

Testimony of Alaska Senator Mark Begich

**Joint Hearing of the Senate Judiciary Constitution Subcommittee
And the House Judiciary Subcommittee on the Constitution,
Civil Rights and Civil Liberties
on Constitutional Amendments Regarding Senate Vacancies
10 a.m.; March 11, 2009; Hart 216**

Chairman Feingold, Chairman Conyers and members of the committees, thank you for the opportunity to testify today. I am Senator Mark Begich, the newly elected senator from Alaska.

I am honored to be an original co-sponsor of Senate Joint Resolution 7, along with Senator McCain. When Senator Feingold proposed a constitutional amendment requiring that states hold special elections to fill Senate vacancies, I believe I was the first to agree to co-sponsor.

I did so for two reasons. The first is that my constituents feel very strongly about this issue. Just five years ago, they voted overwhelmingly to require a special election in the case of a vacancy in Alaska's U.S. Senate seats. That vote, in response to a citizen-run initiative, was nearly 56 percent in favor.

That's a huge margin in my state, which is famous for close elections. When I was first elected mayor of Anchorage in 2003, my margin of victory was 18 votes over the threshold necessary to avoid a run-off. And I won this Senate seat by a little over 1 percent out of the more than 327,000 votes cast. They don't call me Landslide Begich for nothing.

The second reason I support this amendment is a more personal one. Some members of these subcommittees may know that my father was a member of the United States House of Representatives in Alaska's at-large seat. In October 1972, Congressman Nick Begich was campaigning for re-election to his second term in the House.

His small Cessna 310 left Anchorage on a stormy night bound for our state capital of Juneau. It never arrived.

Also lost were House Majority Leader Hale Boggs of Louisiana, who was campaigning with my father, my father's aide and the pilot. I was 10 years old, left with my mother and five brothers and sisters.

Besides the terrible loss for our family, I recall this tragedy today for what happened next. As the largest aviation search in Alaska's history up to that time continued, the already scheduled state general election was held about three weeks later.

Despite his disappearance, Congressman Begich was re-elected with better than 56 percent of the vote. A margin, by the way, that I've never achieved in the many times I've stood before Anchorage and Alaska voters.

In late December, my father was officially declared deceased and a special election was set for March 1973. The two political parties nominated candidates, an abbreviated campaign took place and Don Young was elected Alaska's sole United States congressman, a seat he has held ever since.

Throughout this ordeal, Alaskans were officially without representation in the House of Representatives. But my recollection – and my review of news reports from that era – show no outcry for the appointment of a new congressman.

Alaskans then - like Alaskans now - feel strongly that their elected representatives in the federal government should be exactly that – elected. The residents of my state believe that they alone have the power to select those who represent them in the United States House and Senate.

I know a number of arguments will be advanced in opposition to this proposed amendment to our constitution: that a special election costs too much or that a state's citizens will be disenfranchised during a vacancy.

When balancing the relatively modest cost of a special election against one of the most fundamental principles of our democracy – the election of representatives of the people - I believe the expense is certainly justified.

And as recent examples have shown us with drawn-out and controversial appointment scenarios, I believe the time required to mount a special election is far preferable to a gubernatorial selection.

Mr. Chairman, to me and my constituents, this issue is a simple one: United States senators should be elected by the voters of their states.

Thank you for the opportunity to testify in favor of this important proposed amendment to our constitution.