

**SENATE BILL NO. 149**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Introduced: 1/31/14

Referred: State Affairs, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to public hearings on initiatives and referenda scheduled to appear on**  
2 **the ballot; and providing for an effective date."**

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

4 **\* Section 1.** AS 15.45 is amended by adding a new section to read:

5 **Sec. 15.45.425. Public hearings.** (a) At least 30 days before the election at  
6 which a referendum is to appear on the ballot, the lieutenant governor shall hold two  
7 or more public hearings concerning the referendum in each judicial district of the  
8 state. The lieutenant governor shall ensure that at least one supporter and one  
9 opponent of the referendum provide written or oral testimony at the hearing.

10 (b) The lieutenant governor shall provide reasonable notice of each public  
11 hearing required under this section. The notice must include the date, time, and place  
12 of the hearing. The notice may be given using print or broadcast media. The lieutenant  
13 governor shall provide notice in a consistent fashion for all hearings required under  
14 this section.

1 (c) A violation of this section is not cause to remove a referendum from the  
2 ballot.

3 (d) If the lieutenant governor determines that it is technologically and  
4 economically feasible, the division shall provide a live audio and video broadcast of  
5 each hearing held under (a) of this section on the division's Internet website.

6 \* **Sec. 2.** AS 24.05.186 is amended to read:

7 **Sec. 24.05.186. Legislative hearings on initiatives and referenda certified**  
8 **by the lieutenant governor.** (a) A standing committee of the legislature, selected  
9 jointly by the presiding officers of the house of representatives and senate, shall hold  
10 at least one hearing on an initiative or referendum that the lieutenant governor has  
11 determined was properly filed under AS 15.45.160 or 15.45.390.

12 (b) The standing committee selected jointly by the presiding officers of the  
13 house of representatives and senate under (a) of this section shall hold at least one  
14 hearing under this section within 30 days after the convening of the legislative session  
15 preceding the statewide election at which the initiative or referendum proposition  
16 must appear on the election ballot under AS 15.45.190 or 15.45.420.

17 \* **Sec. 3.** AS 24.05.186 is amended by adding new subsections to read:

18 (c) A hearing under this section shall include

19 (1) the public review of a fiscal note for the law proposed by initiative  
20 or rejection of the act referred, prepared in the same manner and containing the same  
21 information required for a bill under AS 24.08.035(a) and (c)(1) - (8); and

22 (2) if offered by the governor or a designee of the governor, a  
23 statement presenting the position of the executive branch as to the merits of

24 (A) implementing a law proposed in the initiative; or

25 (B) rejecting the act that is the subject of a referendum.

26 (d) The department or departments affected shall prepare the fiscal note  
27 required under (c) of this section in conformity with the requirements of this section.  
28 The office of management and budget may review the fiscal note.

29 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
30 read:

31 **APPLICABILITY.** (a) Section 1 of this Act applies to a referendum that will appear

1 on the ballot after the effective date of this Act.

2 (b) Section 2 of this Act applies only to a referendum scheduled to appear on the  
3 ballot after the August 2014 primary election.

4 (c) Section 3 of this Act applies only to an initiative or a referendum scheduled to  
5 appear on the ballot after the August 2014 primary election.

6 \* **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).