



## Lieutenant Governor Sean Parnell

September 5, 2007

Paul Fuhs  
329 East 10<sup>th</sup> Avenue  
Anchorage, AK 99501

Re: 07CHA3, Certificates of Need Requirements

Dear Mr. Fuhs:

On July 10, 2007, I received your application for an initiative that you entitled "*An Act amending the certificate of need requirement to apply only to facilities providing long term nursing home beds and residential psychiatric treatment centers.*" 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 determined that 188 of the 204 signatures submitted were those of qualified voters. Therefore, the application has a sufficient number of sponsors to qualify for circulation of a petition under AS 15.45.030. I am enclosing a copy of the petition statistics report summary prepared by the Division of Elections.

The Department of Law concluded that the bill and application are in the proper form, and that the application complies with the constitutional and statutory provisions governing the use of the initiative. A copy of the Department of Law opinion regarding the application is also enclosed.

Accordingly, I hereby certify your initiative application under Article XI of the Alaska Constitution and under the provisions of AS 15.45. I further certify that the proposed bill to be initiated is in the required form, that the application is substantially in the required form, and that there are a sufficient number of qualified sponsors. I have enclosed your official certificate and a copy of the Office of Management and Budget's Statement of Costs.

In accordance with AS 15.45.090(a)(2), I have prepared the following impartial summary of the subject matter of the bill, which will be printed in the petitions:

### Limit Certificate of Need Requirement

This bill would amend the law that requires a person to obtain a certificate of need from the state before a health care facility can be built. It would exempt certain facilities from the requirement. A certificate of need would no longer be required for new hospitals or facilities for diagnostic testing, treatment of kidney disease and day surgery. A certificate of need would still be required for long-term nursing care and residential psychiatric treatment care facilities.

Should this initiative become law?

Mr. Paul Fuhs  
September 5, 2007  
Page 2

The Division of Elections will prepare and print sequentially numbered petition booklets to allow full circulation throughout the state. Each petition will contain (1) a copy of the proposed bill; (2) an impartial summary of the subject matter of the bill; (3) a statement of minimum costs to the state associated with certification of the initiative application and review of the initiative petition; (4) an estimate of the cost to the state of implementing the proposed law; (5) the statement of warning prescribed in AS 15.45.100; (6) sufficient space for the personal information and signatures of each person signing the petition; and (7) other specifications that I decide would ensure proper handling and control.

When available, the division will send the petition booklets to the division's regional office of your choice (Juneau, Anchorage, Fairbanks or Nome). You will also be provided with instruction regarding the legal requirements for proper circulation. The statutes that govern the petition and circulation process are AS 15.45.090 – 15.45.140.

The initiative petition must be filed within one year from the notice date given that petition booklets are ready for delivery. The petition must be signed by at least ten percent of the qualified voters who voted in the last General Election, who are resident in at least three-fourths of the house districts of the state, and who are equal in number to at least seven percent of those who voted in the preceding General Election in that house district. Based on the number of 2006 General Election voters, you will need signatures of at least 23,831 qualified voters from at least 30 election districts.

If you have questions or comments about the ongoing initiative process, please contact my Special Assistant, Jason Hooley, at 465-4082.

Sincerely,



Sean Parnell  
Lieutenant Governor

Enclosures

Cc: Talis Colberg, Attorney General  
Whitney Brewster, Director, Division of Elections