



Lieutenant Governor Nancy Dahlstrom
STATE OF ALASKA

August 22, 2023

Elijah M. Verhagen
107 Chief Thomas Road
Nenana, AK 99760

Re: 23TLAL, An Act establishing term limits for Members of the Alaska State Legislature

Mr. Verhagen:

On June 23, 2023, I received the application for an initiative entitled "*An Act establishing term limits for Members of the Alaska State Legislature.*"

I forwarded the application to the Division of Elections for verification of signatures and to the Department of Law for legal review.

The Division of Elections has determined that the application does not have a sufficient number of sponsors who signed signature pages that included the required language to qualify for circulation of a petition. Due to the absence of required language on five of the eight submitted signature sheets, the signatures on those pages could not be counted towards the total.

Although it was determined that 109 qualified voters signed the signature sheets, the omission of the language "I am a qualified voter in the State of Alaska and acknowledge that the proposed bill... was attached at the time I signed the signature page" on five of the signature pages resulted in only 30 sponsors who subscribed to the same language. AS 15.45.030(2) requires that ... "each signature page must include a statement that the sponsors are qualified voters who signed the application with the proposed bill attached."

The Department of Law reviewed the application to ensure it met constitutional and statutory requirements and recommends that I decline to certify this initiative on the grounds that the bill is unconstitutional. The precedent set by the Alaska Supreme Court establishes that legislative term limits violate the Alaska Constitution.

The Alaska Attorney General Opinion dated August 21, 2023, is enclosed. Based on the Elections report and the Attorney General Opinion, and in accordance with AS 15.45.080, I have denied certification of your initiative application.

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You may submit a subsequent application at any time, but any succeeding application must stand alone and meet all the criteria listed in AS 15.45.010 – AS 15.45.245. You are entitled to judicial review within 30 days under AS 15.45.240 if you are aggrieved by this determination. If you have further questions, please contact my initiatives coordinator, April Simpson, at 907-465-4081.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nancy Dahlstrom". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nancy Dahlstrom
Lieutenant Governor

Enclosures

cc: Treg Taylor, Attorney General
Department of Law

Thomas Flynn, Assistant Attorney General
Department of Law

Carol Beecher, Director
Division of Elections