July 19, 2007

The Honorable Sean R. Parnell
Lieutenant Governor
P.O. Box 110015
Juneau, Alaska 99811-0015

Re: Review of 07CASE Initiative Application
A.G. file no: 663-07-0191

Dear Lieutenant Governor Parnell:

I. INTRODUCTION

You have asked us to review an application for an initiative entitled "An Act establishing a program of public funding for campaigns for state elected offices, to be known as the Alaska Clean Elections Act." ("07CASE"). We have completed our review and find that it complies with the requirements for certification. Accordingly, we recommend that you certify the application under AS 15.45.070.

As you know, the sponsors had previously submitted a similar initiative, 07COGA. We reviewed 07COGA and recommended that you not certify it because the bill violates the single-subject rule. *See* 2007 Op. Att'y Gen. (July 18; 663-07-0191). We incorporate our summary and analysis of 07COGA by reference. *Id.*

07CASE is identical to 07COGA, with the following exceptions:

--the provisions in 07COGA relating to a surcharge on oil production (sections 9-13; and proposed AS 15.14.010(b)(4)-(5)) have been removed in 07CASE;

--the general fund is added as a potential funding source for the clean elections fund in proposed AS 15.14.010(b)(4) in 07CASE;

--the provision in 07COGA relating to appropriation of remaining clean election funds to the permanent fund dividend fund (proposed AS 15.14.010(e)) has been removed in 07CASE;

--the provision in 07COGA that penalized a participating candidate with disqualification or forfeiture of office if the candidate exceeded the bill's spending limitations by more than 10 percent (proposed AS 15.14.200(c)) has been removed from 07CASE.

The removal of the provisions relating to a surcharge on oil tax production addresses the concerns we identified in relation to the single-subject rule in our previous opinion. Accordingly, 07CASE does not violate the single-subject rule, and we recommend certification, subject to the Division of Elections determining that the application contains the signatures of not less than 100 qualified voters who agree to serve as sponsors under AS 15.45.030(2).

Sincerely,

TALIS J. COLBERG
ATTORNEY GENERAL

By:
Michael Barnhill
Senior Assistant Attorney General

MAB/ajh

cc: Whitney Brewster, Director of Division of Elections