



BALLOT MEASURE NO. 1



RIGHT TO KEEP AND BEAR ARMS SJR 39

BALLOT LANGUAGE

This proposal would amend article I, section 19 of the state constitution. This section now reads: "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." The amendment would add this sentence to the section: "The individual right to keep and bear arms shall not be denied or infringed by the state or a political subdivision of the state."

SHOULD THIS CONSTITUTIONAL AMENDMENT BE ADOPTED?
YES
NO

VOTES CAST BY MEMBERS OF THE 18TH ALASKA LEGISLATURE ON FINAL PASSAGE

House:	36 Yeas	Senate:	16 Yeas
	3 Nays		3 Nays
	1 Absent		1 Excused

LEGISLATIVE AFFAIRS AGENCY SUMMARY

This state constitution protects the right of the people to keep and bear arms. It says that, a well-regulated militia being necessary to the state's security, the right of the people to keep and bear arms shall not be infringed.

This measure amends the state constitution by adding a specific reference to the individual right to keep and bear arms. The new language says that the individual right to keep and bear arms shall not be denied or infringed by the state or its political subdivisions.

The measure also changes the title for the section. The new title would reflect the fact that the right covers both the keeping and the bearing of arms.

FULL TEXT OF PROPOSED LAW

*Section 1. Article I, sec. 19, Constitution of the State of Alaska, is amended to read:

SECTION 19. RIGHT TO KEEP AND BEAR ARMS. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed. The individual right to keep and bear arms shall not be denied or infringed by the State or a political subdivision of the State.

*Sec. 2. The amendment proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws of the state.

STATEMENT IN SUPPORT

** YES on Ballot Measure #1 will protect each individual law-abiding citizen's right to keep and bear arms.

Attempts to deny and infringe upon the rights of law-abiding citizens who own firearms have appeared even in Alaska, and the potential for unreasonable firearms restrictions is becoming more likely, as evidenced by recent actions in Washington, D.C.

Due to the continuing attacks on the law-abiding citizen's constitutional right to keep and bear arms, it is essential to clarify the right of the individual citizen to own and use arms for traditional purposes, whether it be for hunting, recreation, personal liberty, or for the defense of self, home, family, or state.

Ballot Measure #1 was placed before the voters for final approval by

the Alaska Legislature due to the passage of Senate Joint Resolution 39 (SJR 39). The Legislature overwhelmingly approved SJR 39 in the House of Representatives by a vote of 36 yeas to 3 nays and in the Senate by a vote of 16 yeas to 3 nays. Over 86% of Alaska's elected representatives support Ballot Measure #1.

** YES on #1 will NOT overturn or invalidate state laws restricting access or possession of arms by convicted felons, mental incompetents, illegal aliens, those under the influence of drugs or alcohol, juveniles, or in school buildings. These laws are well-established and have been consistently upheld in Courts across the nation, even when considered under the toughest legal standard and under constitutional language more stringent than is proposed by Ballot Measure #1.

** YES on #1 will NOT stop or restrict public safety officials from punishing or prohibiting the possession of arms by those who misuse arms, nor does it protect criminals or delinquents who misuse arms. These individuals would be excluded from enjoyment of this right. That such persons may be excluded in a well-established principle of law and the types of misconduct are well-known and self-evident. Some examples of such misconduct include armed robbery, carrying arms while intoxicated, using arms to unlawfully harass, intimidate, or recklessly endanger another, carrying arms into school buildings, or shooting in an unsafe place or manner.

** YES on #1 does NOT include every conceivable weapon or instrument. Weapons not commonly kept by the people, such as instruments of mass destruction (bombs and rockets), are not covered by this amendment. Constitutionally protected arms include rifles, shotguns, revolvers, pistols, and knives.

** YES on #1 protects the carrying of arms. The bearing of arms concealed may be regulated by, for example, requiring a permit to carry arms concealed. However, permitting would have to be administered with the right to keep and bear arms in mind.

** YES on #1 guarantees that state laws banning the possession, sale, transfer or transportation of arms, laws requiring a license to possess or acquire arms, requiring the registration of arms or imposing special taxation on arms would not be permitted.

** YES on #1 protects your individual right to keep and bear arms as law-abiding citizens of Alaska.

STATEMENT IN OPPOSITION

The proposed wording of this constitutional amendment is fatally flawed. Vote no.

Constitutional amendments must be treated with great care. If this amendment should pass, be prepared for unannounced consequences. Passage of this amendment would undo laws currently in place. If a statute comes into conflict with the constitution, the constitution will prevail. When the proposed amendment's language is combined with our Constitution's existing privacy clause, an unintended and dangerous judicial result is almost certain, and may stand in the way of any reasonable, sensible and necessary gun restrictions in the future. Guns are not allowed on school grounds, in school lockers and felons cannot carry weapons. Our state's new concealed weapons law has many conditions limiting who can carry a concealed weapon. These laws which now protect us will be attacked in the courts if this amendment passes, and in all likelihood the laws will be thrown out.

This measure would change the Constitution in a way which will make crime prevention more difficult and allow deadly weapons in situations where they are illegal today. Supporters of this constitutional amendment say they intend that the courts will not follow the literal wording of this constitutional amendment, and instead allow current laws on bearing arms to stand. However, a court places more weight on constitutional rights than it places on state or municipal laws. This is especially true of our Alaska Supreme Court, which has taken a very strong position supporting any individual rights spelled out in the Alaska Constitution. The plain language of this proposed amendment clearly conflicts with existing, reasonable restrictions on deadly weapons.



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The experience of other states in this area is informative. For example, according to an Alaska Attorney General's opinion, in 1986 West Virginia amended its constitution with an expanded right to bear arms provision, and the backers of the measure asserted that it would not affect existing laws. However, after the amendment passed, when a drunk driver was stopped and found to be in possession of a concealed weapon without a permit, it triggered a successful court challenge to their concealed weapons law and resulted in the prohibition of law enforcement authorities from enforcing concealed weapons provisions. As another example, Oregon courts held that a statute prohibiting the mere possession of a switchblade was unconstitutional under the right to bear arms provision of the Oregon constitution.

Alaska currently has some of the least restrictive weapon laws of any state in the nation. Among these laws are ones that allow citizens to carry weapons in their home, on their property and to and from hunting trips. There is no example of our state or local government restricting any person's reasonable bearing of arms under our State Constitution. If what we have now is working, why should we change it? The amendment is unnecessary. Vote no.



BALLOT MEASURE NO. 2



RIGHTS OF VICTIMS OF CRIME CCS HJR 43

BALLOT LANGUAGE

Under article I, section 12 of the state constitution, the goals of the criminal justice system are reformation of the criminal and protection of the public. This proposed amendment would add the goals of community condemnation of the offender, rights of victims of crime, and restitution by offenders. The proposed amendment also sets out the rights of victims of crime. Those rights include the right to be treated with dignity, respect, and fairness, to get information about a case, and to take part in proceedings involving accused offenders.

SHOULD THIS CONSTITUTIONAL AMENDMENT BE ADOPTED?

YES

NO

VOTES CAST BY MEMBERS OF THE 18TH ALASKA LEGISLATURE ON FINAL PASSAGE

House:	34 Yeas	Senate:	18 Yeas
	3 Nays		2 Nays
	3 Absent		

LEGISLATIVE AFFAIRS AGENCY SUMMARY

This measure will amend the section of the state constitution that relates to bail, fines, and punishing criminals. Now, penal administration is based on two factors. Those two factors are reforming the criminal and protecting the public. If this measure were to pass, criminal administration would be based on five factors. Those five factors are protecting the public, community condemnation of the criminal, the rights of victims of crimes, restitution from the criminal, and reforming the criminal. The name of the section will also be changed. Now, the name is "Excessive Punishment." If this measure passes, the name will be "Criminal Administration."

The measure will also add a new section to the state constitution. This new part will provide that victims of crimes will have the following rights as set forth by law.

1. The victim will have the right to be reasonably protected from the person accused of the crime by the court requiring the person accused of the crime to post bail or obey conditions of release.
2. The victim will have the right to confer with the prosecution.
3. The victim will have the right to be treated with dignity, respect, and fairness during all parts of the criminal or juvenile justice process.
4. The victim will have the right to have the case disposed of in a timely manner after the arrest of the person accused of the crime.
5. The victim will have the right to obtain information about and to be present at all criminal or juvenile proceedings where the person accused of the crime has the right to be present.
6. The victim will have the right, if the victim wants, to make a statement when the person accused of the crime is sentenced, before or after the conviction or juvenile judgement, and whenever the release of the person accused of the crimes is being considered.
7. The victim will have the right to restitution from the person accused of the crime.
8. The victim will have the right to be notified if the person accused of the crime escapes or is released from custody.

FULL TEXT OF PROPOSED LAW

*Section 1. Article I, sec 12, Constitution of the State of Alaska, is amended to read:

SECTION 12. CRIMINAL ADMINISTRATION [EXCESSIVE PUNISHMENT] Excessive bail shall not be required, nor excessive

lines imposed, nor cruel and unusual punishments inflicted. Criminal [PENAL] administration shall be based [ON THE PRINCIPLE OF REFORMATION AND] upon the following: the need for protecting the public, community condemnation of the offender, the rights of victims of crimes, restitution from the offender, and the principle of reformation.

*Sec. 2. Article I, Constitution of the State of Alaska, is amended by adding a new section to read:

SECTION 24. RIGHTS OF CRIME VICTIMS. Crime victims, as defined by law, shall have the following rights as provided by law: the right to be reasonably protected from the accused through imposition of appropriated bail or conditions of release by the court; the right to confer with the prosecution; the right to be treated with dignity, respect, and fairness during all phases of the criminal and juvenile justice process; the right to timely disposition of the case following the arrest of the accused; the right to obtain information about and be allowed to be present at all criminal or juvenile proceedings where the accused has the right to be present; the right to be allowed to be heard, upon request, at sentencing, before or after conviction or juvenile adjudication, and at any proceeding where the accused's release from custody is considered; the right to restitution from the accused, and the right to be informed, upon request, of the accused's escape or release from custody before or after conviction or juvenile adjudication.

*Sec. 3. The amendments proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, sec 1, Constitution of the State of Alaska, and the election laws of the state.

STATEMENT IN SUPPORT

An individual's constitutional rights are the highest level of rights he or she possesses. If the legislature passes a law that provides a **statutory** right, this right must take a back seat to any conflicting constitutional right. This is the problem with our existing victims rights laws.

The right to a speedy trial, to confront opposition witnesses, to bail, to subpoena witnesses, the right to have appointed defense counsel and the right against cruel and unusual punishment...do these phrases sound familiar? They are the rights provided by our state's **constitution** to persons **charged** with a criminal offense.

The rights listed in this proposal such as the right to reasonable protection from an accused person, the right to confer with the prosecution, and to be treated with dignity, respect and fairness are **victims rights** and the rights of the **family** of a **victim** of a **crime**. They are though, currently only statutory rights and thereby are inferior to a criminal defendant's constitutional rights.

Your "yes" vote on this proposal will raise these Victims Rights to the same level as criminal defendant's rights by making them constitutional too. **Seems only fair.**

Additionally, your "yes" vote will change the order of and add to the constitutional mandates placed on our state's criminal system.

Currently the first listed administrative function of our Criminal (Penal) system is the "principle of reformation" and **then** the "need for protecting the public". Many people feel that this order is backwards and that additionally, courts should consider the community condemnation of the offender and the rights of the victims and their restitution while determining an appropriate sentence a convicted criminal. If you feel this way too, vote yes on this ballot measure.

The measure will not reduce the existing rights of anyone. It **will** allow the **victim** of a **crime** to be provided with the same level of consideration and protection as that received by the person who committed it.



BALLOT MEASURE NO. 2



STATEMENT IN OPPOSITION

This amendment is not necessary. Everything it claims to accomplish is already covered in law. We should not change the constitution unless there is a compelling need.

The construction of the amendment is flawed. It confuses victims' rights with those of the offender as well as setting new goals for the criminal justice system. If we are going to amend the constitution, we should do it in a clear, concise manner. Victims' rights should be in a single section devoted to that issue. This amendment would create new goals for the criminal justice system and would place them in Article I, "Declaration of Rights." A better location for these goals would be in Article IV, "The Judiciary." The focus of current Section 12 of Article I is on the rights of the offender to not be subjected to excessive punishment. As part of that right, it is specified that the terms of imprisonment should be considered with the dual aims of rehabilitation of the offender and protection of the public.

History provides no guidance as to what is meant by "condemnation of the offender" nor does this amendment. This provision might lead to an attempt to justify cruel and unusual punishment. Diluting the existing Section 12 with confusing provisions unrelated to the rights of the offender and changing the title to "Criminal Administration" eliminates any focus in the constitution on the rights of the offender.

We certainly may wish to add victims' rights to the constitution, but we should not do away with other rights in the process.



BALLOT MEASURE NO. 3



CHANGE OF CAPITAL TO WASILLA 93MCAP

BALLOT LANGUAGE

This initiative would amend state law to change the state capital from Juneau to Wasilla as of January 1, 1997.

SHOULD THIS INITIATIVE BECOME LAW?

YES

NO

LEGISLATIVE AFFAIRS AGENCY SUMMARY

Section 1 states that at the first statewide election the voters shall be asked whether the capital shall be changed to Wasilla.

Section 2 states that, if a majority of the votes are yes, Wasilla shall be the capital on January 1, 1997.

FULL TEXT OF PROPOSED LAW

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:

SECTION 1. At the first statewide election at which this initiative can be submitted to the People of Alaska, the voters shall be asked:

Shall the capital of Alaska be changed to Wasilla?

SECTION 2. If a majority of the votes cast on the question vote yes, Wasilla, Alaska shall be Alaska's capital effective January 1, 1997.

STATEMENT OF SUPPORT

This initiative, titled, "Change of Capital to Wasilla," is as simple as it sounds. It is an uncomplicated, inexpensive way to bring government closer to the people by changing the city designated as their state capital from Juneau to Wasilla.

When the capital moved from Sitka to Juneau in 1906, Juneau made the same argument that this proposition addresses. Alaska's capital should be moved closer to the people.

Wasilla is an established community, centrally located on the road system between Fairbanks and Kenai Peninsula, where nearly three-quarters of the state's population reside. It already has water and sewer, transportation, public safety and education systems in place. And the railbelt area is going to see a steadily increasing proportion of the state's population in the future.

35,000 Alaskans from all 40 election districts signed the petitions that put this initiative before the voters because, despite all the money spent on telecommunications equipment, Alaskans are far removed from their elected officials and very few can afford the cost of traveling to their capital city.

Every year, the state pays the cost of moving 57 legislators and their families plus their household goods and offices to Juneau and back. Extra per diem is paid to all but three Juneau legislators for being so far from home. Many legislators must frequently travel back to their home districts during the session, often at the state expense. In addition, inclement weather causes the Juneau airport to close with great frequency during the winter months, affecting both the functions of government and the ability of Alaskans to participate.

Alaskans need a new capital building, better able to accommodate both the legislature and the public. But, more importantly, Alaskans need a capital they can get to. The City of Wasilla has offered to build a 140,000 square

foot building, so why not move the capital now when the cost will be lower than keeping it in Juneau? This is the best opportunity that we will ever have to do so. Wasilla, surrounded by the beautiful Matanuska Valley, will be a capital that Alaskans can be proud of -- and can reach without flying great distances or driving through a foreign country to get there.

STATEMENT IN OPPOSITION

Of all the reasons to vote no on Ballot Measure #3 -- the capital move -- the most important is the complete absence of information about the proposal and its costs. Moving the capital to Wasilla would cost millions and possibly billions of dollars. The proponents of Ballot Measure #3 have not told us where this money would come from. Would they cut basic services like education, or would they reinstitute a state income tax or dip into the Permanent Fund?

I believe every Alaskan will pay dearly for a capital move because, quite simply, it's a move we can't afford. This year alone, the Legislature borrowed \$1.8 billion from the Constitutional Budget Reserve just to balance the budget and we still face an estimated deficit of \$800 million for next year.

Right now, there are billions of dollars worth of unmet needs across the state. Many rural communities lack safe drinking water and sewer systems. Urban communities must tolerate overcrowded schools and streets in need of major repairs. State trooper positions are being eliminated. Ports and harbors in most fishing communities are in need of repair or replacement. Our senior programs face painful cutbacks and our university system needs \$154 million for maintenance and repairs.

Twelve years ago, the Capital Site Planning Commission estimated that it would cost \$2,843,000,000 to move the capital. This time, no price tag is attached. Alaskans are being asked to sign a blank check and trust a few politicians to fill in the amount.

Those who want to move the capital tell us not to worry. They ask us to believe that most of the costs are limited to one building in Wasilla for the governor and Legislature. But the actual wording on the ballot seems likely to result in moving the state capital, not just one building.

By the Mat-Su Borough's own estimate, a capital move would transform Wasilla, a community of about 4,300, into a capital city of 35,000. Because Wasilla's infrastructure is approaching capacity, it would instantly need new roads, schools, water and sewer lines, additional police and fire fighters...all the big ticket items. Wasilla would have no choice but to turn to the state to pay for most of them.

Alaskans deserve to know what they would have to pay to move the capital. With anticipated layoffs and the certain continued decline in state resources, we don't need another government boondoggle with enormous cost overruns and millions in wasted resources.

By voting NO on Ballot Measure #3, you will assure that Alaska's limited financial resources are available to address the critical needs of our state. A new capital is more government than we can afford. Please join me in voting NO on Ballot Measure #3.



BALLOT MEASURE NO. 4



BANNING BALLOT LISTING - CERTAIN CONGRESSIONAL CANDIDATES 93LMIT

BALLOT LANGUAGE

This initiative would ban ballot listing for some candidates for Congress. It would apply to candidates for U.S. Senator who have, at the end of the current term, been a Senator 12 of the last 18 years. It would also apply to candidates for U.S. Representative who have, at the end of the current term, been a Representative 6 of the last 12 years. These candidates may still receive write-in votes. The ban would not take effect until 24 other states adopt similar bans or Congressional term limits. Service in Congress before then would not be counted toward the ban.

SHOULD THIS INITIATIVE BECOME LAW?

YES

NO

LEGISLATIVE AFFAIRS AGENCY SUMMARY

This ballot access measure sets limits on ballot listings of persons who are serving or have served in the United States Senate or House of Representatives.

It amends the state Election Code to say when a person's name cannot be listed as a candidate on the state ballot. A person's name could not be listed as a candidate for U.S. Representative if the person had served in that office during any six or more of the previous 12 years. A person's name could not be listed as a candidate for U.S. Senator if the person had served in that office during any 12 or more of the previous 18 years. If a person resigns from office, the time he or she would have served is counted. The law would not prevent any person from being a write-in candidate.

These limits would not take effect until at least 24 other states also approved ballot access or term limit laws.

The measure also says how the limits will apply to persons elected to these offices in the 1994 election and to persons holding these offices when the measure takes effect. Service before January 1, 1995 would not count.

FULL TEXT OF PROPOSED LAW

Section 1. TITLE. This act shall be known and may be cited as "The Alaska Congressional Ballot Access Limitation Act of 1993."

Section 2. FINDINGS AND DECLARATIONS. The people of the State of Alaska hereby find and declare as follows:

- (a) Federal officeholders who remain in office for extended periods of time become preoccupied with their own reelection and for that reason devote more effort campaigning for their office than making legislative decisions for the benefit of the people of Alaska.
- (b) Federal officeholders have become too closely aligned with the special interest groups who provide contributions and support for their reelection campaigns, give them special favors, and lobby the House of Representatives and Senate for special interest legislation, all of which create corruption or the appearance of corruption of the legislative system.
- (c) Entrenched incumbency has discouraged qualified citizens from seeking office and has led to a lack of competitiveness and a decline in robust debate on issues of importance to the people of Alaska.
- (d) Due to the appearance of corruption and the lack of competition for the legislative seats held by the entrenched incumbents, there has been a

reduction in voter participation which is counter-productive in a representative democracy

(e) The citizens of Alaska have a compelling interest in preventing corruption and the appearance of corruption by limiting the number of terms which any Senator or Representative representing the people of this state may serve.

(f) The citizens of Alaska have a compelling interest in preserving the integrity of the ballot by promoting competitive elections and limiting the influence of special interests upon entrenched incumbent legislators.

(g) The citizens of Alaska have a compelling interest in voting for the candidate or candidates of their choice, and in standing for and holding elective office, and in preventing the perpetual monopolization of elective offices by incumbents.

(h) The citizens of Alaska have a compelling interest in extending the equal protection of the laws by ensuring that more of the people of this state have an equal opportunity to stand for and hold elective office.

Section 3. PURPOSE AND INTENT. The purpose and intent in enacting this legislation is as follows:

- (a) To promote, protect, and defend the compelling interest of the citizens of this state in preventing corruption and the appearance of corruption among the federal legislative representatives of this state by limiting the number of terms in which any Senator or Representative may hold his or her office.
- (b) To promote, protect, and defend the compelling interest of the citizens of this state in preserving the integrity of the ballot by ensuring, to the greatest extent permitted by law, competitive elections without the corrupting influence of special interests upon entrenched incumbents.
- (c) To promote, protect and defend the compelling interest of the citizens of this state, guaranteed by the First Amendment of the United States Constitution, to vote for the candidates of their choice, and to stand for and hold elective office, by curtailing the effects of entrenched incumbency and freely permitting write-in candidates.
- (d) To promote, protect, and defend the rights of the citizens of this state for equal protection of the laws, guaranteed by the Fourteenth Amendment to the United States Constitution, by giving more of the citizens of this state the opportunity to stand for and hold elective office.
- (e) To ensure that when this measure does become operative, it is given the maximum retrospective effect permitted by applicable law in order to prevent the perpetuation of a professional, federal office-seeking and office-holding class.

Section 4. LIMITATION OF BALLOT ACCESS BY FEDERAL LEGISLATIVE CANDIDATES. Section 15.30.130 is hereby added to Article 2, Chapter 30 of the Alaska Election Code to read as follows:

Section 15.30.130. FEDERAL LEGISLATIVE CANDIDATES: BALLOT ACCESS. (a) Subdivisions (b) and (c) of this section shall take effect only when twenty-four (24) states, not including the state of Alaska, have enacted and have in simultaneous effect statutes, state constitutional provisions, ordinances and other enactments having the force and effect of law, the operative dates of which may be contingent upon the enactment of similar statutes, constitutional provisions, ordinances or other enactments in any number of other states, which limit either ballot access of persons seeking federal legislative office, or the number of terms or years of federal legislative office a person may hold, or both, based upon a person's length of service in federal legislative office; provided, however, that when subdivisions (b) and (c) of this section have once taken effect, the



BALLOT MEASURE NO. 4



subsequent repeal, amendment, deletion by means of a sunset provision, or judicial determination of unconstitutionality or invalidity of another state's statute, state constitutional provision, ordinance or other enactment ineffective or void, shall not effect the validity or effectiveness of subdivision (b) and (c) of this section, which shall remain in full force and effect until repealed or otherwise rendered ineffective under the law of this state.

(b) No person is eligible to place or to have his or her name placed upon the ballot for election to the United States House of Representatives if, by the end of the then-current term of office, the person will have served, or but for resignation would have served, as a member of the United States House of Representatives representing any portion or district of the State of Alaska during six or more of the previous twelve years.

(c) No person is eligible to place or to have his or her name placed upon the ballot for election to the United States Senate if, by the end of the then-current term of office, the person will have served, or but for resignation would have served, as a member of the United States Senate representing any portion or district of the State of Alaska during twelve or more of the previous eighteen years.

(d) The provisions of this section shall, to the maximum extent permitted by applicable law, be interpreted as having retrospective effect from and after the date of its enactment upon any member of the United States House of Representatives or United States Senate elected at the same election at which this measure was enacted, or at any election held thereafter; provided, however, that years of service completed during a term of office which commenced prior to the election at which this measure was enacted shall not be included in determining previous years of service for the purpose of subdivisions (b) or (c) of this section.

(e) Nothing in this section shall be construed as preventing or prohibiting the name of any qualified voter of this state from casting a ballot for any person by writing the name of that person on the ballot, or from having such a ballot counted or tabulated, nor shall any provision of this article be construed as preventing or prohibiting any person from standing or campaigning for any elective office by means of a write in campaign.

(f) Nothing in this section shall be construed as preventing or prohibiting the name of any person from appearing on the ballot at any direct primary or general election unless that person is specifically prohibited from doing so by the provision of this section and to that end any such prohibiting provisions shall be strictly construed.

(g) The members of the United States House of Representatives and United States Senate representing any district or portion of Alaska are instructed to use their best efforts to attain such a limitation on terms nationwide.

(h) This act shall take effect and be applicable to federal legislative candidates whose terms of office begin on or after January 1, 1995. Service prior to January 1, 1995 shall not be counted for the purpose of this act. In the event of conflict with (a) of this section, the provisions under (a) shall govern.

Section 5. SEVERABILITY. If any provision, subdivision, part of the subdivision, or clause of this act shall be held by a court of competent jurisdiction to be void, invalid, or unconstitutional for any reason, the remaining provisions of this act shall not be affected, and to that end the provisions of this act are severable.

STATEMENT OF SUPPORT

* FOR TERM LIMITS, VOTE YES ON BALLOT MEASURE #4

Ballot Measure #4 will place term limits on entrenched incumbents in the U.S. Congress. United States Congressmen will be limited to 3 terms (6 years) and U.S. Senators will be limited to 2 terms (12 years).

* YES on #4 is a vote for positive legislative reform. Term limits will put Alaskans back in charge of their government and will guarantee a continual influx of new people and new ideas.

* YES on #4 will provide the first and best step Alaskans can take to restore the U.S. Congress to the Citizen Legislature the Founding Fathers intended when they created a government of the people, placing a premium on public service, integrity, merit, and ability -- NOT on seniority, special interests, campaign war chests, and incumbency.

* YES on #4 will give Alaskans more choices at the ballot box and better representation in Washington, D.C. By breaking down the walls of incumbency, term limits opens the door to challengers from all walks of life and establishes a more level playing field for all Alaskans interested in public service.

* YES on #4 does NOT limit Alaska's congressional delegation until a minimum of 24 other states have also limited the terms of their congressional delegations (15 states have adopted term limits and 9 states in addition to Alaska, are in the process of adopting term limits). California, Oregon, Washington, Florida, Wyoming and many other states have already adopted voter approved term limits for their congressional delegations.

* YES on #4 will NOT toss out our current congressional delegation. Ballot Measure #4 is NOT retroactive. Only after a minimum of 24 other states adopt term limits will the Alaska law take effect, and even then, the term limit clock does not begin until the next election of our U.S. Congressman and two U.S. Senators.

* YES on #4 means that, at the earliest, Don Young could be limited in the year 2002, Ted Stevens in 2008 and Frank Murkowski in 2010.

* YES on #4 will not weaken Alaska's power or influence in Congress because term limits do not take effect until 24 other states have limited their congressional delegations.

* YES on Ballot Measure #4 is a positive vote for real change and better government. It is time to place term limits on entrenched, long term congressional incumbents and return the U.S. Congress to the people.

* VOTE YES ON BALLOT MEASURE #4

STATEMENT OF OPPOSITION

Alaska has a very effective means of limiting the terms of any candidate, it is called the election process. If the majority of Alaskans wish to limit the terms of a federal candidate they only have to vote for his or her opponent.

Alaska is one of the smallest states in population in the union, the only means it currently has of having any political clout in the U.S. House of Representatives is through seniority. This is true of all states with a small population. A federal term limit in the House would result in control going to those states with large populations, none of which have anything in common with Alaska. The current Speaker of the House comes from the State of Washington. Under term limits, no major positions would go to a state with a small population. It is very simple, this ballot measure would place all the political clout in the U.S. House of Representatives in those large eastern states that have nothing in common with Alaska or any of the other lessor populated western states. Alaska cannot afford to give up another legislative term.

A no vote on Ballot Measure No. 4 at least gives us a fighting chance in Congress. A yes vote will guarantee Alaska's lockstep.



BALLOT MEASURE NO. 5



RIGHT TO KNOW, VOTE - MOVE COSTS 93COST

This initiative would require that before the state can spend money to move the capital or legislature, the voters must know the total costs, and approve a bond issue for all bondable costs of the move for the 12 year period after approval. A commission would determine both bondable and total costs of the move. Bondable and total costs would include moving personnel and offices, and social, economic and environmental costs to the present and new sites. These costs would also include costs to plan, build, furnish, use and finance facilities at least equal to those provided by the present capital.

SHOULD THIS INITIATIVE BECOME LAW?
YES
NO

LEGISLATIVE AFFAIRS AGENCY SUMMARY

The stated purpose is to guarantee to the people their right to know and to approve in advance all costs of moving the capital or the legislature. The stated purpose is to provide all data on costs to the state of the move, so that an informed decision may be made.

The state may spend money to move the capital or the legislature only after a bond issue is approved by the voters. It includes all bondable costs to the state of the relocation of a functional state legislature or capital over a twelve-year period. A commission determines the costs required by initiatives or laws to move the capital or legislature. These include costs of moving workers and offices, the social, economic, and environmental costs to the present and new sites. They also include the costs to the state of planning, building, furnishing, using, and financing facilities at least equal to those of the present capital.

The commission would be appointed by the governor and confirmed by the legislature. It would have nine members. It would have a chairperson and two members from each judicial district. It would determine the costs required by initiatives or laws to move any present functions of state government.

FULL TEXT OF PROPOSED LAW

BE ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:

Section 1. Purpose. The purpose of this initiative is to guarantee to the people their right to know and to approve in advance all costs of relocating the capital or the legislature; to insure that the people will have an opportunity to make an informed and objective decision on relocating the capital or legislature with all pertinent data concerning the costs to the State; and to insure that the costs of relocating the capital or the legislature will not be incurred by the State without the approval of the electorate.

Section 2. Relocation Expenditures. State money may be expended to relocate physically the capital or the legislature from the present location only after a majority of those voting in a statewide election have approved a bond issue that includes all bondable costs to the State of the relocation of a functional state legislature or capital to the new site over the twelve-year period following such approval. The commission established in Sec. 3 shall determine all bondable costs and total costs including, but not limited to, the costs of moving personnel and offices to the relocation site; the social, economic and environmental costs to the present and relocating sites; and, the cost to the State of planning, building, furnishing, using and financing facilities at least equal to those provided by the present capital city.

Section 3. Commission. The Legislature shall establish a commission composed of nine members, including a chairperson and two persons from each judicial district, appointed by the Governor and confirmed by the Legislature, to determine the costs required by initiatives or legislative enactments authorizing relocation of any of the present functions of state

government

STATEMENT OF SUPPORT

Ballot Measure No. 5 provides voters the right to know and the right to vote on costs of moving the capital before any funds are spent on the move. It requires that voters approve or disapprove a bond issue covering all bondable costs that would be incurred during the first 12 years after the move begins.

The measure was developed by the FRANK (Fiscally Responsible Alaskans Needing Knowledge) Committee. The FRANK Committee was organized in Fairbanks by a group of Alaskans who believe that Alaska voters should have the opportunity to approve or disapprove a bond issue that includes all bondable costs before money can be spent to move the capital. Over 36,000 Alaska voters thought Ballot Measure No. 5 important enough to sign petitions to put it on the ballot.

Ballot Measure No. 5 would require the governor to appoint a commission of nine people representing all areas of Alaska to determine the full costs and the bondable costs of any proposal to move the capital or the legislature. Once these costs are determined, the Legislature would be required to place the bondable costs on the ballot for voter approval. Money to pay for a move can be spent only after a majority of Alaska voters vote to approve the bondable costs.

The FRANK Committee and Ballot Measure No. 5 are not new. In 1978, Alaska voters adopted the original FRANK initiative. The governor appointed a commission to determine full and bondable costs. The commission determined the bondable costs of moving the capital to be \$2.8 billion. In 1982, a proposition to approve \$2.8 billion in bondable costs was defeated. The 1974 capital move initiative and the original FRANK initiative were repealed at the same time.

The FRANK Committee considers that the right to know the full costs of moving the capital or the legislature is just as important today as it was in 1978 and 1982. The state's financial circumstances have changed greatly. The impact of spending million or billions of dollars to move the capital or the legislature is probably very much greater in 1994 than it was in 1982 when billions of dollars were flowing in to the state treasury. Alaska now receives less than one-half of the revenue received in 1982. The FRANK Committee wants voters to have a choice in how our shrinking revenues may be spent and to decide whether or not moving the capital or the legislature is a fiscal priority.

Moving the capital or legislature will require a commitment of funds and energy. Once the work is begun, it must be completed. Ballot Measure No. 5 is intended to make sure that a clear plan is developed and enough money will be available to do a proper job.

The FRANK Committee urges you to read Ballot Measure No. 5. The Committee urges you to insist on your "right to know and right to vote."

Vote YES on Ballot Measure No. 5

STATEMENT IN OPPOSITION

This initiative, Ballot Measure #5, is based on a false impression of Ballot Measure #3, to change the capital to Wasilla. As written this initiative is a poorly disguised attempt to prevent bringing state government closer to the people by artificially inflating costs.

While it is certainly valid to be concerned about costs surrounding a capital move, this initiative as it is presently written is designed to include unnecessary costs that would never be incurred and do not make sense. For example, the costs to plan, build, furnish, use and finance facilities at least equal to those currently provided in the present capital city would have to be included. It makes no sense to include the cost of building,



BALLOT MEASURE NO. 5



furnishing, using and financing facilities which are already in place in Wasilla.

Only those functions of government crucial to the workings of the legislature will need to relocate to Wasilla. Wasilla's proximity to Anchorage makes it possible to eliminate the necessity of relocating many state offices to the new capital city. Juneau would continue to function as the regional center of government for Southeast Alaska.

We don't need this initiative; the reasons are simple. Wasilla as a designated capital already has the necessary infrastructure in place. All we need is one building to house the seat of government. The City of Wasilla is willing to build that building on available state land within city limits, and lease it to the state. Any additional necessary office space could and would be built by private industry. Common sense would tell us that we will save money in the long run.