemblies do not list party affiliation. Campaigns are conducted based on ideas and individuals.

Political parties are essentially private organizations. We ought to question how they have achieved such a prominent role in our system and whether they deserve to retain that role. We should create an electoral system that serves Alaska's interests, not one that serves political parties. I would appreciate your support.

Current law

LOUISIANA REVISED STATUTES
TITLE 18. LOUISIANA ELECTION CODE
CHAPTER 5. PRIMARY AND GENERAL ELECTIONS

§ 401. Purpose and nature of primary and general elections

A. Purpose. Primary and general elections are held to elect persons to Congress and to all the elective offices in this state, except the office of presidential elector.

B. Nature. All qualified voters of this state may vote on candidates for public office in primary and general elections without regard to the voter's party affiliation or lack of it, and all candidates for public office who qualify for a primary or general election may be voted on without regard to the candidate's party affiliation or lack of it.

§ 402. Dates of primary and general elections

A. Gubernatorial elections. Elections for governor and officers elected at the same time as the governor shall be held every four years, beginning in 1983.

(1) Gubernatorial primary elections shall be held on the second to last Saturday in October of an election year.

(2) Gubernatorial general elections shall be held on the fourth Saturday after the second to last Saturday in October of an election year.

B. Congressional elections. Elections for members of Congress and officers elected at the same time as members of Congress shall be held every two years, beginning in 1982.

(1) Congressional primary elections shall be held on the first Saturday in October of an election year.

(2) Congressional general elections shall be held on the first Tuesday after the first Monday in November of an election year.

C. Municipal and ward elections. In all municipalities with a population of less than four hundred seventy-five thousand, elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held every four years.

(1) Primary elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held on the first Saturday in April of an election year, or on the second Tuesday in March of an election year, if the statewide

presidential preference primary election is scheduled on the second Tuesday in March of the presidential election year.

(2) General elections for municipal and ward officers who are not elected at the same time as the governor or members of Congress shall be held on the fourth Saturday after the first Saturday in April of an election year unless the primary election for such officers is held on the second Tuesday in March; in such case the general election shall be held on the third Saturday in April of an election year.

D. Parochial and municipal elections in a parish containing a municipality with a population of four hundred seventy-five thousand or more and in which the municipal and parochial elections are held at the same time. Elections for parochial and municipal officers in such a parish containing a municipality with a population of four hundred seventy-five thousand or more shall be held every four years, beginning in 1986.

(1) Primary elections for parochial and municipal officers in a parish containing a municipality with a population of four hundred seventy-five thousand or more and in which the municipal and parochial elections are held at the same time shall be held on the first Saturday in February of an election year.

(2) General elections for parochial and municipal officers in a parish containing a municipality with a population of four hundred seventy-five thousand or more and in which the municipal and parochial elections are held at the same time shall be held on the fourth Saturday after the first Saturday in February of an election year.

E. Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or vacancy in an existing office, except the office of state legislator or representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:

(1) A special primary election shall be held on the first of the following days that is not less than eleven weeks after the date on which the proclamation calling the special primary election was issued:

(a) The second to last Saturday in October, when the special general election is held on the fourth Saturday after the second to last Saturday in October.

(b) The first Saturday in October, when the special general election is held on the first Tuesday after the first Monday in November.

(c) The first Saturday in April, when the special general election is held on the fourth

Saturday after the first Saturday in April or on the second Tuesday in March during the presidential election year, if the statewide presidential preference primary election is scheduled on the second Tuesday in March of the presidential election year; however, commencing in 1986 and every fourth year thereafter, this date shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more.

(d) The third Saturday in October, when the special general election is held on the fourth Saturday after the third Saturday in October of 1985 and every fourth year thereafter.

(e)(i) The first Saturday in February of an election year for parish and municipal officers in a parish containing a municipality with a population of four hundred seventy-five thousand or more.

(ii) The first Saturday in February of 1995, except in parishes and municipalities where an election on bonds, taxes, and other propositions or questions has been called and held in January of 1995. Notwithstanding the provisions contained in > R.S. 18:467 and 468, the qualifying period for primary elections held on the first Saturday in February of 1995 shall open on the third Monday in December of 1994 and shall close at 5:00 p.m. on the Wednesday following the third Monday in December of 1994.

(2) A special general election shall be held on one of the following days:

(a) The fourth Saturday after the second to last Saturday in October of 1983 and every fourth year thereafter.

(b) The first Tuesday after the first Monday in November of even-numbered years.

(c) The fourth Saturday after the first Saturday in April of any year unless the primary election is held on the second Tuesday in March; in such case the general election shall be held on the third Saturday in April; however commencing in 1986 and every fourth year thereafter, this date shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more.

(d) The fourth Saturday after the third Saturday in October of 1985 and every fourth year thereafter.

(e)(i) The fourth Saturday after the first Saturday in February in a parish containing a municipality with a population of four hundred seventy-five thousand or more, when the special primary election in such parish and municipality is held on the first Saturday in February of an election year for parish and municipal officers.

(ii) The fourth Saturday after the first Saturday in February of 1995, when the special primary election is held as authorized in R.S. 18:402(E)(1)(e)(ii) on the first Saturday in February of 1995.

(3) The secretary of state shall not include the name of any candidate on any ballot for a special election to fill a vacancy in any office to which this Subsection is applicable unless such special election has been called in accordance with the provisions of this Subsection and scheduled on one of the dates provided herein. Any elector who is eligible to vote in any such special election may apply for injunctive relief to prohibit the placing of the name of any candidate in an improperly called election on the ballot. Venue for such application shall be in any parish in which the election is called, and the secretary of state shall be the proper party defendant.

(4) Repealed by Acts 1999, No. 254, § 3, eff. Jan. 1, 2000.

F. Bond, tax, or other elections. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on one of the following dates:

(1) The second to last Saturday in October or the fourth Saturday after the second to last Saturday in October of 1983 and every fourth year thereafter.

(2) The first Saturday in October or the first Tuesday after the first Monday in November of even-numbered years.

(3) The first Saturday in April or the fourth Saturday after the first Saturday in April of any year or on the second Tuesday in March or third Saturday in April during the presidential election year, if the statewide presidential preference primary election is scheduled on the second Tuesday in March of the presidential election year; however, commencing in 1994 and every fourth year thereafter, the first Saturday in April shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more.

(4) The third Saturday in October or the fourth Saturday after the third Saturday in October of 1985 and every fourth year thereafter.

(5) The third Saturday in January of any year, the third Saturday in July of any year, which dates, in addition to the other dates provided for in this Subsection, shall be exclusively for elections on bonds, taxes, and other propositions or questions and for no other kind of election, except for a special election called to fill a vacancy in the office of state legislator; however, commencing in 1994 and every fourth year thereafter, the third Saturday in January shall not be applicable in a parish containing a municipality with a

population of four hundred seventy-five thousand or more.

(6) For a parish containing a municipality with a population of four hundred seventy-five thousand or more, the first Saturday in February or the fourth Saturday after the first Saturday in February in 1986 and every fourth year thereafter.

(7) In case of an emergency, upon application to and approval by the State Bond Commission by two-thirds vote of its total membership, and with approval of the governor, the governing authority of a parish, of a municipality, or of a parish or city school board may conduct a bond or tax election on a Saturday which is not provided for in this Subsection.

G. Prohibited days. No election of any kind shall be held in this state on any of the days of Rosh Hashanah, Yom Kippur, Sukkoth, Shimini Atzereth, Simchas Torah, the first two days and the last two days of Passover, Shavuoth, Fast of AV, or the three days preceding Easter. If the date of any election falls on any of the above named days, the election shall be held on the same weekday of the preceding week.

§ 481. Candidates who qualify for a general election

The candidates who qualify for each office remaining to be filled in the general election are those who received the two highest numbers of votes, the four highest numbers of votes, and so on among those not elected in the primary election, until the maximum number of candidates for each office on the general election ballot is reached.

§ 482. Number of candidates who may qualify for a general election

Except in the case of a tie vote, the number of candidates for an office who may qualify for the general election is twice the number of persons remaining to be elected to the office.

§ 483. Effect of tie vote in a primary election

If, as a result of a tie vote in a primary election, the number of candidates who would qualify for the general election is more than twice the number of persons remaining to be elected to the office, all of the candidates who received the same number of votes in the primary election qualify for the general election.

Louisiana's Open Election Law

by Representative Charles D. Lancaster, Jr.

Amc
Lanc
Charles

In 1973, during Governor Edwards' first term in office, he proposed legislation which became Louisiana's open election law. Governor Edwards proposed our present election system because he was aggravated that after two Democratic primaries, he was still faced with a general election, at that time, against Congressman David Treen.

Louisiana's open election law did away with both the Democrat and Republican Party primaries. Instead of party primaries, Louisiana's open election law authorizes one primary election for all candidates, regardless of political affiliation or lack thereof, after which the top two candidates run off in what is referred to as a general election. Louisiana is the only state in the United States that does not preserve the right of both political parties to have either an endorsed or nominated candidate in a ballot position in the general election.

The long term impact of the open election system on both political parties, as intended, has been devastating. Initially, the Republican Party appeared to be the beneficiary of the change from a close primary to an open election system since many conservative Democrats, who had remained in the Democratic Party only for the purpose of being able to vote in that Party's primary, were now able under the open election system to switch their affiliation to the Republican Party.

However, the negative impact of the open election system has far outweighed the perceived benefits. Multiple Republican candidates' running against Democrats and one another for the same office at the same time has resulted in enormous divisions within the Republican Party, destroying both the structure and the cohesiveness of the Party. There can be no doubt that Bennett Johnston and Edwin Edwards would not have won their

last elections had the Republican Party still retained the right to select one nominee to face them in a general election.

The Louisiana State Republican Party has tried to come up with a selection system that would be acceptable to multiple Republican candidates, but thus far has failed in its mission. Multiple Republican candidates at all levels of government simply seek the Republican endorsement or ignore it, and then, regardless of whether they receive it or not, continue into the primary election, causing divisiveness and resentment on all sides.

Although, on occasion, this "numbers game" inherent in the open election law may benefit an individual Republican candidate, it certainly will never benefit the Republican Party as an institution. Instead, the Republican Party will simply be reduced to another political organization that endorses candidates for public office rather than nominating one candidate.

Only when the State of Louisiana recognizes the right of a political party to nominate a candidate for inclusion on the general election ballot will the political parties of this state regain the status that they enjoy in every other state and United States of America. Unfortunately, the outlook for any legislation that would restore to political parties their right to automatically nominate a candidate for the general election appears to be remote.

As a result of the failure of both the Republican State Party and the Louisiana Legislature to resolve this situation, the support of Louisiana Republicans will again be diluted among at least three Republican candidates for Governor rather than united behind a single Republican nominee who would then be in an excellent position to be elected Governor this year.

Circuit Breakers

(continued from p. 7)

\$400. For homeowners in the lowest income tax bracket (below \$5,099), eligible claimants can get a credit up to \$400. For those in the highest eligible bracket (incomes of \$13,500 to \$15,000) the credit is \$50. For renters eligible for the program, the maximum credit is 9.5% of total annual rent in the lowest income bracket, dropping to 2.5% for those in the highest bracket. These figures are adjusted each year for inflation.

Other Method

Pennsylvania has a circuit breaker rebate program to provide property tax relief to elderly or permanently disabled persons. The rebate is 100% of the property tax bill (up to a maximum of \$500 for claimants with less than \$5,000 in income), dropping to 10% of the tax bill for claimants with incomes of \$13,000 to \$15,000. Pennsylvania does not index these income levels or the rebate amounts for inflation. But to provide relief from inflation to those eligible, the state pays an additional rebate called an "inflation dividend" each year. It ranges from \$20 for income between \$13,500 to \$15,000, to \$125 for income under \$5,000.

Current Illinois Bill

House Bill 1568 (Schakowsky-DeJaegher-Rice-Balanoff) would increase the circuit breaker income ceiling from \$14,000 to \$16,000 next year. Starting in 1993 the income ceiling would be indexed to inflation using the Consumer Price Index for All Urban Consumers (CPI-U). The bill would also slightly change one of the limits for a circuit breaker grant from 4.5% to 4.25% of household income. The bill is on interim study in the House Revenue Committee. ■

Corina Bergschneider
Research Assistant

Open Primaries: Pro and Con.

The right to vote is considered sacred in a democracy, but more and more Americans have chosen not to vote since 1960. Nationwide turnout in presidential elections dropped almost 13 percentage points over the past 2 decades; just over 50% of the voting-age population voted in the 1988 presidential election. Turnout in non-presidential years has also fallen, to about 36.5% of the voting-age population—a decline of 12 percentage points since 1966.

Arguments for Open Primaries

Some believe the decline in turnout can be stemmed at the state level by amending election laws to allow "open" primaries, although the evidence is mixed. In an open-primary state, voters need not declare a party affiliation. They get a ballot for each party and, in the voting booth, choose one to vote on. Hawaii, Idaho, Michigan, Minnesota, Missouri, Montana, North Dakota, South Carolina, Tennessee, Utah, Vermont, Virginia, and Wisconsin have open primaries. Alaska, Louisiana, and Washington go further, having "blanket" open primaries in which voters get one ballot showing primary candidates for all parties. They can vote in one party's primary for some offices and in another party's primary for other offices, but cannot vote in more than one primary per office. "Closed" primary states such as Illinois require voters to declare a party affiliation to get their desired ballot.

Proponents of open primaries claim they raise turnout by making voting easier and more private. A voter's party choice remains secret, and

independent voting is facilitated.

Academic studies comparing voter participation in open and closed primaries have not consistently found higher turnout in open-primary states. A study of 619 contested congressional primaries held in 1978 and 1980

found no significant effect of the type of primary on turnout. Studies of presidential primaries also did not clearly find that the type of primary affected participation. However, two kinds of studies did find a connection between open primaries and turnout.

U.S. Senate Primaries

A study of 117 contested primaries for U.S. Senate seats from 1968 to 1980 in 43 states found higher participation in states with less restrictive primaries. The percentage of the voting-age population voting in open-primary states averaged about 5% more than in closed-primary states. The percentage voting in states with blanket primaries averaged about 7% higher than in closed-primary states.

Gubernatorial Primaries

Three surveys of gubernatorial primaries also found higher turnout in states with open primaries. One study examined gubernatorial primaries from 1950 through 1976, in non-southern states in which both the Democratic and Republican parties had contests. The range of turnouts (in this study, calculated as a percent of the entire voting-age population) was from about 20% to about 50%. Closed-primary states that did not allow voters to change party registration for at least 6 months before the primary, or (like Illinois) required a declaration of party affiliation at the polls, had the lowest average turnouts—about 24% and



VOTE ONLY ONE PARTY

DEMOCRATIC PARTY



REPUBLICAN PARTY



25% respectively. Other closed-primary states had average turnout around 32.5%. Average turnout in all the closed-primary states was about 27% of the eligible voting-age population. Open-primary states had average turnout of almost 34%, and 2 blanket-primary states (Alaska and Washington) had average turnout of 39%.

Another study, of 111 gubernatorial primaries from 1968 to 1980 in 44 states in which both parties had contests, examined the combined impact of several electoral conditions on turnout. The study suggested that a 9% increase in voter turnout could be expected if a state switched from a closed primary that, going farther than Illinois, requires voters to register with a party *before* the primary, to the other extreme of a blanket primary.

A third study, of turnout in gubernatorial primaries in 36 northern states from 1951 to 1980, found that open-primary states had higher participation for both parties, and especially the Republican party.

Other Factors Influencing Turnout

Although the type of primary may influence turnout in some states, many other factors could affect participation. The gubernatorial studies found no one factor alone explaining participation differences among states. But a combination of factors might explain a considerable part of the variation between states with unusually high and unusually low turnout. One study found that 7 of the 8 states with the highest turnouts (over 38% of the voting-age population) had two or more of the following characteristics: high turnout in the general gubernatorial

election; high proportion of primaries contested; open primaries; and a competitive two-party system. Nine of the 10 states with the lowest turnout (under 25% of eligible voters) had at least two of the following factors: low turnout in the general gubernatorial election; few contested primaries; and closed primaries. Other factors that can change a state's primary turnout include voters' age, education, and income; the balance of power between parties; the closeness of each primary race; and the presence of an incumbent in the race. In addition, registration requirements, party endorsements, and having the presidential primary on the same date or in the same year can affect turnout.

Arguments Against Open Primaries

Despite what can be said in favor of open primaries, there are considerable arguments against changing the primary system. Opponents of open primaries fear a loss of party cohesion and control of candidate nomination and selection. They say more voters could act as independents or as "cross-overs" who cast ballots in the other party's primary. These votes might change election outcomes because non-party members could select a different candidate than party members would. Crossover voters could intentionally "raid" another party's primary and vote for the weakest candidate, hoping to make that party easier to defeat in the general election.

Independent and Crossover Voting

Research to test the validity of these fears includes studies on the amount and effects of independent and crossover voting in open primaries. One

review of state presidential primaries found the number of independent and crossover voters to be higher in open than closed primaries. In the 1976 and 1980 presidential primaries in Florida and Pennsylvania, and the 1980 California presidential primary (all closed primaries), about 25% to 31% of primary voters were *either* independent or crossover voters. In Wisconsin (with open primaries) 43% to 49% were independents or crossovers. Crossover voters were 9% to 11% of primary participants in Wisconsin, and 3% to 6% of voters in the closed-primary states. The closed primary was believed to restrict *crossover* voting, but its effect on an apparently growing number of *independent* voters in California, Florida, and Pennsylvania was questionable.

When the candidate choices of independent and crossover voters in all 4 states were compared with party members' primary selections, the difference in candidate preference between the two groups ranged from small to significant. Primary results were tested to see whether different participation rules might have changed the outcome. Researchers concluded that the winners of the Wisconsin, California, and Florida presidential primaries would have been the same (although their winning margins would have been different). Researchers concluded the same for primaries in Pennsylvania, with one exception: In Pennsylvania's 1980 Republican and Democratic primaries, party members' choice between primary candidates was so close that independents and crossovers may have changed the outcome.

(continued on p. 10)

Open Primaries

(continued from p. 9)

One of the studies mentioned above, on gubernatorial primaries from 1950 to 1976 outside the South, compared Republican and Democratic turnout rates over time to see whether changes in levels of primary turnout *between* parties increased in open-primary states due to the greater ability of voters to move between parties. It found no greater variation in each party's percentage of the total vote in open-primary than closed-primary states. Six open-primary states had the same fluctuation in each party's share of the vote as five states that had closed primaries requiring each voter to register a party affiliation at least 6 months before the election. Blanket-primary states had the highest average variation in the percentage of primary voters per party, but only slightly more than in some closed-primary states. Democratic and Republican percentages of the total primary vote differed the most over time in states where the balance of power between the parties was changing. But even in those states there was a marked time lag between increased party competition and greater equality in the share of the primary vote between the parties. In states that had such changes in the balance of power, the variation in party participation rates was no greater if the primary was open.

Extent of "Raiding"

Studies looking for evidence of organized "raiding" in Wisconsin's open primary have found none. Raiding on a large scale is considered unlikely because it would require highly sophisticated voters, and if organized by a political party it would attract considerable attention.

Some pollsters questioned voters in the 1984 Wisconsin presidential primary

looking for inconsistent voting (which could indicate raiding) by individuals. The survey found that 2% of people who voted in the Republican primary and 9% who voted in the Democratic primary reported an intent to vote against their chosen primary candidate in the general election. When uncertain voters, or those unsure whether they would repeat their primary vote in the general election, were added, these percentages grew to 10% of voters in the Republican primary and 16% of those in the Democratic primary. The pollsters did not claim to know how much of this apparently contradictory voting behavior constituted intentional raiding.

Illinois Primary Election Law

To participate in an Illinois primary, voters must state their name, address, and party affiliation to the election judges, one of whom must clearly repeat the information in a voice loud enough to be heard by everyone in the polling place. If the voter is not challenged, the judge gives the voter a primary ballot of that party. If the voter is challenged, and is not personally known by the judges to have the necessary voting qualifications, the voter must sign an affidavit including a statement of affiliation with the chosen party. The affidavit is attached to the official poll record. A challenged voter must also display 2 pieces of identification showing a current address, or produce an affidavit signed before an election judge by another qualified voter in the precinct who is known or proven to the election judges to be a precinct voter. The affidavit must state that the challenged voter is known by the qualified voter to have resided in the precinct and state for the 30 days before the primary, and is believed to be a member of, and affiliated with the specified party.

A voter who signed a nominating petition for an independent candidate, or a candidate of a party, cannot vote in another party's primary. Primary voters must be at least 18, U.S. citizens, registered, and residents of their precinct at least 30 days before the primary.

In 1972 a federal district court upheld the Illinois requirement that voters declare their party affiliation before voting in a primary. The court said this requirement does not unduly burden a voter's right to privacy, free association, or voting, or violate the federal Voting Rights Act of 1965. The court said that whatever burden is suffered by a voter is outweighed by the state's compelling interest in preventing election fraud. The court *did* invalidate another provision in the Election Code that prohibited anyone from voting in one party's primary who had participated in another major party's primary within the last 23 months. That part of the decision was upheld by the U.S. Supreme Court in 1973. The Court declared this provision unconstitutional because it "substantially abridged" a voter's ability to associate effectively with a party, thus infringing on the right of free political association guaranteed by the First and Fourteenth Amendments to the U.S. Constitution. The provision is still in the Election Code but is not enforced.

Since 1953 the General Assembly has considered 41 bills to establish open primaries. All but the latest were tabled in committee in their house of origin. House Bill 15 (Curran-Woolard-Trotter), proposing a blanket open-primary system, is on interim study in the House Election Law Committee. ■

Gayle Turek
Research Assistant

LOUISIANA LEGISLATIVE COUNCIL

Memorandum

February 19, 1974

0306

RE: Open primary election systems

I. Introduction

This memorandum discusses the differing kinds of open primary laws adopted in other states which may be considered by the Joint Legislative Committee to Study Election Laws. Before the drafting of an open primary bill can be commenced, it is necessary that the committee formulate some basic decisions with respect to the type of open primary the committee plans to present to the 1974 legislature. Some of the basic decisions to be made are: (1) what is to be the system of registration, by party affiliation or not; (2) what is to be the system of casting votes; i.e., is cross-voting to be permitted; (3) what is to be the system of candidates qualifying and filing for office, i.e., do candidates qualify by party; if so, can the candidates cross-file; (4) how are the names on the ballot to be arranged - by party or by office; and (5) which candidates names appear on the ballot in the second election - the two receiving the highest vote for each office regardless of the party or the one party candidate for each office who received the highest number of votes. In order to assist the committee with these decisions this memorandum consists of an overview of procedures for conducting elections, registering voters, filing for candidacy, expressing party affiliation and other relevant questions. Also to be considered is the effect of open primaries on political party strength, voter participation and election costs for both candidates and the state.

Following the overview of primary election laws, commentary relative to possible abuses and benefits of the differing laws will be given. Finally, in light of the 1921 Constitution as well as the proposed 1974 Consitution, the question of whether it would be necessary to amend either constitution to adopt an open primary system will be considered.

II. Open Primaries

In most states the direct primary has replaced the political conventions as the method for choosing candidates. The primary allows the voter, as opposed to a convention delegate, to directly choose the nominee for office. Over the years two types of primaries and two different procedures for conducting them have arisen. The procedural differences involve primary runoffs. The primary runoff developed in the single party southern states to prevent a minority faction of the Democratic party from winning the nomination, which was tantamount to winning the general election. Northern states in general do not have primary runoffs.

The two types of primaries are closed and open primaries. As we know in Louisiana, a closed primary limits participation to the members of that political party.

Some states have adopted by law open primary systems. Three kinds of open primaries have developed: the regular open primary, the blanket open primary and the nonpartisan open primary. Briefly defined, the regular open primary allows the voter to keep his party affiliation secret and to vote either all Republican or all Democrat but not to vote for candidates of more than one party in the same election. The blanket primary allows the voter to vote for one person under each office heading regardless of the voter's or candidate's party affiliation. The nonpartisan open primary requires that the candidates on the ballot be listed without any

party affiliation and the voter is not required to indicate any party preference.

A. Regular Open Primary

Wisconsin, Utah, North Dakota, Montana and Minnesota have regular open primary laws. In Minnesota, Montana and Utah the voter does not state his party affiliation when he registers to vote. North Dakota does not require voter registration.

These states vary with respect to the procedures by which the candidate places his name on the primary ballot. In Minnesota and Wisconsin a candidate must file an affidavit of candidacy stating his name, address, party affiliation, office being sought and a statement indicating that he meets all requirements for the office. Also he must file a petition of nomination signed by 2000 people for state office and 1000 people for a congressional office and less for smaller districts. The signers of the Wisconsin petitions promise to support the candidate in the upcoming primary. In North Dakota the candidate files an affidavit with a certificate of endorsement from a state political party chairman. Or instead of the endorsement he submits a petition signed by 3% of the voters participating in the next preceding election. In Montana the candidate only needs to file a declaration of candidacy and for state elections pay a \$50.00 fee. In Utah each political party has a preprimary convention. The two leading candidates of each convention are placed on their respective party ballots. Independents are permitted to enter the primary by collecting a petition with 300 names.

For all states the form of ballot and voting procedure is quite similar. Each ballot is divided into a section for each political party. Candidates are listed by office under each political party. The voter may choose to vote for candidates in one or the other party but not both. Most of the states have a statement on the ballot to the effect that "The elector

cannot vote for more than one party." In all states the candidate for each office from each party who receives the highest number of votes advances to the general election to represent the party. This occurs whether or not a candidate has received a majority of the votes cast for the office. In North Dakota, the name of a candidate who is a primary loser cannot be placed on the general ballot. On the other hand in Montana a loser may run as an independent.

B. Blanket Primary

Both Alaska and Washington have blanket primary systems.

In Alaska the voter can register his party affiliation in the official voter registration book, if he desires. This is voluntary. In Washington no notice of party affiliation is given during voter registration. All Alaskan candidates for state executive, state legislative and national legislative offices are nominated in a primary election. To be placed on the ballot the person must file a declaration of candidacy stating his name, address, election district, office he seeks, name of his political party, date of primary, and a statement saying that he meets all requirements for the office. Also a filing fee must be paid to the secretary of state. No nominating petition is necessary. In Washington the candidate must also file an affidavit and declaration of candidacy. On the affidavit he states in which party he seeks nomination. Also a filing fee is to be paid. The Washington and Alaska ballots are the same. All candidates regardless of party affiliation are grouped under the office that they are seeking. In partisan elections the candidate's name is followed by his party's name. The voter votes for this choice regardless of voter or candidate's party affiliation and without a declaration of political faith. Only the major political parties are allowed on the primary ballot. The candidate who receives the plurality of

votes for his party is placed on the general election ballot. The general election ballot is divided into a normal Democrat vs. Republican contest. The Alaska laws have a system that allows independents to enter the general election by filing a nominating petition. Attached is a copy of the Washington blanket primary ballot.

III. Commentary

It goes without saying that the initial observation concerning the two election open primary system is the fact that a substantial financial savings results not only to the candidates but also to the state. The state and parishes will save from having one less election to hold and subsidize. Candidates will be spared the expenditure of time and funds required in a primary runoff. Said savings is of great value because of the constant rising costs of campaigning as well as the increasing cost of conducting elections.

When open primaries are mentioned, the question of cross over voting and raiding is usually also raised. Raiding is a tightly organized effort by one party to determine the primary results of the other party. If Louisiana were to adopt an open primary raiding would be unlikely. The Republican party is not populous enough to raid and effect the outcome of a Democratic primary. The factional Democratic party is not organized enough to raid the Republican primary. The interest generated by the Democratic primary also would prevent voters from crossing over to the Republican primary. Voters normally remain in the primary which will produce the winning candidate. Cross over voting and raiding are not common occurrences in the states with open primaries.

With a Republican in the Louisiana congressional delegation and the apparent demise of the Long - anti-Long bifactionalism in the Democratic Party, one could expect the Louisiana Republican Party to grow. Regular

or blanket open primary system is not likely to retard Republican party growth. All the states with open primaries have healthy two party politics. Alaska and Washington with the blanket open primaries appear to have the more balanced political party systems. The open primary election should not be considered an enemy of the two party political system.

One of the features of the blanket open primary is the increased participation in elections that it allows independents. The independent could choose to support candidates of either party, not just one party.

IV. Constitutionality

A. 1921 Constitution of Louisiana

No section in the 1921 Constitution indicates that a voter must register his political affiliation. The form of the application contained in Article VIII, Sec. 1(c) shows no place to be used for party designation. Section 17 solely states "The Legislature shall provide for the registration of voters throughout the state." This Section would not present a problem should the state adopt an open primary system.

Article VIII, Section 4 of the 1921 Constitution states that "The Legislature shall enact laws to secure fairness in party primary elections, conventions or other methods of naming party candidates. The power of the legislature to enact open primary election laws, however, is limited by the constitutional authority of the political parties to determine voting qualification. The constitution states: "No person shall vote at any primary election or in any convention or other political assembly held for the purpose of nominating any candidate for public office. Unless he is at the time a registered voter, and have such other and additional qualifications as may be prescribed by the party of which candidates for public office are to be nominated." Thus the political party has constitutionally derived powers to limit participation in their primaries by designating that Democrats

can only vote in a Democratic primary and Republicans in a Republican primary. Therefore, it appears that a constitutional amendment would be necessary to give to the legislature the power to establish all qualifications for participation in political party primaries.

Article VIII, Sec. 15 states: "All elections by the people, except primary elections...shall be by official ballot, printed and distributed at the expense of the state; and at the head and immediately preceding the list of names of the candidates of each political party or nominating paper, a specific and separate device adopted by such political party by which the political party and the candidates of such political party or nominating paper may be indicated."

Section 15 also states that voter should be allowed to vote a straight party ticket. This Section of the Constitution refers to the procedure to be followed in placing the name of a candidate on the general election ballot and in this statement of the procedure it refers to the "second primary". Since there would no longer be under any form of open primary, a second primary, Section 15 would necessitate an amendment. Other provisions of Section 15 could conceivably need amending, particularly those providing for the placement of names on the ballot, this, of course, would depend upon the type of open primary being proposed.

B. Proposed Constitution

Article XI, Section 1 of the proposed constitution states "The legislature shall adopt an election code which shall provide for permanent registration of voters and for the conduct of all elections." This gives the legislature the power to adopt any of the open primary systems discussed above. No constitutional amendment would be needed in the event the proposed constitution is adopted on April 20, 1974.

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The Impact of the Louisiana Open Elections System Reform

By Charles D. Hadley

Election laws are used to produce desired political consequences. For example, election laws determine the number of political parties in a political system (Rae, 1971; Wildgen, 1972). Literacy tests and poll taxes, among other devices, removed blacks and poor whites from the southern electorate (Key, 1949; Rusk and Stucker, 1978), while the Voting Rights Act of 1965 and its amendments added blacks, poor whites, Hispanics, and American Indians to the electorate.

Perhaps the most significant reform to affect the functioning of political parties in the American political system was the widespread adoption of primary elections during the Progressive Era. In the short run, primary elections did create political competition—intraparty competition—in political subdivisions with one dominant political party, in the Solid South among Democrats and in the North among Republicans. The Progressive objective to undercut the power of political bosses, however, was never realized when primary elections were put into place. And, in the long run, primary elections weakened political parties by removing their monopoly over candidate nominations (Ranney, 1975; Key, 1956). More recently, the national Democratic party made a conscious effort to return the system of presidential candidate selection to the caucus/convention process; however, the new rules established for that purpose had unintended consequences—a renewed interest in and widespread adoption of primary elections (Ranney, 1974; Ranney, 1977. Cf. Crotty, 1983).

The Open Elections Law

While the national Democratic party attempted

to end presidential primary elections, the electorally dominant Louisiana Democratic party carried things one step further by eliminating the state's general election in all but name during the 1975 legislative session. Under the open elections system, which governs all elections except presidential (for which the national Democratic party requires closed primary elections), all candidates for an office face each other in a primary election. If no candidate receives a majority of the votes cast, the top two votegetters, regardless of party affiliation, if any, enter a run-off general election.¹

The open elections system was enacted despite widespread opposition from the state's major newspapers, the Republican party, prominent Democratic officials, and good-government groups such as the League of Women Voters and the Public Affairs Research Council. It was enacted through the persistent efforts of Governor Edwin W. Edwards who was elected four years earlier after three successive, hard-fought political battles—an eight-candidate Democratic primary that he led with 23.5 percent of the vote, a run-off primary that he won with 50.2 percent, and a general election won with 57.2 percent against a "fresh" Republican contender.

After its rejection by the U.S. Department of Justice following a review required by the Voting Rights Act of 1965, the open elections law was resurrected in the legislature near the close of the session by gutting a dormant bill to make the adjustments required by Justice. It was quickly signed by Governor Edwards, flown back to

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Washington, D.C., with the governor's executive counsel, and approved for implementation in the fall elections in which Edwards was running for reelection. Any Republican opponents were required to compete in the open primary election, and the general election was eliminated.

Inter-party and Intraparty Competition

An analysis of the election cycles before and after complete implementation of the open elections system reveals its impact on the state's political parties and the electoral fortunes of their candidates. Republican voter registration, while nearly tripling between 1976 and 1984 (3.7 percent versus 12.4 percent), remains far below the 30 percent figure predicted by Governor Edwards in support of the open elections law at legislative hearings. The increase, in fact, may be attributed partially to the continuation of closed primary elections required for the selection of delegates to the presidential national conventions. As well, during the 1980 and 1984 presidential election campaigns, the Louisiana Republican party made concerted voter registration efforts through telephone banks and targeted bulk mailings (with postage-paid voter registration change cards) from elected Louisiana Republican officials. At the same time, however, there has been a parallel growth in independent voter registration from 2.8 percent to 7.9 percent over the same period.

The new elections system initially worked against the Louisiana Republican party. The number of Republican candidates for the state legislature immediately was reduced to one-fifth for the Senate (17 in 1972 versus 3 in 1975) and to nearly one-fourth for the House (39 in 1972 versus 11 in 1975). The Republican party recovered somewhat, as evidenced by its increased candidacies for both the Senate (5 in 1979 and 7 in 1983) and House (17 in 1979 and 26 in 1983) in recent elections. However, candidates without partisan affiliations are beginning to seek election to both the Senate (3 in 1983) and House (4 in 1983), and one won reelection to the House of Representatives. The new elections system appears to have had little effect on the number of Republicans seeking election to the U.S. Con-

gress and on voter turnout in gubernatorial elections which respectively was 52 percent, 51 percent, and 54 percent for 1972, 1979, and 1983 (cf. Kazee, 1983).²

The new elections system has worked increasingly to the advantage of incumbents. Prior to its adoption, 1948-72, an average of 43 percent of the state Senate and 41 percent of the House incumbents were reelected. After the implementation of the open elections system, the percentage of reelected incumbent senators steadily increased from 56 to 72 and 82 over election years 1975, 1979, and 1983 as did the percentage of reelected incumbent House members (68, 74, and 76) (O'Connor, 1982: 53 for the pre-1983 figures). Incumbent Governor Edwards, moreover, handily won reelection in 1975 during the open primary phase with 62.3 percent of the vote (see Black, 1983: 603-14).

In adapting to the open elections system, the Louisiana Republican party developed a strategy to turn the apparent incumbent election security further to its advantage. After the initial election of four Republican House members in 1972, the continued Republican expansion in the state legislature came principally through the conversion of elected conservative Democrats to the Republican party. The process began in 1977 when three House members converted. An additional Republican House member was elected in 1979 and two House members, one just prior to the 1980 swearing in, converted. In 1983, Republican candidates captured two additional House seats in the newly reapportioned legislature, bringing their total to 11.³ The one Republican Senate seat was retained.

Sitting Republican state legislators and Louisiana Republican party officials became increasingly adept at courting and converting sitting Democrats. They targeted those with conservative political philosophies and those whose districts had conservative Republican voting profiles in presidential and gubernatorial elections.⁴ Furthermore, a promise was made not to run Republican candidates against them after they converted. Six additional members of the House and a senator converted to the Republican party during the 1984 presidential election campaign. Another five members of the House, in-

cluding a member of the Democratic National Committee and its former speaker under Republican Governor Treen, and a senator converted in 1985 bringing the party's totals to 22 of 105 House seats and 3 of 39 Senate seats.

With Governor Edwards constitutionally prohibited from seeking reelection,⁵ the 1979 gubernatorial election permits an assessment of Democratic party divisiveness. Among the gubernatorial candidates, all of whom were required to compete in an open primary election regardless of partisan affiliation, the Democratic field included Lieutenant Governor James E. Fitzmorris, Jr.; Secretary of State Paul J. Hardy; House Speaker E.L. "Bubba" Henry; Public Service Commissioner Louis Lambert; and State Senator Edgar "Sonny" Mouton. U.S. Congressman David C. Treen was the only Republican candidate. The top two votegetters were Republican Treen who led the primary field with 297,674 votes and Democrat Lambert who, with the backing of organized labor, ran a close second with 283,266 votes to edge out Fitzmorris by 2,506 votes. Fitzmorris alleged election fraud. When the electoral dust settled, all the losing Democrats backed Republican Treen, campaigned on his behalf, and, after Treen's narrow runoff victory (50.3 percent), received high-level appointments in his administration. In 1983, however, Treen was defeated for reelection in a basic two-candidate contest, losing to popular former Governor Edwards, who received 62.4 percent of the open primary vote.

Successful electoral efforts by Republican candidates is greater among the more minor political offices such as police jury (county commissioner) and school board. The number of Republican elected officials, including U.S. Congressmen, state legislators, district attorneys, sheriffs, police jurors, city councilmen, and school board members, increased from fewer than 50 in 1975 to 118 in 1981, 270 in 1983, and 345 in 1984, representing 8.5 percent of all officials elected in Louisiana.

Campaign Costs

The open elections system worked to the immediate advantage of Governor Edwards (and future incumbents) by refocusing the major campaign

effort and related spending from the general election—in the primary, runoff, general election series for Democrats—to the *open primary* election which could be won with a majority of the vote, thus negating the necessity and expense of a runoff general election. Republican candidates were forced to join the crowded field of Democratic contenders with varying degrees of political liberalism/conservatism. With this electoral refocus and intense competition, the 1979 Louisiana gubernatorial campaign became the most costly ever held in the United States up to that time.

The \$20.6 million spent put Louisiana far out front in all of the gubernatorial campaigns held between 1978 and 1980; the remaining top six state contests, in rank order, include California, West Virginia, New York, Texas, and Kentucky in which respectively was spent \$13.5 million, \$12.7 million, \$11.3 million, \$11.2 million, and \$9.3 million. The average gubernatorial campaign expenditure over the period was \$3.5 million which is further reduced to \$2.2 million by removing the six big spenders from the compilation. Recalculated on a cost per vote basis, however, Louisiana with \$15.03 ranks behind Alaska (\$19.35) and West Virginia (\$17.18). Per vote campaign costs for the other states were significantly less, the average being \$2.29 (Beyle, 1983: 188-90). The 1983 gubernatorial campaign was much of the same with Edwards reporting a record campaign expenditure of \$12.6 million to incumbent Governor Treen's \$6.4 million. In per vote terms, Edwards alone spent \$12.52 and Edwards/Treen together \$11.91.

Election Administration Costs

From an analysis of election administration costs over the four-year election cycles immediately preceding and following complete implementation of the new election system, election administration costs continued to rise despite the elimination of the third set of elections. The smallest amount spent by the state to administer elections prior to the new system was \$1,327,837 (1974) and the largest was \$2,317,503 (1973); the cycle average was \$1,871,284. In contrast, the lowest cost in the first cycle under the open elections system was \$1,936,472 (1980) and the highest