

State of Alaska

Division of Elections

INITIATIVE PETITION APPLICATION INFORMATION

The initiative procedures appear in AS 15.45.010 – 15.45.245 and 6 AAC 25.245. The following information summarizes these statutes and regulations. **This information should not be considered a substitute for reading the statutes and regulations in their entirety.**

DEFINITION

The **initiative** is the procedure by which THE PEOPLE (instead of the legislature) can introduce a law. A specified number of voters propose the law to eventually appear on a ballot to be voted on by the people. (*Ref. AS. 15.45.010-245*)

STEPS IN PROCESS

- ◆ **Preparation** of language by petition committee for application
- ◆ **Collection** of signatures of qualified voters who agree to circulate the petition as sponsors
- ◆ **Application** for a petition presented to the Lieutenant Governor
- ◆ **Review** of the application by the Lieutenant Governor, Department of Law, and Division of Elections
- ◆ **Petition booklets printed** by the Division of Elections for the initiative committee
- ◆ **Collection** of signatures of qualified voters who support the petition
- ◆ **Filing** of the petition with the Division of Elections
- ◆ **Review** of the signatures by the Division of Elections
- ◆ **Notification** by the Lieutenant Governor if the petition was or was not properly filed
- ◆ **Notification** to the Legislature that the petition was successful
- ◆ **Ballot language** prepared

RESTRICTIONS

No initiative may be proposed to:

1. dedicate revenues;
2. make or repeal appropriations;
3. create courts;
4. define the jurisdiction of courts or prescribe their rules; or
5. enact local or special legislation. (*Ref. AS 15.45.010*)

HOW TO FILE AN APPLICATION

An initiative is proposed by filing an application with the Lieutenant Governor. A sample is attached at the end of this information. A deposit of \$100 must accompany the application. The money will be refunded if the petition is properly filed, and retained if the petition is improperly filed. An Initiative Petition application is considered properly filed if the Lieutenant Governor certifies the petition for circulation. (*Ref. AS 15.45.020*)

In addition to the deposit, the application (see attached) must include:

1. the designation, names, signatures, mailing addresses, and numerical identifiers of three prime sponsors with a statement saying they are the initiative committee representing all sponsors of the initiative. They must be properly registered voters;
2. the printed name, signature, addresses, and a numerical identifier of not fewer than 100 properly registered voters who will serve as sponsors. Their names must be attached to the proposed bill. The three initiative committee members must also sign as qualified registered voters on a signature page. ***Each page of signatures must include a statement saying that the sponsors are qualified voters who signed the application with the proposed bill attached;***
3. the proposed bill (i.e., proposed law) to be initiated, must be attached to the application form. (Ref. AS 15.45.030)

The proposed bill must conform to the following specifications:

1. it must be confined to one subject;
2. the subject of the bill must be expressed in the title;
3. the enacting clause of the bill must state, "Be it enacted by the People of the State of Alaska;" and
4. the bill must not include a restricted subject. (Ref. AS 15.45.040)

FILING OF THE APPLICATION

Application may be mailed or delivered to the Office of the Lieutenant Governor or any Division of Elections office listed below:

- Office of the Lieutenant Governor Juneau Office:
Physical: 3rd Floor State Capitol
Mailing: PO Box 110015, Juneau AK 99811-0015
- Office of the Lieutenant Governor Anchorage Office:
Physical & Mailing: 550 W. 7th Avenue Suite 1700, Anchorage AK 99501
- Division of Elections – Director’s Office
Physical: 240 Main Street Suite 400, Juneau
Mailing: PO Box 110017, Juneau AK 99811-0017
- Division of Elections – Absentee & Petition Office
Physical & Mailing: 619 E. Ship Creek Avenue Suite 329, Anchorage AK 99501
- Division of Elections – Region I Elections Office
Physical: 9109 Mendenhall Road Suite 3, Juneau
Mailing: PO Box 110018, Juneau AK 99811-0018
- Division of Elections – Region II Anchorage Elections Office
Physical & Mailing: 2525 Gambell Street Suite 100, Anchorage AK 99503
- Division of Elections – Region II Mat-Su Elections Office
Physical & Mailing: North Fork Professional Building, Wasilla
1700 E. Bogard Road Suite B120, Wasilla AK 99654
- Division of Election – Region III Elections Office
Physical & Mailing: 675 7th Avenue Suite H3, Fairbanks AK 99701
- Division of Elections – Region IV Elections Office
Physical: 103 E. Front Street, Nome
Mailing: PO Box 577, Nome Alaska 99762-0577

REVIEW OF APPLICATION

Upon receipt of an application, the Lieutenant Governor's office will submit the proposed bill to the Department of Law for review. The signatures are sent to the Division of Elections to verify that 100 qualified voters signed as sponsors. After the Department of Law submits an opinion on the content of the proposed bill and the Division of Elections verification is complete the Lieutenant Governor either certifies the application or denies certification. In either case, the initiative committee is advised of the Lieutenant Governor's action. (*Ref. AS 15.45.070*)

The Lieutenant Governor denies certification if:

1. the proposed bill to be initiated is not in the required form;
2. the application is not substantially in the required form; or
3. there is an insufficient number of qualified sponsors. (*Ref. AS 15.45.080*)

PREPARING THE INITIATIVE PETITION BOOKLETS

If the initiative is certified, the Division of Elections prepares and prints 500 petition booklets and distributes these to the Initiative committee. The Initiative committee distributes petition booklet circulators who will circulate the petition and gather the required signatures of registered voters.

Petition booklets include:

1. a copy of the proposed bill (if 500 words or less);
2. a title and an impartial summary of the subject matter of the bill;
3. a statement of minimum costs to the state associated with certification of the initiative application and review of the initiative petition, excluding legal costs to the state and the costs to the state of any challenge to the validity of the petition;
4. an estimate of the cost to the state of implementing the proposed law;
5. a statement of warning as prescribed in AS 15.45.100;
6. sufficient space for the printed name, a numerical identifier, the signature, the date of signature, and the address of each person signing the petition; and
7. payment information as required by AS 15.45.130(8); and
8. other specifications prescribed by the Lieutenant Governor. (*Ref. AS 15.45.090 and 6 AAC 25.240*)

DESIGNATING CIRCULATORS

Qualified voters who sign the application are designated as sponsors, who may or may not circulate the petition. If circulators designated by the initiative committee are not registered voters, they must sign a certificate of Alaska residency. Circulators must be 18 years old or older, a U.S. citizen, and a resident of Alaska as determined under AS 15.05.020.

PAYING PETITION CIRCULATORS

Petition circulators may not receive payment greater than \$1 a signature, and a person or organization may not pay an amount greater than \$1 a signature for collecting signatures on a petition. Additionally, a person or organization may not pay someone to sign or refrain from signing a petition. Anyone who violates this section of the law is guilty of a class B misdemeanor. (*Ref. AS 15.45.110*)

FILING THE PETITION

Before an initiative petition is filed, each petition book must be certified by an affidavit from the person who circulated the petition. This affidavit states:

1. the person signing the affidavit is a United States citizen, 18 years old or older, and a resident of Alaska;
2. the person is the only circulator of the petition booklet;
3. the signatures were made in the circulator's presence;
4. the signatures, to the best of the circulator's knowledge, are those of the persons whose names are signed;
5. that to the best of their knowledge the signatures are of persons who were qualified voters on the date of signature;
6. the circulator has not entered into an agreement in violation of AS 15.45.110(c);
7. the circulator has not violated AS 15.45.110(d), and
8. the circulator prominently placed his or her name and payment arrangements on the petition. (*Ref. AS 15.45.130 and 6 AAC 25.240(g) and (h)*)

The sponsors must file the initiative petition within one year from the time the sponsors receive notice from the Lieutenant Governor that the booklets were ready for distribution. The petition may be filed with the Lieutenant Governor only if it meets all of the following requirements:

it is signed by qualified voters

1. equal in number to 10 percent of those who voted in the preceding general election, see attached
2. resident in at least three-fourths of the house districts of the state; and
3. who, in each of the house districts described in (2) of this subsection, are equal in number to at least seven percent of those who voted in the preceding general election in the house district.

If the petition is not filed within the one-year period provided for in (a) of this section, the petition has no force or effect. (*Ref: AS 15.45.140 and 6 AAC 25.240 (c), (d), and (e)*)

REVIEWING THE PETITION

The Lieutenant Governor must review an initiative within 60 days from the date the petition is filed. The Lieutenant Governor then notifies the committee whether the petition was properly or improperly filed and also at which election the proposition will appear on the ballot. (*Ref. AS 15.45.150*) If an initiative petition is properly filed, the \$100 deposit is refunded. (*Ref. AS 15.45.020*)

IMPROPER FILING

An initiative is improperly filed if:

1. there is an insufficient number of qualified signers; or
2. the voters did not reside in at least three-fourths of the house districts of the state. (*Ref. AS 15.45.160 and 6 AAC 25.240(f)*)

FILING A SUPPLEMENTARY PETITION

There is not time allowed to gather or submit supplementary signatures for an initiative petition.

PLACING THE INITIATIVE ON THE BALLOT

The proposition will be placed on the election ballot of the first statewide general, special or primary election that is held after:

1. the petition has been filed;
2. a legislative session has convened and adjourned; and
3. a period of 120 days has expired since the adjournment of the legislative session.

(Ref. AS 15.45.190)

Note: If the Lieutenant Governor, with the concurrence of the Attorney General, determines that an act of the legislature, substantially the same as the proposed law, was enacted after the petition had been filed and before the date of the election, the petition is void, and the Lieutenant Governor so notifies the committee.

WHEN DOES A PROPOSED INITIATIVE BECOME LAW?

If a majority of the voters in favor of the initiative, the measure passes. The law becomes effective 90 days following the certification of the election results.

To write or to discuss this in person, contact:

Benjamin Shier

Office of the Lt. Governor
PO Box 110015
Juneau, AK 99811-0015
(907) 465-3520

Carol Thompson

Division of Elections
619 E. Ship Creek Ave. #329
Anchorage, AK 99501-1677
(907) 345-6400 or toll free (877) 375-6508

Initiative Committee Members

Three Primary Sponsors

We, the below, represent all sponsors and subscribers in matters of the initiative:

Title of Proposed Bill: _____

Initiative Committee Member No. 1 (Serve as primary contact person)

Printed Name:	_____
Address:	_____
Identifier:	_____
	(*Voter No., Date of Birth, AK Driver's License No., Social Security No. or Last 4 of Social Security No.)
Phone Number:	_____
Signature:	_____

Initiative Committee Member No. 2

Printed Name:	_____
Address:	_____
Identifier:	_____
	(*Voter No., Date of Birth, AK Driver's License No., Social Security No. or Last 4 of Social Security No.)
Phone Number:	_____
Signature:	_____

Initiative Committee Member No. 3

Printed Name:	_____
Address:	_____
Identifier:	_____
	(*Voter No., Date of Birth, AK Driver's License No., Social Security No. or Last 4 of Social Security No.)
Phone Number:	_____
Signature:	_____

*Identifier information for the three primary sponsors is not required per Alaska Statutes. However, this information assists the Division with voter verification.

Signature Pages – SAMPLE PAGE

Qualified Sponsors

NOTE: Each signature page of the application must include the proposed bill and a statement that the sponsors are qualified voters who signed the application as per Alaska Statute 15.45.030(2). It is your responsibility to determine where you place this information. Each signers must provide their printed name, address, identifier and signature as reflected below. In addition, each initiative committee member must also sign the application as a sponsor.

	Printed Name (Print Clearly)	Address City, State & Zip	Identifier (Voter No., Date of Birth, AK Driver's License No., Social Security No. or Last 4 of Social Security No.)	Signature
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

No. of Petition Signatures - 2008 General Election

Statewide = 10% Requirement
House District = 7% Requirement

Statewide	No. Ballots Cast 2008 General	10%	No. Signatures Required
Statewide	327,341	32,734	32,734
District	No. Ballots Cast 2008 General	7%	No. Signatures Required
1	6,763	473.41	473
2	7,524	526.68	527
3	8,346	584.22	584
4	8,356	584.92	585
5	6,904	483.28	483
6	6,470	452.9	453
7	10,272	719.04	719
8	9,663	676.41	676
9	6,466	452.62	453
10	5,110	357.7	358
11	9,248	647.36	647
12	7,108	497.56	498
13	10,753	752.71	753
14	9,642	674.94	675
15	10,441	730.87	731
16	10,176	712.32	712
17	8,999	629.93	630
18	5,666	396.62	397
19	6,777	474.39	474
20	4,571	319.97	320
21	8,148	570.36	570
22	5,961	417.27	417
23	6,429	450.03	450
24	6,872	481.04	481
25	5,761	403.27	403
26	8,127	568.89	569
27	7,981	558.67	559
28	9,342	653.94	654
29	6,311	441.77	442
30	8,601	602.07	602
31	9,813	686.91	687
32	11,878	831.46	831
33	8,449	591.43	591
34	9,182	642.74	643
35	9,054	633.78	634
36	6,392	447.44	447
37	4,445	311.15	311
38	4,610	322.7	323
39	4,974	348.18	348
40	4,610	322.7	323