

House Bill 174 – Sponsor Statement
“An Act relating to proposing and enacting laws by initiative.”

Since statehood, Alaska’s constitution has granted the people the right to enact legislative change by direct democracy. The state’s initiative process, as governed by the Alaska constitution, statutes, and case law, reflects a delicate balance of citizen participation within carefully crafted guardrails meant to ensure the efficacy of the process and the role of the legislature.

Passing HB 174 will protect Alaskans from having their signatures used for purposes they did not intend. Signing a ballot initiative is a form of contract in which individuals sign their name in support of language presented in the initiative. Under current law, if a court determines that language in a proposed initiative is unconstitutional, they can remove, or sever, that language from the initiative and allow the remainder to move forward. This means that the language that appears before voters could be significantly different than the original language supported by Alaskans during the signature-gathering process. Furthermore, if the courts sever language after the legislative review process, they prevent the legislature from doing its duty to review the initiative as it will appear before the voters.

HB 174 would improve this process. With the changes implemented by this bill, if a court determines that language in a proposed initiative is unconstitutional, the Lieutenant Governor must reject the entire initiative petition and prohibit it from appearing on the ballot. Voters would be assured that the language on the ballot is the same language supported by voter signatures in the petition booklets and further, that the legislature has fulfilled its responsibility to review the initiative.

HB 174 protects Alaskans against signing an initiative only to have the language of the initiative changed without their knowledge or consent. Please join me in supporting this important legislation.

