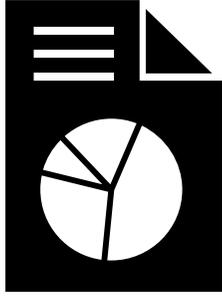




**ALASKA FAMILY ACTION'S  
VALUES VOTER GUIDE  
TO YOUR NOVEMBER 6TH, 2012 GENERAL ELECTION BALLOT**







# CANDIDATE SURVEY STATE LEGISLATURE 2012 ELECTION

## 1) LEGAL STATUS OF ABORTION

Please indicate which of the following statements most closely reflects your belief as to when the law should permit and/or prohibit abortion:

1. Abortion should be legal for any reason, at any time during a pregnancy.
2. Abortion should be legal for any reason, but not after the first six months of pregnancy.
3. Abortion should be legal for any reason, but not after the first three months of pregnancy.
4. Abortion should be illegal except when necessary to save the life of the mother, or when the pregnancy is a result of rape or incest.
5. Abortion should be illegal except when necessary to save the life of the mother.
6. Abortion should be illegal in all circumstances.
7. Other (please explain): \_\_\_\_\_

## 2) DENALI KIDCARE – ABORTION FUNDING

Would you vote to oppose additional funding for Denali KidCare due to the program’s funding of abortion?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

In 2010, Governor Sean Parnell vetoed a \$2.9 million appropriation to expand the Denali KidCare program. The Governor stated that he vetoed the additional money because Denali KidCare has used public funds to pay for abortions. In addition, the Legislature rejected attempts to expand the Denali KidCare program in 2011 and 2012.

The Denali KidCare program paid for 618 persons to receive “abortion-related services” in 2010. The Bureau of Vital Statistics reported a total of 1,715 abortions occurred in Alaska that same year, meaning that a significant percentage of all abortions statewide – more than 1/3 – were paid for through Denali KidCare.

## 3) POLICY CONCERNING “MEDICALLY NECESSARY” ABORTIONS

Would you vote to support legislation establishing objective medical criteria for determining what is a “medically necessary” abortion, and further stipulating that any application for state funding of a medically necessary abortion requires a physician performing the abortion to certify the pregnancy meets the established criteria, and that the application will be reviewed for accuracy by independent medical advisors with the Department of Health and Social Services before state reimbursement of the abortion is approved?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

In 2001, the Alaska Supreme Court ruled that the Legislature could not refuse to pay for “medically necessary” abortions for poor women. In the same decision, however, the court said their ruling “does not concern State payment for elective abortions.” Elective abortions are generally defined as abortions that are performed voluntarily at the request of the mother for reasons unrelated to concerns for maternal health. However, the state has no criteria, either in statute or regulation, for distinguishing between a “medically necessary” abortion and an “elective” abortion. The person who makes the judgment now for what is medically necessary is the doctor who stands to profit from receiving a state reimbursement for performing the procedure.

## 4) GOVERNMENT FUNDING OF PLANNED PARENTHOOD

Would you vote to oppose any allocations of government funds to Planned Parenthood, as well as other groups that either perform or pay for abortions?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

Planned Parenthood’s most recent annual report states that on a national basis the organization performed 329,455 abortions over a 12-month period, making it the single largest abortion provider in the U.S. By comparison, during the same year the organization made only 841 referrals for adoption, which equates to a ratio of 391 abortions performed for every one woman who was assisted in placing her child for adoption. Planned Parenthood reported receiving \$487 million in funds from various government sources, or about 46 percent of its annual budget of about \$1.05 billion. In Alaska, Planned Parenthood operates abortion clinics in Anchorage, Fairbanks, and Juneau.

In 2011 and 2012, the legislatures of seven states voted to eliminate funding for Planned Parenthood: Texas, Indiana, Kansas, North Carolina, Tennessee, Wisconsin, and Arizona. In addition, several other states have eliminated funding for Planned Parenthood as a result of actions by the executive branch. These funding cuts have been motivated by several factors, including the organization's zealous opposition to even the most common sense regulations over abortion, such as requirements that parents be notified before an abortion is performed on their minor daughter.

In addition, a subcommittee of the U.S. House Energy and Commerce Committee has launched an investigation of Planned Parenthood. Rep. Cliff Stearns (R-FL), Chairman of the Subcommittee on Oversight & Investigations, stated "This oversight is necessary because of [Planned Parenthood's] record of fraud discovered through state Medicaid audits and its other abuses and illegal activities, such as ignoring state reporting requirements for sexual abuse."

## 5) ABORTION AND THE ALASKA STATE CONSTITUTION

Would you vote to support a constitutional amendment that would clarify that Alaska's state constitution does not provide a more liberal or expansive right to abortion than what is provided for in the federal constitution, as interpreted by the U.S. Supreme Court?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

In the 1997 Valley Hospital decision, the Alaska Supreme Court stated as follows: "...the right to an abortion is the kind of fundamental right and privilege encompassed within the intention and spirit of Alaska's constitutional language." (continued, next page)

The court reached this conclusion despite the fact that (a) the word "abortion" is nowhere mentioned in the state constitution and, (b) nothing in the history of the Alaska Constitutional Convention (or any subsequent amendments adopted by the people) provides any evidence that the framers of the constitution intended to create a legal right to abortion.

This manufactured "right to abortion" in the state constitution has been interpreted by the state Supreme Court as being far more liberal in scope than the federal abortion policy set out in U.S. Supreme Court decisions such as Roe vs. Wade (1973) and Planned Parenthood vs. Casey (1992). As a consequence, Alaska courts have struck down many laws that are permissible under Roe and Casey – such as requirements for parental consent before a minor's abortion, and restricting public funding of abortion.

Alaska Family Action supports a state constitutional amendment that would make it clear that nothing in the state constitution may be interpreted or construed to create any abortion-related rights beyond what is required under the U.S. constitution, as interpreted by the U.S. Supreme Court. Such an amendment would permit the Legislature, and also the people acting directly through the initiative process, to establish whatever abortion policy they deem appropriate for Alaska, provided it is consistent with the U.S. constitution.

## 6) PROTECTION OF ALASKA'S MARRIAGE AMENDMENT

Would you vote to oppose any attempt to repeal or weaken Article 1, Section 25 of the Alaska Constitution, which states: "To be valid or recognized in this State, a marriage may exist only between one man and one woman."

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

In 1998, Alaska became the first state in the nation to pass a constitutional amendment that specifically defines marriage as the union of one man and one woman, thereby precluding other unions, such as polygamy or same-gender relationships, from being recognized or defined as "marriage" under state law. Since that time, 30 other states have passed similar amendments. The Alaska constitutional amendment was approved by 68 percent of voters. However, various homosexual activist groups have worked to undermine state marriage protection amendments, whether through legal challenges or legislative action. For example, the leader of the National Gay and Lesbian Task Force has described marriage amendments similar to Alaska's as "cruel," "morally wrong," "unjust," and a "travesty." In California, homosexual activists filed a lawsuit in federal court challenging the marriage protection amendment adopted by voters in 2008. Many observers expect the U.S. Supreme Court will eventually take up the California litigation.

Alaska Family Action believes that marriage between a man and a woman is the fundamental building block of society and culture, and that it deserves its status as a privileged institution in public policy because of the unique benefits it confers on civilization. Homosexual activists seek to redefine marriage for everyone, by changing it to a "genderless" institution of any two people. Their stated goal is to make this gender-free construction of marriage the only legally recognized definition of marriage throughout the U.S. Once this change is made, there will no longer be any rational basis under the law for limiting the marriage union to only two persons, as opposed to polygamous relationships of three or more persons.

This radical change in the definition of marriage will lead to a host of societal conflicts that government - exercising its enormous enforcement powers - will have to resolve. Citizens, small businesses and religious organizations whose own beliefs, traditions, morals or ethnic upbringing are at odds with the new definition of marriage will find themselves subjected to legal consequences if they do not submit to the new legal orthodoxy.

## 7) EMPLOYMENT BENEFITS FOR SAME-SEX PARTNERS OF PUBLIC EMPLOYEES

Would you vote to support placing a constitutional amendment on the ballot that would let voters decide if taxpayer-funded employment benefits should be reserved for the spouses of married public employees, and not extended to the same-sex partners of public employees and retirees?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

## BACKGROUND

In 1996 the Alaska Legislature enacted Senate Bill 308, a DOMA bill ("Defense of Marriage Act") that clarified that marriage is a union only of one man and one woman. In addition, SB 308 stated as follows: "A same-sex relationship may not be recognized by the state as being entitled to the benefits of marriage." (AS 25.05.013(b)). SB 308 passed both houses of the legislature with strong, bi-partisan, and veto-proof majorities. It became law during the administration of Democratic Governor Tony Knowles. Two years later, the voters further cemented the legal understanding of marriage when they overwhelmingly approved a state constitutional amendment defining marriage as a union of one man and one woman.

In 2005 the Alaska Supreme Court declared that, despite both the statute and the constitutional amendment protecting marriage, the same-sex "partners" of public employees were required to be treated the same as spouses of married employees in terms of eligibility for taxpayer-funded employment benefits (e.g., participation in retirement plans, health insurance, etc). In response, the Alaska Legislature passed a measure calling for an advisory vote in a special election on April 3, 2007. The question before voters was: "Shall the legislature adopt a proposed amendment to the state constitution to be considered at the 2008 general election that would prohibit the state, or a municipality or other subdivision of the state, from providing employment benefits to the same-sex partners of public employees and to same-sex partners of public employee retirees?"

Alaska Family Action initiated an extensive public education campaign leading up to the advisory vote, in which a majority of voters (nearly 53 percent) indicated they wished to vote on the proposed constitutional amendment. Despite this fact the legislature has not yet acted to place the proposed amendment before voters.

## 8) STATE CIVIL RIGHTS LAW WITH RESPECT TO "SEXUAL ORIENTATION" AND "GENDER IDENTITY"

Will you vote to oppose legislation such as HB 165 that would amend Alaska's civil rights law to create special protected classes based on sexual orientation and/or gender identity?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

Existing civil rights law in Alaska (AS 18.80.210) prohibits discrimination based on immutable characteristics (such as race, color, sex), or features that are clearly defined and objective (such as marital status, pregnancy, physical or mental disability, national origin), and religion (protected by the first clause of the First Amendment of the U.S. Constitution). But HB 165, introduced in 2011 by Rep. Beth Kerttula (D-Juneau) would add classes based on "sexual orientation," which the legislation defines as including: "homosexuality, bisexuality, and gender expression or identity." However, these concepts involve behavior, emotions, and self-perceptions that are not clearly defined, and oftentimes change. The laws that protect us should be clear and not constantly moving targets that can mean different things to different people.

A proposal similar to HB 165, Proposition 5, was placed on the ballot of the April 3, 2012 local election in Anchorage and was defeated when 57 percent of voters rejected the measure. This occurred despite the fact that supporters of Prop. 5 outspent opponents by a ratio of 4 to 1.

Alaska Family Action opposes legislation such as HB 165 and Proposition 5 because it elevates the ideological agenda of a few over the freedoms of all. When other states and localities have adopted similar laws, the predictable result has been discrimination against business owners, landlords, and other individuals who hold traditional views about sexual behavior and gender, because they are prohibited from operating their businesses in a way that is consistent with their beliefs.

For example, a wedding photographer in New Mexico was found guilty of violating the state's ban on "sexual orientation" discrimination after she politely declined to take pictures at a homosexual "commitment ceremony" because it conflicted with her Christian beliefs. The homosexual couple had no problem finding another photographer willing to photograph their event, but nevertheless filed a complaint against the photographer who declined, as a means of punishing her for operating her business in a manner consistent with her deeply held beliefs. In May of 2012, the New Mexico Court of Appeals upheld a lower court's judgment in the case, and ordered the photographer to pay the homosexual couple \$6,637 in attorney's fees.

## 9) PARENTAL CHOICE IN EDUCATION

Would you support legislation such as HB 145, to create a "parental choice scholarship program" that would empower parents to choose the best school for their children, whether public or private?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

Across the U.S., there are 34 private school choice programs at either the state or municipal level that provide parents increased options for educating their children at the K-12 level. States such as Arizona and Florida, and cities such as Milwaukee and the District of Columbia, use vouchers, tax credits, and/or "opportunity scholarships" to help promote school choice. In 2012, HB 145 was introduced in the Alaska Legislature by Rep. Wes Keller (R-Wasilla) to create a parental choice scholarship program for K-12 education. It would allow parents to choose the best possible education setting for their child, whether that setting is a public, private, or correspondence school.

Studies have shown that school choice programs increase graduation rates, improve educational performance, and provide a quality education for a lower cost on a per-pupil basis than public education. The programs also promote fairness for parents who are essentially "paying twice" for their child's education. Parents who currently send their children to non-government schools save the taxpayers' money because those children are not making demands on the public education system. Nevertheless, those same parents are still paying taxes to support the public

schools that their children do not attend. School choice programs have seen significant growth in recent years. According to the Friedman Foundation for Educational Choice, the number of students participating increased from 106,000 in 2005 to 212,000 in 2012.

## 10) FUNDING OF EDUCATIONAL INSTITUTIONS

Would you support legislation such as HJR 16, which would place before voters a constitutional amendment removing the current prohibition on allocating government funds to private educational institutions?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

Every year the Legislature approves multi-billion dollar operating and capital budgets. In addition to funding state agency budgets and public works projects, the budgets include numerous grants to private, non-governmental organizations that carry out work in diverse areas, such as health care, provision of social services, arts and cultural resources, veterans services, and youth athletics, just to name a few.

Although each of these grants must be judged individually on its own merits, these allocations often make sense because a small, private, non-governmental entity can provide services that are in the public interest with greater efficiency and for less cost than a government bureaucracy.

Unfortunately, the state constitution contains a provision that guarantees a bureaucratic monopoly in one area: education. Article VII, Section 1, which authorizes the creation of a public school system, also includes the following sentence: "No money shall be paid from public funds for the direct benefit of any religious or other private educational institution."

Alaska Family Action believes there is an obvious governmental interest in promoting an educated populace – but that interest is not well-served by a legal regime that makes all private educational institutions ineligible to compete on the merits for public funds. There is no valid reason why private institutions (both secular and faith-based) are currently allowed to receive government grants for such things as providing health care and social services and even athletic programs, yet education is declared to be off limits. Many types of school choice programs could be deemed unconstitutional under the current wording of Article VII, Section 1. House Joint Resolution 16, introduced in 2011 by Rep. Wes Keller (R-Wasilla) would allow voters to decide if this provision of the constitution should be removed or retained.

## 11) CHILDREN'S ACCESS TO PORNOGRAPHY

Would you support legislation similar to HB 353 (25th Alaska Legislature) that would require libraries receiving state funds to install Internet filters on public computers?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

The federal Children's Internet Protection Act, or CIPA, requires schools and libraries to place Internet filters on computers as a condition of receiving federal funds. However, state-funded libraries in Alaska that do not receive federal funds are currently not required to have Internet filters on their public computers. Pedophiles, pornography distributors and other groups routinely use marketing strategies to attract children. According to one report, 20-30 percent of Internet pornography consumption is by children aged 12-17.

A bill was introduced in the Alaska Legislature in 2008 (HB 353) that would require all statefunded libraries to adhere to CIPA requirements and utilize filtering devices or software to prevent children from accessing obscene materials, as a condition of receiving state funds. Library staff would be permitted to turn off the filters when requested by patrons over the age of 18.

## 12) JUDICIAL SELECTION PROCESS

Would you vote to support a state constitutional amendment that would allow the Governor the same leeway for appointing state judges as the U.S. President has for appointing federal judges, i.e., the Governor could nominate any candidate of his or her choosing for a judicial vacancy, and such nominee would have to be confirmed by the Alaska Senate?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNDECIDED \_\_\_\_\_

### BACKGROUND

Alaska's constitution provides that the Governor shall appoint a qualified nominee to fill judicial vacancies. However, the Governor's choices are extremely limited: he or she may choose only from a list of names that are submitted by the "Alaska Judicial Council," a seven-member body that is dominated by attorneys. In the past, the Council has refused to nominate many qualified applicants, thus artificially narrowing the Governor's options for appointing judges & justices. For example, in early 2012 there were 12 applicants to fill a vacancy on the Alaska Supreme Court following Justice Morgan Christen's appointment to the 9th Circuit Court of Appeals. It was a distinguished pool of applicants, including one current judge on the state Court of Appeals, three Superior Court judges, and 2 Administrative Law Judges, as well as several talented attorneys in private practice. Yet despite this well-qualified pool of applicants, the Judicial Council voted to send only two names to the Governor – the bare minimum allowed by the Constitution. Not one of the applicants with prior judicial experience was included among the names that were sent to the Governor. Alaska Family Action does not believe that the public interest is served when the Governor's choices for filling judicial vacancies are so arbitrarily narrowed by the Council.



# CANDIDATE SURVEY COMMENTS

Note: Numbers before each comment correspond with the survey question the candidate is responding to.

## BOB BELL

- 3) Only if "Medically Necessary" means the abortion is necessary because both the mother & child would not survive otherwise.
- 12) I am concerned by the current process, but I am not sure giving the governor the ability to affect the court without some balance.

### END COMMENTS

Please note that I have answered these questions based on my personal values. You should not interpret these answers to be pledges, as to how I vote to represent the people of West Anchorage.

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## MIA COSTELLO

**Note** - Costello crossed out "vote to" on all the questions that applied.

- 10) I voted in support of HJR16 when it came before the House Finance Committee on March 23rd 2012.

### END COMMENTS

The Ethics Committee has said candidates should not promise a vote so I have indicated my views instead of promising my vote. I was a sponsor of the 2010 ballot initiative that required parental notification before a minor can be given an abortion. I was given up for adoption at birth and am grateful that my natural mother chose life when she was faced with an unwanted pregnancy.

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## ALAN DICK

- 1) I have a real hard time with this one. For believers I would say "Trust the Lord." No problem. For non-believers if there are other children and if it is either/or mother/child that is a hard one to force on them.
  - 3) But understand- I oppose abortion- but as Federal Law allows it - it is better if Alaska clearly defines medically necessary rather than leave it up to doctor discretion.
  - 9) I voted "Do Pass" out of my committee.
- 

## ANAND DUBEY

### END COMMENTS

I believe in a small government and hence need to think clearly and not endorse actions that produce more agencies and enforcements. Government uses well intentioned laws to take liberty away from people. I am undecided on questions 3, 8, and 12 for this reason.

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## CRIS EICHENLAUB JR.

- 1) The state should not have a role in the doctor-patient relationship.
- 

## LYNN GATTIS

- 11) The filters need to right though.

## CATHY GIESSEL

- 1) The fact is: abortion is legal. My goal (and work on the CPC board and as volunteer over the years) has been to help women choose life.
- 9) I was cosponsor of Senate version.

### COMMENT BY GIESSEL

The Ethics Committee has put out a statement, vague as it is, that says I cannot promise a vote, so I am indicating my views without promising my vote

**Note** - Giessel crossed out "vote to" in each question that applied.

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## DON HADLEY

- 1) I believe that abortion is morally wrong.
  - 7) Yes, although I do not personally support gay marriage. It is not recognized in the State Constitution, but I do think the citizens of the State of Alaska should be allowed to vote. I don't see any other way a solution to this question can be determined.
  - 10) Yes, I support the right of the people to change the State Constitution to support private and/or religious schools if they so choose.
  - 12) Yes, the present system does not seem to be providing the number or diversity of candidates.
- 

## PETE KELLY

- 3) Yes, but I think this needs to be well thought out. I was involved with a bill like this when I was in the Legislature. The courts will find a way around it and the department can't be trusted.
- 

## GABRIELLE LEDOUX

### END COMMENTS

9&10 I have many school teachers in my family, including my daughter. I believe that both public & private schools are important and I would do nothing to harm public education. As I have not considered this issue when I was in the legislature previously, I will, as always, listen to all stakeholders, including Alaska Family Council, before making any decision.

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## DOUG ISAACSON

- 9) While I support a scholarship program in concept, I don't have enough information, nor have I spoken with private schools. One immediate concern I have is on the impact to the schools' choice of curriculum if they accept state or federal funding.
- 

## KEVIN MEYER

### END COMMENTS

I recently sponsored SB-16 and it was passed into a law as HB-19- which allowed people to purchase "Choose Life" license plates.

---

## LORA REINBOLD

### END COMMENTS

I have been a conservative my entire life. I have worked extremely hard on "Yes on Prop 2"- the sticker is still on my car for the battle is NOT over. I was in the court room in 2007 "pro-life testifying" so justice Fabe would not strip parents of their parental rights. I work alongside many others on Prop 2- I am grateful we were successful. I worked tirelessly and publicly against Prop 5. In 2 community councils: SFCC and ER Valley Community Council I took a strong public stance against this proposition. Even in their own community council my opponents did not get in the middle of the fight to oppose a resolution for gay rights. One of my opponents says he asked a question which is MUCH different than opposing and holding a tough public stance against this resolution. I also attended Chugach Foothills CC and tried to help overturn a resolution supporting gay rights. In addition I spoke against Prop 5 in my church and at the district 26 convention (my opponents did not). I posted on Facebook my opposition and helped recruit nearly 20 picketers for 2 days. I am the only candidate who is a bold conservative leader in district 26!

## **CEAN STEVEN**

- 5)** I'm not sure what the ramifications of amending the state constitution would be.
  - 11)** Internet filters can and would be used to filter any number of groups or beliefs, such as Christianity, as is done in China and other authoritative countries.
- 

## **BOB ROSES**

- 4)** Yes, except those identified as medically necessary as outlined in question #3.
  - 8)** It must be written correctly with no hidden agenda clauses in the bill.
  - 9)** Would not vote for this until the voters decide on a constitutional amendment. Don't pass funding until after constitution amendment vote.
  - 10)** Voters have the right to determine the direction they want their government to take. The voters should decide.
- 

## **TAMMIE WILSON**

- 2)** I would oppose state and federal funding for abortion, but would not penalize children who need medical assistance.
- 3)** If we want to control who is eligible we need to stop taking federal funds, then we can write our own rules.





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The AFA, an independent 501(c)(4) organization is the legislative, lobbying arm of the Alaska Family Council.

#### **YOUR VALUES HAVE A VOICE**

##### **IN JUNEAU**

- Advocate for pro-family issues in the State Legislature
- Strategize with elected officials to advance pro-family public policy
- Testify at legislative committee hearings
- Monitor and report on the judicial branch of government

##### **IN YOUR COMMUNITY**

- Present pro-family perspective in the news media
- Produce and distribute non-partisan Voter Guides and Report Cards
- Host nationally renowned speakers on cultural and political issues
- Advocate for pro-family policies in city and borough governments

##### **HOW CAN I HELP?**

- Distribute voter guides to your friends and family.  
Visit: <http://www.akvoterguide.com/>
- Make a financial contribution to support our efforts:  
<http://www.alaskafamilycouncil.org/>

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