



# LAWS OF ALASKA

1998

**Source**  
HCS SB 313(FIN)

**Chapter No.**  
80

## AN ACT

Relating to sponsor certification of initiative petitions; relating to sponsor identification during petition circulation; relating to the voidability of an initiated law; placing limitations on the compensation that may be paid to sponsors of initiative petitions; prohibiting payments to persons who sign or refrain from signing initiative petitions; and repealing procedures for filing a supplementary initiative petition.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** June 9, 1998

**Actual Effective Date:** September 7, 1998

AN ACT

1 Relating to sponsor certification of initiative petitions; relating to sponsor identification during  
2 petition circulation; relating to the voidability of an initiated law; placing limitations on the  
3 compensation that may be paid to sponsors of initiative petitions; prohibiting payments to  
4 persons who sign or refrain from signing initiative petitions; and repealing procedures for  
5 filing a supplementary initiative petition.

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7 \* Section 1. AS 15.45.090 is amended to read:

8 **Sec. 15.45.090. Preparation of petition.** If the application is certified, the  
9 lieutenant governor shall prescribe the form of and prepare petitions containing (1) a  
10 copy of the proposed bill [,] if the number of words included in both the formal and  
11 substantive provisions of the bill is 500 or less, (2) an impartial summary of the  
12 subject matter of the bill, (3) the warning prescribed in AS 15.45.100, (4) sufficient

Chapter 80

1 space for signature and address, [AND] (5) sufficient space at the bottom of each  
2 page for the information required by AS 15.45.130(8), and (6) other specifications  
3 prescribed by the lieutenant governor to assure proper handling and control. Petitions,  
4 for purposes of circulation, shall be prepared by the lieutenant governor in a number  
5 reasonably calculated to allow full circulation throughout the state. The lieutenant  
6 governor shall number each petition and shall keep a record of the petition delivered  
7 to each sponsor. Upon request of the committee, the lieutenant governor shall report  
8 the number of persons who voted in the preceding general election.

9 \* Sec. 2. AS 15.45.110 is amended by adding new subsections to read:

10 (b) A sponsor shall display identification containing the sponsor's name when  
11 circulating a petition.

12 (c) A sponsor may not receive payment or agree to receive payment that is  
13 greater than \$1 a signature, and a person or an organization may not pay or agree to  
14 pay an amount that is greater than \$1 a signature, for the collection of signatures on  
15 a petition.

16 (d) A person or organization may not knowingly pay, offer to pay, or cause  
17 to be paid money or other valuable thing to a person to sign or refrain from signing  
18 a petition.

19 (e) A person or organization that violates (b) - (d) of this section is guilty of  
20 a class B misdemeanor.

21 (f) In this section,

22 (1) "organization" has the meaning given in AS 11.81.900;

23 (2) "other valuable thing" has the meaning given in AS 15.56.030(d);

24 (3) "person" has the meaning given in AS 11.81.900.

25 \* Sec. 3. AS 15.45.130 is amended to read:

26 **Sec. 15.45.130. Certification of sponsor.** Before being filed, each petition  
27 shall be certified by an affidavit by the sponsor who personally circulated the petition.  
28 The affidavit must [SHALL] state in substance that (1) the person signing the affidavit  
29 is a sponsor, (2) the person is the only circulator of that petition, (3) the signatures  
30 were made in the sponsor's actual presence, [AND] (4) to the best of the sponsor's  
31 knowledge, the signatures are those of the persons whose names they purport to be,

1 (5) the signatures are of persons who were qualified voters on the date of  
 2 signature, (6) the person has not entered into an agreement with a person or  
 3 organization in violation of AS 15.45.110(c), (7) the person has not violated  
 4 AS 15.45.110(d) with respect to that petition, and (8) the sponsor prominently  
 5 placed, in the space provided under AS 15.45.090(5) before circulation of the  
 6 petition, in bold capital letters, the sponsor's name and, if the sponsor has  
 7 received payment or agreed to receive payment for the collection of signatures on  
 8 the petition, the name of each person or organization that has paid or agreed to  
 9 pay the sponsor for collection of signatures on the petition. In determining the  
 10 sufficiency of the petition, the lieutenant governor may not count subscriptions on  
 11 petitions not properly certified.

12 \* Sec. 4. AS 15.45.190 is amended to read:

13 **Sec. 15.45.190. Placing proposition on ballot.** The lieutenant governor shall  
 14 direct the director to place the ballot title and proposition on the election ballot of the  
 15 first statewide general, special, or primary election that is held after

16 (1) the petition has [AND ANY SUPPLEMENTARY PETITION  
 17 HAVE] been filed; [,]

18 (2) a legislative session has convened and adjourned; [,] and

19 (3) a period of 120 days has expired since the adjournment of the  
 20 legislative session.

21 \* Sec. 5. AS 15.45.240 is amended to read:

22 **Sec. 15.45.240. Judicial review.** Any person aggrieved by a determination  
 23 made by the lieutenant governor under AS 15.45.010 - 15.45.220 [AS 15.45.010 -  
 24 15.45.230] may bring an action in the superior court to have the determination  
 25 reviewed within 30 days of the date on which notice of the determination was given.

26 \* Sec. 6. AS 15.56.090(a) is amended to read:

27 (a) A person commits the crime of improper subscription to petition if the  
 28 person

29 (1) signs a name other than the person's own to a petition proposing an  
 30 initiative, referendum, recall, or nomination of a candidate for state or local office;

31 (2) knowingly signs more than once for the same proposition, question,

Chapter 80

1 or candidate at one election; [OR]

2 (3) signs a petition proposing an initiative, referendum, recall, or  
3 nomination of a candidate for state or local office, while knowingly not being a  
4 qualified voter; or

5 (4) solicits, accepts, or agrees to accept money or other valuable  
6 thing in exchange for signing or refraining from signing a petition proposing an  
7 initiative; in this paragraph, "other valuable thing" has the meaning given in  
8 AS 15.56.030(d).

9 \* Sec. 7. AS 15.45.170 and 15.45.230 are repealed.

10 \* Sec. 8. APPLICABILITY. (a) AS 15.45.110(b), as enacted by sec. 2 of this Act, applies  
11 only to sponsors of petitions that arise from an initiative application that is certified under  
12 AS 15.45.070 on or after the effective date of this Act.

13 (b) AS 15.45.110(c) - (f), as enacted by sec. 2 of this Act, apply only to agreements  
14 entered into, payments under agreements entered into, and offers made on or after the effective  
15 date of this Act.

16 (c) AS 15.45.130, as amended by sec. 3 of this Act, applies only to affidavits required  
17 for filing of a petition that is certified under AS 15.45.070 on or after the effective date of this  
18 Act.

19 (d) AS 15.56.090(a), as amended by sec. 6 of this Act, applies only to solicitations,  
20 acceptances, or agreements made on or after the effective date of this Act.

21 (e) The amendment to AS 15.45.190 made by sec. 4 of this Act and the repeal of  
22 AS 15.45.170 made by sec. 7 of this Act apply only to petitions that arise from an initiative  
23 application that is certified under AS 15.45.070 on or after the effective date of this Act.

24 (f) The amendment to AS 15.45.240 made by sec. 5 of this Act and the repeal of  
25 AS 15.45.230 made by sec. 7 of this Act apply only to initiatives that arise from an initiative  
26 application that is certified under AS 15.45.070 on or after the effective date of this Act.