

**HJR**

**25**



## REPRESENTATIVE SCOTT OGAN

Alaska State Legislature

House District 27 • Palmer • Greater Palmer • Sutton • Chickaloon • Sheep Mountain

### SPONSOR STATEMENT

#### House Joint Resolution 25

*"Proposing an amendment to the Constitution of the State of Alaska relating to a petition for an initiative or referendum regarding fish or wildlife."*

HJR 25 modifies the initiative process by requiring at least ten percent of voters in each house district to vote on ballot measures relating to fish or wild life. The lieutenant governor may not file a petition unless it is signed by qualified voters in each house district equal in number to at least ten percent of those who voted in the preceding general election in that house district.

The Constitution of the State of Alaska clearly states the Legislature is the authorized body to manage fish and game. The Legislature can, however, delegate that authority to a board. The Boards of Game and Fisheries were created as an extension of this management body.

Too often the initiative process is used to advance an emotional agenda which does not contain rational or scientific principles. Resource management must be backed up by sound, logical, scientific findings. HJR 25 will strengthen the Legislature's constitutional authority to manage fish and wildlife.



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## Type of Initiative Allowed



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State	Constitutional	Statutory	Both
Alaska		x	
Arizona			x
Arkansas			x
California			x
Colorado			x
Florida	x		
Idaho		x	
Illinois	x		
Maine		x	
Massachusetts			x
Michigan			x
Mississippi	x		
Missouri			x
Montana			x
Nebraska			x
Nevada			x
North Dakota			x
Ohio			x
Oklahoma			x
Oregon			x
South Dakota			x
Utah		x	
Washington		x	
Wyoming		x	



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## Signature Requirements: Constitutional Initiatives


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STATE	SIGNATURES	GEOGRAPHIC DISTRIBUTION
Arizona	15% of total votes cast for position of governor in last election	None
Arkansas	10% of total votes cast for position of governor in last election	Signatures from 5% of registered voters from at least 15 of 75 counties
California	8% of total votes cast for position of governor in last election	None
Colorado	5% of total votes cast for all candidates for office of secretary of state in last election	None
Florida	8% of total votes cast in the state as a whole in the last presidential election	Signatures equal to 8% of votes cast in the last presidential election in 12 of the state's 23 congressional districts
Illinois	8% of total votes cast for position of governor in last election	None
Massachusetts	3% of total votes cast for position of governor in last election	No more than 25% of signatures may be from one county
Michigan	10% of total votes cast for position of governor in last election	None
Mississippi	12% of total votes cast for position of governor in last election	Signatures from any one congressional district shall not exceed 1/5 of total number of signatures required
Missouri	8% of total votes cast for position of governor in last election	Signatures equal to 8% of votes cast for governor in the previous election from each of 6 of the state's 9 congressional districts
Montana	10% of qualified electors	Signatures from 10% of qualified electors in each of 40 of the state's 100 legislative districts
Nebraska	10% of eligible voters	Signatures from 5% of registered voters in 38 of 93 counties
Nevada	10% of total votes cast in the last general election	Signatures equal to 10% of total number of votes cast in the last general election from at least 13 of the 17 counties
North Dakota	4% of resident population	None

<b>Ohio</b>	10% of total votes cast for position of governor in last election	Signatures equal to 5% of total votes cast for governor in the last general election from at least 44 of the 88 counties of the state
<b>Oklahoma</b>	15% of total votes cast for the office receiving the highest number of votes in last general election	None
<b>Oregon</b>	8% of total votes cast for position of governor in last election	None
<b>Utah</b>	10% of total votes cast for position of governor in last election	Signatures equal to 10% of total votes cast for governor in a county for at least 20 of the state's 29 counties



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## Restrictions on the Use of the Initiative

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**Alaska:** No revenue measures, no appropriations, no acts affecting the judiciary, no local or special legislation. Limited to one subject.

**California:** Limited to one subject.

**Colorado:** Limited to one subject.

**Florida:** Limited to one subject.

**Illinois:** Allowed only for amendment of constitutional Article IV, relating to structural and procedural subjects concerning the legislative branch.

**Maine:** Any measure providing for an expenditure of funds in excess of those appropriated becomes inoperative 45 days after the legislature convenes.

**Massachusetts:** No measures relating to religion, the judiciary, specific appropriations and local or special legislation.

**Michigan:** The initiative power extends only to laws which the legislature may enact.

**Mississippi:** The initiative cannot be used to repeal or modify the state's Bill of Rights; to amend or repeal provisions relating to the state's public employees' retirement system; to amend or repeal Mississippi's constitutional right-to-work provision, or to modify the initiative process.

**Missouri:** Limited to one subject. Not used for appropriations of money other than new revenues created and provided for by the initiative. Cannot be used for any purpose prohibited by the state's constitution.

**Montana:** Cannot be used for appropriations or for local and special laws.

**Nebraska:** Limited to matters which can be enacted by legislation. The same measure cannot be initiated more often than once in three years.

**Nevada:** Initiative measures may not make an appropriation or require an expenditure of money unless a sufficient tax is provided as part of the initiative proposal.

**North Dakota:** Not for emergency measures. Not for appropriation measures for the support and maintenance of state departments and institutions.

**Oklahoma:** Initiatives rejected by the voters cannot be proposed again for three years by less than 25 percent of the state's legal voters.

**Wyoming:** Cannot be used to dedicate revenues; to make or repeal appropriations; to create courts; to define the jurisdiction of courts; to prescribe court rules; to enact local or special legislation or to enact legislation prohibited by the Wyoming constitution. The

same measure cannot be initiated more often than once in five years.

Source: National Conference of State Legislatures, May 1997

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## Signature Requirements: Statutory Initiatives


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STATE	SIGNATURES	GEOGRAPHIC DISTRIBUTION
Alaska	10% of total votes cast in last general election	At least one signature by voters resident in each of at least 2/3 of state's 27 election districts
Arizona	10% of total votes cast for the position of governor in the last election	None
Arkansas	8% of total votes cast for the position of governor in the last election	Signatures equal to 4% of votes cast for governor in the previous election from at least 15 of 75 counties
California	5% of total votes cast for the position of governor in the last election	None
Colorado	5% of total votes cast for all candidates for office of secretary of state in last election	None
Idaho	6% of registered voters at the time of the last general election	6% of registered voters from each of 22 counties
Maine	10% of total votes cast for all candidates for office of governor in last election	None
Massachusetts	3% of total votes cast for position of governor in last election	No more than 25% of signatures may be from voters in a single county
Michigan	8% of total votes cast for position of governor in last election	None
Missouri	5% of total votes cast for position of governor in last election	Signatures equal to 5% of the total votes cast for governor in the previous election from each of 2/3 of the state's 9 congressional districts
Montana	5% of qualified electors in the state at large	Signatures equal to 5% of the total votes cast for governor in the previous election in each of at least 34 of the state's 100 legislative districts
Nebraska	7% of registered voters in the state	Signatures equal to 5% of registered voters in each of 38 of the state's 93 counties
Nevada	10% of total votes cast at the last general election	Signatures equal to 10% of total number of votes cast in the last general election in each of at least 13 of the 17 counties
North Dakota	2% of resident population of the state	None
Ohio	3% of total votes cast for position of governor at the last election	Signatures equal to 1.5% of total vote cast for governor in the last election from each of 44 of the state's 88

		counties
<b>Oklahoma</b>	8% of total votes cast for the office receiving the highest number of votes in last general election	None
<b>Oregon</b>	6% of total votes cast for position of governor in the last election	None
<b>South Dakota</b>	5% of total votes cast for position of governor in the last election	None
<b>Utah</b>	10% of total votes cast for position of governor in the last election	Signatures equal to 10% of the votes cast for governor in the last election from at least 20 of the state's 29 counties
<b>Washington</b>	8% of total number of votes cast for the office of governor at the last election	None
<b>Wyoming</b>	15% of total votes cast in last general election	Signatures of 15% of the qualified voters in at least 2/3 of the state's 23 counties



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