

Election Policies and Rules of Procedure

1.1 General Petition Information

Petitions are a form of direct democracy available to citizens. There are **four** different types of petitions, each with slightly different rules and requirements.

When looking at petitions, legal requirements go in the following order:

1. Alaska State Law (Section 29 Chapter 26, Elections)
2. [CBJ Charter](#)
3. [CBJ Code](#)
4. Election Policies and Rules of Procedure

An **Initiative Petition** creates a new law.

A group of five Juneau voters become the petitioners' committee. They submit an affidavit and petition to the City Clerk's Office. The Clerk's Office has **15 business days** to approve or deny the petition. If it is denied, the petitioners' committee may rewrite and resubmit the petition. If it is approved the Clerk's office will print petition books. Then the petitioners' committee, and any registered Juneau voter they have delegated to collect signatures, has **30 calendar days** to obtain signatures. The petition books are then filed with the Clerk's Office as one instrument by the petitioner's committee. The Clerk's Office has **10 calendar days** to review signatures. If there are not enough signatures, then the petitioners' committee has an additional **10 calendar days** to gather supplemental signatures, and Clerk staff have an additional **10 calendar days** to review signatures.

If there are not enough signatures after the end of the supplemental period, then the petition process ends.

If there are enough signatures, the petition is forwarded to the Assembly which has **45 days** to enact substantially similar legislation. If the Assembly doesn't enact similar legislation, the petition goes to the next scheduled Municipal Election.

(References: CBJ Charter Article 7 – Initiative and Referendum, CBJ Code Chapter 29.10 – Initiative and Referendum)

A **Referendum Petition** repeals an existing law.

The first part of the process is the same as the initiative and charter petition process. If there are not enough signatures after the end of the supplemental period, then the petition process ends.

If there are enough signatures, the petition is forwarded to the Assembly which has **30 days** to enact substantially similar legislation (repealing the code sections that are the subject of the petition). If the Assembly doesn't repeal the code section in question, the referendum petition question is placed on the ballot for the next scheduled Municipal Election.

(References: CBJ Charter Article 7 – Initiative and Referendum, CBJ Code Chapter 29.10 – Initiative and Referendum)

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A **Charter Amendment** changes the CBJ Charter. It can either add new requirements to the Charter or repeal something currently in the Charter.

The first part of the process is the same as the initiative and referendum petition process. If there are not enough signatures after the end of the supplemental period, then the petition process ends.

If there are enough signatures, then it will go to the voters. If the next regular Municipal Election is between 60-120 days away, then it will be on that election. If it is less than 60 days or more than 120 days from the Regular Municipal Election, then the Clerk will call for a Special Election.

The main difference between the process for a Charter Amendment verses an initiative or referendum petition is that the Assembly is not involved in the process other than calling for a Special Election if the timeframe above requires it.

(References: CBJ Charter Section 14 – Charter Amendment, CBJ Code Chapter 29.10 – Initiative and Referendum)

A **Recall Petition** is to remove an elected official from office.

All sections of CBJ Charter related to Recall Petitions have been superseded by Alaska State Law.

Any elected or appointed official may be recalled by the voters after they have served at least 120 days in office for the grounds of misconduct in office, incompetence, or failure to perform prescribed duties. A petition may not be filed within 180 days before their term ends.

A group of 10-11 Juneau voters become the petitioners' committee. They submit an affidavit to the City Clerk's Office which has **15 business days** to approve or deny the petition. If it is denied the committee may rewrite and resubmit the petition. If it is approved, the Clerk's office will print petition books. Then the petitioners' committee, and **only** the petitioners' committee, has **60 calendar days** to obtain signatures. The Clerk's office then has **10 calendar days** to review signatures. If there are not enough signatures, then the petitioners' committee has an additional **10 calendar days** to gather supplemental signatures, and the clerks have an additional **10 calendar days** to review signatures.

If there are not enough signatures after the end of the supplemental period, then the petition process ends.

If there are enough signatures, then it will go to the voters. If the next regular Municipal Election is between 45-75 days away, then it will be on that election. If it is less than 45 days or more than 75 days from the Regular Municipal Election, then the Clerk will call for a Special Election.

(References: AS 29.26.240-AS 29.26.360)

Denials:

A petition may be denied if the affidavit "is not substantially in the required form; the proposed measure to be initiated is not in the required form; or there are fewer than five qualified members on the committee." In general, that means that if you're writing a new law (an initiative petition),

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then it needs to look like a law, including what code sections or chapters you are implementing. The same requirements are needed for repealing a law (a referendum petition), or changing the Charter (a Charter Amendment petition).

The proposed measure may only address one subject and may not establish budgets, fix mill levies, or appropriate funds.

(References: CBJ Charter 7.2 – 7.9, 14.3; CBJ Code 29.10)

Signatures Needed:

Petitioners' committees must gather signatures equal to 25% of the votes cast in the municipality at the last regular municipal election. They should plan to gather at least 10% more signatures than required, to cover people whose signature is disallowed (see 1.3 Determination of voter qualifications).

(CBJ Charter 7.3)