

## Lieutenant Governor Sean Parnell

October 22, 2007

Arthur J. Hackney  
2931 Captain Cook Estates Circle  
Anchorage, AK 99517

Re: 07WTR3 Initiative Application

Dear Mr. Hackney:

On October 9, 2007, I received your application for an initiative that you entitled "*An Act to protect Alaska's clean water.*" 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 123 of the 148 signatures submitted were those of qualified voters. Therefore, the application has sufficient number of sponsors to qualify for circulation of a petition under AS 15.45.030. The petition statistics report prepared by the Division of Elections is enclosed.

The Department of Law concluded that, "the application complies with the constitutional and statutory provisions governing the use of the initiative... [and] we recommend that you certify the application." A copy of the Department of Law opinion is also enclosed.

Consequently, 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. Your official certificate is enclosed.

In accordance with AS 15.45.090(a)(2), it is my duty to prepare an impartial summary for the petition booklets. The following is the petition summary I have prepared:

### **BILL PROVIDING FOR REGULATION OF WATER QUALITY**

This bill imposes two water quality standards on new large scale metallic mineral mining operations in Alaska. The first standard does not allow such a mining operation to release into water a toxic pollutant that will adversely affect human health or the life cycle of salmon. The second standard does not allow such a mining operation to store mining wastes and tailings that could release sulfuric acid, other acids, dissolved metals or other toxic pollutants that could adversely affect water that is used by humans or by salmon. The bill defines a large scale metallic mineral mining operation to mean a metallic mineral mining operation that is in excess of 640 acres in size. The bill defines toxic pollutants to include substances that will cause death and disease in humans and fish, and includes a list of substances identified as toxic pollutants under federal law.

Should this initiative become law?

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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. As soon as the booklets are available, the Division will send them to the Division's regional office of your choice (Juneau, Anchorage, Fairbanks or Nome). You will also be provided with instructions for booklet distribution and accounting. These instructions must be followed.

The initiative petition must be filed within one year from the date notice is given that the petition booklets are ready for delivery. The petition must be signed by qualified voters at least equal in number to 10 percent of those 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. The number of signatures that you need to gather is based on the 2006 General Election. You will need at least 23,831 qualified voters total from at least 30 election districts to sign the petition.

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