

**INITIATIVE SUMMARY MAY BE CORRECTED
AFTER PETITION SIGNED.**

The sponsors submitted the Parental Involvement Initiative (PNI), relating to notification of abortions performed on minors, and the lieutenant governor prepared a petition summary. Appellants asserted that the summary was defective. The Alaska Supreme Court concluded that the PNI could be placed on the ballot without recirculating the petition, provided that the summary was corrected and that the Parental Consent Act (AS 18.16.010 and 18.16.020) and the enforcement provisions implicated by the PNI were made available to the voters. When faced with a statewide initiative petition circulated with a defective summary, the court considered the nature and magnitude of the misleading statement or omission, the likelihood and extent of petition-signer inadvertence, the hardship to sponsors from invalidating signatures, and the hardship to opponents from permitting it to go forward. Although the summary in the current case was deficient, particularly in omitting a felony provision for

-12-

physician's violations, the court found that it was not as misleading as some other petitions and that inadvertence by the petition signers was unlikely or minimal. The court also found that the omissions did not substantially misrepresent the essential nature of the PNI, and the hardship to the sponsors of invalidating the signatures would have been great. The court discerned little hardship to the opponents if a corrected summary was used as the ballot summary.

Planned Parenthood v. Campbell, 232 P.3d 725 (Alaska 2010).

Legislative review is recommended since misrepresentations and omissions in a ballot initiative may be inconsistent with legislative intent for initiative standards.