

12044

SENATE

STATE

AFFAIRS

SB

39



SENATOR KIM ELTON

SB 39 – Requiring a Ballot Language Committee and Establishing Timelines

Sponsor Statement

The general election of 2004 saw three citizen's initiatives on the ballot, and many court cases involving them. The most disruptive and costly of these cases challenged the ballot language summarizing an initiative on filling senate vacancies. The court ruled the Lieutenant Governor's language was not fair and impartial, and ordered the ballots reprinted, at a cost to the public of nearly \$300,000. Even so, more than 4000 advance ballots were sent to voters with the less accurate language.

SB 39 will help Alaska's Lieutenant Governors depoliticize the process of writing ballot titles and summaries. It also provides timelines that allow for smoother elections without the cost of reprinting ballots.

SB 39 begins by giving the Lieutenant Governor clear timelines for the preparation of ballot titles and summaries as required by the Alaska Constitution. These deadlines provide enough time for a court challenge without running up against the Division of Elections' deadline for printing the ballot. At the same time, the bill makes court challenges far less likely. It requires the Lieutenant Governor to appoint a committee of proponents, opponents, and one member from a list submitted by the chief justice of the Alaska Supreme Court. The committee, with the help of state attorneys, would prepare the impartial ballot title and proposition.

Alaska's constitution puts responsibility for preparing ballot titles and propositions for initiatives, referenda, and constitutional amendments on the Lieutenant Governor. Mindful of that requirement, SB 39 gives the Lieutenant Governor final say in approving or changing the language. If the Lieutenant Governor decides to alter the committee's language, however, he or she must be accountable for those changes by explaining them in the state's Official Election Pamphlet, which is mailed to all voters in the state.

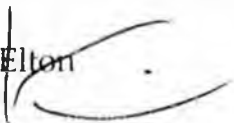
SB 39 takes two major steps toward a smoother, more fair election system for all Alaskans, increasing confidence in our elections. I respectfully ask for your support.

SENATOR KIM ELTON

MEMORANDUM

January 25, 2005

To: Senator Gene Therriault, Chair
Senate State Affairs Committee

From: Kim Elton 

Re: SB 39

I respectfully request a hearing on Senate Bill 39, establishing statutory procedures and timelines for drafting ballot titles and summaries for initiatives, referenda, and constitutional amendments.

I have attached a draft committee substitute that I hope you will agree simplifies and clarifies the timelines in the bill. It patterns the deadlines for the drafting committee and Lieutenant Governor after existing statutory language for constitutional amendments. I believe it is a more elegant solution than the original bill.

I have attached a sponsor statement for the committee's consideration.

ALASKA SENATE

STATE CAPITOL • JUNEAU, ALASKA 99801-1182 • (907) 465-4947 • FAX (907) 465-2108
SENATOR_KIM_ELTON@LEGIS.STATE.AK.US

SENATOR KIM ELTON

SB 39 – Requiring a Ballot Language Committee and Establishing Timelines

Sponsor Statement

The general election of 2004 saw three citizen's initiatives on the ballot, and many court cases involving them. The most disruptive and costly of these cases challenged the ballot language summarizing an initiative on filling senate vacancies. The court ruled the Lieutenant Governor's language was not fair and impartial, and ordered the ballots reprinted, at a cost to the public of nearly \$300,000. Even so, more than 4000 advance ballots were sent to voters with the less accurate language.

SB 39 will help Alaska's Lieutenant Governors depoliticize the process of writing ballot titles and summaries. It also provides timelines that allow for smoother elections without the cost of reprinting ballots.

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SB 39 takes two major steps toward a smoother, more fair election system for all Alaskans, increasing confidence in our elections. I respectfully ask for your support.

24-LS0316\F

Kurtz

1/24/05

CS FOR SENATE BILL NO. 39()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): SENATORS ELTON, French, Ellis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to ballot titles and propositions: and providing for an effective date."

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

3 * Section 1. AS 15.45.180(a) is amended to read:

4 (a) If the petition is properly filed, the lieutenant governor shall appoint a
5 ballot proposition committee to, with the assistance of the attorney general,
6 [SHALL] prepare a ballot title and proposition. The ballot title shall, in not more than
7 s.x words, indicate the general subject of the proposition. The proposition shall, in not
8 more than 100 words, give a true and impartial summary of the proposed law.

9 * Sec. 2. AS 15.45.180 is amended by adding new subsections to read:

10 (c) The lieutenant governor shall appoint five individuals to the ballot
11 proposition committee, including

12 (1) two proponents of the initiative, at least one of whom must be a
13 member of the initiative committee;

14 (2) two opponents of the initiative; and

15 (3) one individual from a list of three submitted by the chief justice of

1 the Alaska Supreme Court.

2 (d) The committee shall submit the ballot title and proposition to the lieutenant
3 governor not later than 30 days after the date of the adjournment of the first regular
4 legislative session convened after the petition is filed.

5 (e) The lieutenant governor shall review the ballot title and proposition
6 prepared under (a) of this section and make any changes necessary to make the
7 proposition true and impartial. Not later than 10 days after receiving the ballot title
8 and proposition from the committee, the lieutenant governor shall complete the review
9 and provide the ballot title and proposition to the director. If the lieutenant governor
10 makes any changes to the ballot title or proposition prepared under (a) of this section,
11 the lieutenant governor shall also provide the director with a written explanation of
12 those changes.

13 * Sec. 3. AS 15.45.410(a) is amended to read:

14 (a) If the petition is properly filed, the lieutenant governor shall appoint a
15 ballot proposition committee to, with the assistance of the attorney general,
16 prepare a ballot title and proposition. [THE LIEUTENANT GOVERNOR, WITH
17 THE ASSISTANCE OF THE ATTORNEY GENERAL, SHALL PREPARE A
18 BALLOT TITLE AND PROPOSITION UPON DETERMINING THAT THE
19 PETITION IS PROPERLY FILED.] The ballot title shall, in not more than six words,
20 indicate the general subject area of the act. The proposition shall, in not more than
21 100 words, give a true and impartial summary of the act being referred.

22 * Sec. 4. AS 15.45.410 is amended by adding new subsections to read:

23 (c) The lieutenant governor shall appoint five individuals to the ballot
24 proposition committee, including

25 (1) two proponents of the referendum, at least one of whom must be a
26 member of the referendum committee;

27 (2) two opponents of the referendum; and

28 (3) one individual from a list of three submitted by the chief justice of
29 the Alaska Supreme Court.

30 (d) The committee shall submit the ballot title and proposition to the lieutenant
31 governor not later than 21 days after the date the petition is filed.

1 (e) The lieutenant governor shall review the ballot title and proposition
2 prepared under (a) of this section and make any changes necessary to make the
3 proposition true and impartial. Not later than five days after receiving the ballot title
4 and proposition from the committee, the lieutenant governor shall complete the review
5 and provide the ballot title and proposition to the director. If the lieutenant governor
6 makes any changes to the ballot title or proposition prepared under (a) of this section,
7 the lieutenant governor shall also provide the director with a written explanation of
8 those changes.

9 * Sec. 5. AS 15.50.010(a) is amended to read:

10 (a) The lieutenant governor shall appoint a ballot proposition committee to,
11 with the assistance of the attorney general, prepare a proposed ballot title and
12 proposition for each amendment to the state constitution proposed by the legislature or
13 by a constitutional convention. Each amendment shall be confined to one subject.
14 Within 30 days after [OF] the date of adjournment of a legislative session or of the
15 date of adjournment of a constitutional convention, the lieutenant governor shall
16 provide one copy of the proposed ballot title and proposition for each amendment to
17 each member of the legislature and shall make copies available to the public.

18 * Sec. 6. AS 15.50.010 is amended by adding new subsections to read:

19 (c) The lieutenant governor shall appoint five individuals to the ballot
20 proposition committee, including

21 (1) two proponents of the amendment;

22 (2) two opponents of the amendment; and

23 (3) one individual from a list of three submitted by the chief justice of
24 the Alaska Supreme Court.

25 (d) The committee shall submit the ballot title and proposition to the lieutenant
26 governor not later than 30 days after the date of the adjournment of the legislative
27 session or constitutional convention at which the amendment was proposed.

28 (e) The lieutenant governor shall review the ballot title and proposition
29 prepared under (a) of this section and make any changes necessary to make the
30 proposition true and impartial. Not later than 10 days after receiving the ballot title
31 and proposition from the committee, the lieutenant governor shall complete the review

1 and provide the ballot title and proposition to the director. If the lieutenant governor
2 makes any changes to the ballot title or proposition prepared under (a) of this section,
3 the lieutenant governor shall also provide the director with a written explanation of
4 those changes.

5 * Sec. 7. AS 15.58.020 is amended to read:

6 **Sec. 15.58.020. Contents of pamphlet.** Each election pamphlet must contain

7 (1) photographs and campaign statements submitted by eligible
8 candidates for elective office in the region;

9 (2) information and recommendations filed under AS 15.58.050 on
10 judicial officers subject to a retention election in the region;

11 (3) a map of the house district or districts of the region;

12 (4) sample ballots for house districts of the region;

13 (5) an absentee ballot application;

14 (6) for each ballot proposition submitted to the voters by initiative or
15 referendum petition or by the legislature,

16 (A) the full text of the proposition specifying constitutional or
17 statutory provisions proposed to be affected;

18 (B) the ballot title and the summary of the proposition prepared
19 under AS 15.45.180, 15.45.410, or AS 15.50.010 as well as any explanation
20 of changes to the summary supplied to [BY] the director [OR] by the
21 lieutenant governor;

22 (C) a neutral summary of the proposition prepared by the
23 Legislative Affairs Agency;

24 (D) statements submitted that advocate voter approval or
25 rejection of the proposition not to exceed 500 words;

26 (7) for each bond question, a statement of the scope of each project as
27 it appears in the bond authorization;

28 (8) a maximum of two pages of material submitted by each political
29 party;

30 (9) additional information on voting procedures that the lieutenant
31 governor considers necessary;

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(10) for the question whether a constitutional convention shall be called,

(A) a full statement of the question placed on the ballot;

(B) statements not to exceed 500 words that advocate voter approval or rejection of the question;

(11) under AS 37.13.170, the Alaska permanent fund annual income statement and balance sheet for the two fiscal years preceding the publication of the election pamphlet.

* Sec. 8. This Act takes effect July 1, 2005.

January 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20 Init. 1 Signatures Filed	21 First Day of Session	22	23	24	25
26	27	28	29	30	31	

2003

February 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

2003

March 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2003

April 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

2003

May 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21 <small>Last Day of Session</small>	22	23	24
25	26	27	28	29	30	31

2003

June 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20 <small>30 days after adjournment Const. Am. I Cmte. Init. I Committee.</small>	21
22	23	24	25	26	27	28
29	30 <small>Cost. Am. I Lt. Gov Init. I Lt. Gov</small>					

2003

July 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

2003

August 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19 <small>90 days after adjournment Ref. I signatures</small>	20	21	22	23
24	25	26	27	28	29	30
31						

2003

September 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5	6
7	8	9 Ref. I Committee	10	11	12	13
14 Ref. I Lt. Gov.	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

2003

October 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

2003

November 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

2003

December 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

2003

January 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9 Init. II signatures filed	10
11	12 First Day of Session	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

2004

February 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

2004

March 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

2004

April 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

2004

May 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11 Last Day of Session	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2004

June 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8	9	10 30 days after adjournment Const. Am. II Cmte. Init. II Cmte.	11	12
13	14	15	16	17	18	19
20 Const. Am. II Lt. Gov. Init. II Lt. Gov.	21	22	23	24	25 Special Advance Ballots mailed overseas for Primary Election	26
27	28	29	30			

2004

July 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8 <small>Div.Elect certifies Primary Ballot for printer</small>	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

2004

August 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9 Absentee & Early Ballots available for Primary Election 90 days after adjournment Ref. II signatures	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24 Primary Election Day (4 th Tuesday in Aug.) Init. I vote Ref. I vote	25	26	27	28
29	30 Ref. II Committee	31				

2004

September 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3 Special Advance Ballots for general election mailed overseas	4 Ref. II Lt. Gov.
5	6	7	8	9	10	11
12	13	14	15	16 Div. Elect. certifies Gen. Election ballot for printer	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

2004

October 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1	2
3	4	5	6	7	8	9
10	11 Official Election Pamphlet mailed	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

2004

November 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2 Election Day Init. II vote Const.Am. I vote Const.Am. II vote	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	Ref. II will be voted on at the 2006 primary.	Note that in some even-numbered years, referenda appear on the ballot the same year the signatures are filed.		

2004

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB39
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: OOG
 Title "An Act relating to ballot titles and RDU Elections
propositions, and providing for an effective date." Component Elections
 Sponsor Senators Elton, French, Ellis
 Requester Senate State Affairs Committee Component No. 21

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual		0.0				
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF		0.0				
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation will have no fiscal impact on the Division of Elections.

Prepared by: Gumesindo Rosales, Elections Special Assistant Phone 465-3051
 Division: Division of Elections Date/Time 2/18/05 3 48 PM
 Approved by: Laura A. Glaiser, Director Date 2/18/2005
 Agency: Office of the Lt. Governor, Division of Elections

24-LS0316F
Kurtz
1/24/05

CS FOR SENATE BILL NO. 39()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS ELTON, French, Ellis

A BILL
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8 those changes.

9 * Sec. 5. AS 15.50.010(a) is amended to read:

10 (a) The lieutenant governor shall appoint a ballot proposition committee to,
11 with the assistance of the attorney general, prepare a proposed ballot title and
12 proposition for each amendment to the state constitution proposed by the legislature or
13 by a constitutional convention. Each amendment shall be confined to one subject.
14 Within 30 days after [OF] the date of adjournment of a legislative session or of the
15 date of adjournment of a constitutional convention, the lieutenant governor shall
16 provide one copy of the proposed ballot title and proposition for each amendment to
17 each member of the legislature and shall make copies available to the public.

18 * Sec. 6. AS 15.50.010 is amended by adding new subsections to read:

19 (c) The lieutenant governor shall appoint five individuals to the ballot
20 proposition committee, including

- 21 (1) two proponents of the amendment;
22 (2) two opponents of the amendment; and
23 (3) one individual from a list of three submitted by the chief justice of
24 the Alaska Supreme Court.

25 (d) The committee shall submit the ballot title and proposition to the lieutenant
26 governor not later than 30 days after the date of the adjournment of the legislative
27 session or constitutional convention at which the amendment was proposed.

28 (e) The lieutenant governor shall review the ballot title and proposition
29 prepared under (a) of this section and make any changes necessary to make the
30 proposition true and impartial. Not later than 10 days after receiving the ballot title
31 and proposition from the committee, the lieutenant governor shall complete the review

1 and provide the ballot title and proposition to the director. If the lieutenant governor
2 makes any changes to the ballot title or proposition prepared under (a) of this section,
3 the lieutenant governor shall also provide the director with a written explanation of
4 those changes.

5 * Sec. 7. AS 15.58.020 is amended to read:

6 **Sec. 15.58.020. Contents of pamphlet.** Each election pamphlet must contain

7 (1) photographs and campaign statements submitted by eligible
8 candidates for elective office in the region;

9 (2) information and recommendations filed under AS 15.58.050 on
10 judicial officers subject to a retention election in the region;

11 (3) a map of the house district or districts of the region;

12 (4) sample ballots for house districts of the region;

13 (5) an absentee ballot application;

14 (6) for each ballot proposition submitted to the voters by initiative or
15 referendum petition or by the legislature,

16 (A) the full text of the proposition specifying constitutional or
17 statutory provisions proposed to be affected;

18 (B) the ballot title and the summary of the proposition prepared
19 under AS 15.45.180, 15.45.410, or AS 15.50.010 as well as any explanation
20 of changes to the summary supplied to [BY] the director [OR] by the
21 lieutenant governor;

22 (C) a neutral summary of the proposition prepared by the
23 Legislative Affairs Agency;

24 (D) statements submitted that advocate voter approval or
25 rejection of the proposition not to exceed 500 words;

26 (7) for each bond question, a statement of the scope of each project as
27 it appears in the bond authorization;

28 (8) a maximum of two pages of material submitted by each political
29 party;

30 (9) additional information on voting procedures that the lieutenant
31 governor considers necessary;

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(10) for the question whether a constitutional convention shall be called,

(A) a full statement of the question placed on the ballot;

(B) statements not to exceed 500 words that advocate voter approval or rejection of the question;

(11) under AS 37.13.170, the Alaska permanent fund annual income statement and balance sheet for the two fiscal years preceding the publication of the election pamphlet.

* Sec. 8. This Act takes effect July 1, 2005.

Ballot Initiatives

State of Alaska > Lieutenant Governor > Duties

Understanding Initiatives...

by Loren Leman, Lieutenant Governor

I believe that the citizen initiative is an important part of Alaska's political system. It allows Alaskans to write and approve certain laws directly, without going through the legislative process.

However, it is important to understand the constitutional and statutory limits placed on initiatives:

- The Alaska Constitution cannot be altered or amended by initiative. (Article XIII states the Constitution may be amended only by the Legislature or through a constitutional convention)
- Only certain types of laws can be passed by initiative. According to our Constitution, Article XI, Section 7--Initiatives cannot:
 1. Dedicate revenues;
 2. Make or repeal appropriations;
 3. Create courts;
 4. Define the jurisdiction of courts or prescribe their rules;
 5. Enact local or special legislation.

I forward all initiative applications to the Department of Law for a legal review of their form and subject. An application in proper form is one that meets all of the technical requirements of the law, which include:

- The designation and signatures of three prime sponsors with a statement that they are the initiative committee representing all sponsors of the initiative.
- The names, signatures and addresses of no fewer than 100 sponsors. Prime and other sponsors must be properly registered Alaska voters.
- The text of the proposed law.

If the application is in proper form and the subject is also legal, the Department of Law will recommend that I approve the application. The legal analysis of the proposed law may be fairly simple or it can be lengthy and complex, depending on the subject (see Table 1). It is important to note that the Department of Law drafts opinions for the Lieutenant Governor, who must make the final determination on the status of initiative petition applications, and on whether sufficient, properly obtained signatures have been submitted (see Table 2).

Given the amount of time initiative sponsors must put into the effort of getting an initiative on the ballot, I believe that a thorough legal review provides sponsors with some assurance that their efforts, if challenged in court, would meet the basic requirements for initiatives.

Through nine application decisions so far I have found the Department's opinions to be well-grounded and definitive.

Table 1 – Time in days for Attorney General opinions 1998-2002

Year	Initiative Title	Days for Opinion ¹
2002	Protect PFD	137 ²
2001	Family Land Entitlement	39
2000	Majority Elect Governor	107
1999	Instant Run-off	21
1999	Raise Min Wage	42
1999	Prop Tax Reform	9
1999	Medic. Of Drug Abuse	23
1999	Family Land Entitlement	125
1999	Legalize Hemp	38
1999	Guarantee PFD	15
1999	Alaska Independence	112
1998	Property Tax Relief	168 ³

¹Note: Time in days from date of request, to receipt of AG opinion

²Note: In process for 81 days under Attorney General Botelho

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Lieutenant Governor Leman with staff members Scott, Nona, Robert, Janine, Elaine, Annette and Gwendolyn in Juneau.

Lt. Governor Reports

Governor's Office
Alaska Constitution
Division of Elections
Notary Public
Citizen Initiatives
Authentications
Administrative Code
Administrative Journal
State Seal Information

Denali Commission
Faith-Based Initiatives
Adoption Circle

January 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20 <small>Init. I Signatures Filed</small>	21 <small>First Day of Session</small>	22	23	24	25
26	27	28	29	30	31	

2003

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Central Microfilm Services
Department of Education & Early Development
State of Alaska

Repeal Economic Limit Factor	1/21/05	1/24/05				
Providing Children and Their Family Specific Rights	3/23/04	4/2/04	4/20/04	Denied 4/26/04		
Political Contributions, Lobbyists	9/4/03	9/5/03	9/18/03	9/19/03	9/26/03	2006 Primary Election Ballot
Filling US Senate Vacancy	9/4/03	9/5/03	10/22/03	11/3/03	11/3/03	2004 General Election Ballot
Cruise Ship Taxes, etc.	8/21/03	8/22/03	10/7/03	10/8/03	10/20/03	2006 Primary Election Ballot
Political Contributions, Lobbyists	8/6/03	8/12/03				Withdrawn by Sponsors
Filling US Senate Vacancy	8/6/03	8/12/03				Withdrawn by Sponsors
Supermajority For New Tax, etc.	5/14/03	5/14/03	8/4/03	Denied 8/5/03		
Prohibit Bear Hunting With Bait	5/14/03	5/14/03	6/11/03	6/18/03	7/1/03	2004 General Election Ballot
Decriminalize And Regulate Hemp	5/2/03	5/6/03	7/23/03	7/24/03	8/8/03	Expired
Cruise Ship Taxes, etc.	4/29/03	4/30/03	8/19/03	Denied 8/19/03	Refiled 8/21/03	
Vote On State Independence	4/1/03	4/4/03	6/10/03	Denied 6/19/03		
Exemption From Selective Service	12/13/02	12/18/02	6/12/03	6/20/03	7/2/03	Expired

550 W 7th Ave, Suite 1700, Anchorage, AK 99501 907 269.7460 269.0263 fax
 State Capitol, Third Floor, Juneau, Alaska 907 465.3520 465.5400 fax

Ballot Initiatives

State of Alaska > Lieutenant Governor > Duties

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 Alaska Constitution
 Division of Elections
 Notary Public
 Citizen Initiatives
 Authentications
 Administrative Code
 Administrative Journal
 State Seal Information
 Denali Commission
 Faith-Based Initiatives
 Adoption Circle

January 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20 <small>Init. I Signatures Filed</small>	21 <small>First Day of Session</small>	22	23	24	25
26	27	28	29	30	31	

2003

February 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

2003

March 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2003

April 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

2003

May 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21 <small>Last Day of Session</small>	22	23	24
25	26	27	28	29	30	31

2003

June 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20 30 days after adjournment Const. Am. I Cmte. Init. I Committee.	21
22	23	24	25	26	27	28
29	30 Cost. Am. I Lt. Gov Init. I Lt. Gov					

2003

July 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

2003

August 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19 <small>90 days after adjournment Ref. I signatures</small>	20	21	22	23
24	25	26	27	28	29	30
31						

2003

September 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5	6
7	8	9 Ref. I Committee	10	11	12	13
14 Ref. I Lt. Gov.	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

2003

October 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

2003

November 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

2003

December 2003

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

2003

January 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9 Init. II signatures filed	10
11	12 First Day of Session	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

2004

February 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

2004

March 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

2004

April 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

2004

May 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11 <small>Last Day of Session</small>	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2004

June 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8	9	10 <small>30 days after adjournment Const. Am. II Cmte. Init. II Cmte.</small>	11	12
13	14	15	16	17	18	19
20 <small>Const. Am. II Lt. Gov. Init. II Lt. Gov.</small>	21	22	23	24	25 <small>Special Advance Ballots mailed overseas for Primary Election</small>	26
27	28	29	30			

2004

July 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8 Div. Elect certifies Primary Ballot for printer	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

2004

August 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9 Absentee & Early Ballots available for Primary Election 90 days after adjournment Ref. II signatures	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24 Primary Election Day (4 th Tuesday in Aug.) Init. I vote Ref. I vote	25	26	27	28
29	30 Ref. II Committee	31				

2004

September 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3 Special Advance Ballots for general election mailed overseas	4 Ref. H Lt. Gov.
5	6	7	8	9	10	11
12	13	14	15	16 Div.Elect. certifies Gen. Election ballot for printer	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

2004

October 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1	2
3	4	5	6	7	8	9
10	11 Official Election Pamphlet mailed	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

2004

November 2004

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2 Election Day Init. II vote Const. Am. I vote Const. Am. II vote	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	Ref. II will be voted on at the 2006 primary	Note that in some even-numbered years, referenda appear on the ballot the same year the signatures are filed.		

2004