CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 3

Introduced by Committee on Direct Legislation

INITIATIVE, REFERENDUM AND RECALL
AMENDMENT AND REVISION

RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

ARTICLE ON DIRECT LEGISLATION

Initiative

Section 1. The people reserve the power by petition to propose laws and to enact or reject such laws at the polls.

Referendum

Section 2. The people reserve the power to require, by petition, that laws enacted by the legislature be submitted to the voters for approval or rejection.

Procedure

Section 3. The legislature shall prescribe the procedures to be followed in the exercise of the powers of initiative and referendum, except as herein provided.

Petitions, ballot title, election, vote required

Section 4. Prior to general circulation, an initiative petition containing a draft of the proposed law in bill form shall be signed by 100 qualified electors as sponsors and have its sufficiency as to form certified by the attorney general. The same procedure, so far as applicable, shall apply to referendum petitions. Denial of certification
shall be reviewable by the court. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 10% of the number of voters who voted in the preceding general election. The petition shall contain signatures of qualified electors resident in at least two-thirds of the election districts of the State. The petition may be filed with the attorney general who shall prepare a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided. Initiative petitions may be filed at any time. Referendum petitions shall be filed within 90 days after adjournment of the legislative session at which the measure was passed. Laws proposed by the initiative shall be submitted to the voters by ballot title at the first statewide election which occurs more than one hundred twenty (120) days after adjournment of the legislative session following the filing of the initiative petition, unless the legislature at said session shall have enacted substantially the same measure. Questions on referendum shall also be submitted to the voters by ballot title at the first statewide election occurring more than one hundred twenty (120) days after adjournment of the legislature which passed the law
being referred. A majority of the votes cast is necessary for the adoption of an initiated law, or the defeat of a measure referred. No law passed by the initiative may be vetoed by the Governor nor may it be repealed by the legislature for a period of two years, but may be amended at any time.

Section 5. The initiative and referendum may not be used as a means of earmarking revenues, for making or defeating appropriations of public funds, or for local or special legislation. The referendum shall not be applicable to such laws as are necessary for the immediate preservation of the public peace, health or safety, and laws making appropriations for the current expenses of the State government and for the maintenance of public institutions.

Section 6. Every elected public official in the State, except judicial officers, is subject to recall by the voters of the State or subdivision from which elected. The legislature shall prescribe the recall procedures and grounds for recall.
ARTICLE ON REVISION AND AMENDMENT

Methods

1. Section 1. Revisions of or amendments to this Constitution may be adopted by the Legislature or by constitutional convention as hereinafter authorized subject to ratification by the people.

Proposals by Legislature

2. Section 2. Any legislature may by a two-thirds vote of each house propose amendments to the Constitution. Proposed amendments shall be submitted by ballot title prepared by the Attorney General to the voters at the next general election. If a majority of the votes tallied on the question favor the ratification of the amendment, the amendment is ratified.

Constitutional Convention

3. Section 3. The legislature may provide for Constitutional Conventions. If any ten-year period elapses during which the legislature has not called a convention, the Governor shall certify the question, "Shall there be a Constitutional Convention?" The question shall be submitted at the first general election following the expiration of such period. If a majority of the ballots cast upon the question are in the affirmative, delegates to the convention shall be chosen at the next regular election unless the legislature provides for the election of delegates at a special election.

4. Unless the legislature provides otherwise, the law providing for the Alaska Constitutional Convention of 1955 shall be followed insofar as possible relating to number
of members, districts, convention powers, election and
 certification of delegates, submission and ratification
 of revisions and ordinances, and other applicable pro-
 visions. The appropriation provisions of the law shall
 be self-executing and shall constitute a first claim on
 the general fund of the State Treasury. The legislature
 may provide additional appropriations.
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Section 2. The people reserve the power to require, by petition, that laws enacted by the legislature be submitted to the voters for approval or rejection.

Procedure

Section 3. The legislature shall prescribe the procedures to be followed in the exercise of the powers of initiative and referendum, except as herein provided.

\[
\text{SUBJECT TO THE SPECIFIC AUTHORITY RESERVED HEREIN. NO LAW SHALL BE ENACTED TO HAMPER, RESTRICT OR IMPAIR THE EXERCISE OF POWERS RESERVED HEREIN BY THE PEOPLE.}
\]

Petitions, ballot title, election, vote required

Section 4. Prior to general circulation, an initiative petition shall be signed by ten qualified electors as sponsors and have the constitutionality certified by the attorney general. Certification shall be reviewable.

Committee Proposal No. 3 Engrossed
BY THE COURTS. A VALID INITIATIVE OR REFERENDUM PETITION
SHALL BE SIGNED BY QUALIFIED ELECTORS EQUAL TO EIGHT PERCENT
OF THE NUMBER OF VOTES CAST FOR GOVERNOR IN THE PRECEDING
GENERAL ELECTION AT WHICH THE GOVERNOR WAS CHOSEN. PETITIONS
SHALL BE FILED WITH THE ATTORNEY GENERAL, WHO SHALL PREPARE A BALLOT TITLE, AND THE ADEQUACY OF THE BALLOT TITLE SHALL BE REVIEWABLE BY THE COURTS.

Section 4. Prior to general circulation, an initiative petition containing a draft of the proposed law in bill form shall be signed by 100 qualified electors as sponsors and have its sufficiency as to form certified by the attorney general. The same procedure, so far as applicable, shall apply to referendum petitions. Denial of certification shall be reviewable by the court. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 10% of the number of voters who voted in the preceding general election. The petition shall contain signatures of qualified electors resident in at least two-thirds of the election districts of the State. The petition may be filed with the attorney general who shall prepare a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided. Initiative petitions
may be filed at any time. Referendum petitions shall be filed within 90 days after adjournment of the legislative session at which the measure was passed. LAWS PROPOSED BY THE INITIATIVE SHALL BE SUBMITTED TO THE VOTERS BY BALLOT TITLE AT AN ELECTION NOT LATER THAN 180 DAYS AFTER THE ADJOURNMENT OF THE LEGISLATIVE SESSION FOLLOWING THE FILING OF THE PETITION, UNLESS THE LEGISLATURE ENACTS THE MEASURE INITIATED DURING THE SESSION. THE QUESTION ON REFERENDUM SHALL BE SUBMITTED TO THE VOTERS BY BALLOT TITLE NOT LATER THAN 120 DAYS AFTER THE FILING OF A PETITION AGAINST THE MEASURE. Laws proposed by the initiative shall be submitted to the voters by ballot title at the first statewide election which occurs more than one hundred twenty (120) days after adjournment of the legislative session following the filing of the initiative petition, unless the legislature at said session shall have enacted substantially the same measure. Questions on referendum shall also be submitted to the voters by ballot title at the first statewide election occurring more than one hundred twenty (120) days after adjournment of the legislature which passed the law being referred. A majority of the votes cast is necessary for the adoption of an initiated law, or the defeat of a measure referred. No law passed by the initiative may be vetoed by the Governor nor may it be AMENDED OR repealed by the legislature for a
period of \(\text{TWO} \) two years, but may be amended at any
time.

\section{Section 5.} \(\text{NEITHER THE INITIATIVE NOR REFERENDUM}
\) may be used as a means of making or defeating appropriations of public funds or earmarking of revenues nor for local or special legislation. The initiative and referendum may not be used as a means of earmarking revenues, for making or defeating appropriations of public funds, or for local or special legislation. \(\text{EMERGENCY ACTS ARE NOT SUBJECT TO REFERENDUM.}\)

\section{Section 6.} Every elected public official in the State, except judicial officers, is subject to recall by the voters of the State or subdivision from which elected. \(\text{GROUNDS FOR RECALL ARE MALFEASANCE, MISFEASANCE, NONFEASANCE, OR CONVICTION OF A CRIME INVOLVING MORAL TURPITUDE.}\)

\section{Recall} The legislature shall prescribe the recall procedures and grounds for recall.
ARTICLE ON REVISION AND AMENDMENT

Methods

1. Section 1. Revisions of or amendments to this Constitution may be adopted by two succeeding legislatures, or be proposed by constitutional convention or by the legislature. Section 1. Revisions of or amendments to this Constitution may be adopted by the legislature or by constitutional convention as hereinafter authorized subject to ratification by the people.

Proposals by Legislature

Section 2. Any legislature may by a two-thirds vote of each house propose amendments to the Constitution. Proposed amendments may be submitted by ballot title prepared by the Attorney General to the voters at the next general election. If a majority of the votes tallied on the question favor the adoption ratification of the amendment, the amendment is adopted.

Section 3. Proposed amendments may be submitted to the next legislature not less than two years after being proposed. If the second legislature by a two-thirds vote of each house favors the adoption of the amendment, the amendment is adopted.

Constitutional Convention

Section 3. The legislature may provide for Constitutional Conventions. If any ten-year period elapses during which the legislature has not called a convention, the Governor shall certify the question, "Shall there be a Constitutional Convention?" The question shall be submitted at the first general election following the expiration of
such period. If a majority of the ballots cast upon the
question are in the affirmative, delegates to the convention
shall be chosen at the next regular election unless the
legislature provides for the election of delegates at a
special election.

Unless the legislature provides otherwise, the law
providing for the Alaska Constitutional Convention of 1955
shall be followed insofar as possible relating to number
of members, districts, convention powers, election and
certification of delegates, submission and ratification of
revisions and ordinances, and other applicable provisions.
The appropriation provisions of the law shall be self-
executing and shall constitute a first claim on the general
fund of the State Treasury. The legislature may provide
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Section 2. The people reserve the power to require,

by petition, that laws enacted by the legislature be

submitted to the voters for approval or rejection.

Procedure

Section 3. The legislature shall prescribe the

procedures to be followed in the exercise of the powers

of initiative and referendum, except as herein provided.

Petitions, ballot title, election, vote required

Section 4. Prior to general circulation, an initiative

petition containing a draft of the proposed law in bill

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shall apply to referendum petitions. Denial of certification
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voted in the preceding general election. The petition
shall contain signatures of qualified electors resident in
at least two-thirds of the election districts of the State.
The petition may be filed with the attorney general who
shall prepare a ballot title or proposition designating
and summarizing the substance of the proposed law which
proposition shall go upon the ballot as hereinafter pro-
vided. Initiative petitions may be filed at any time.
Referendum petitions shall be filed within 90 days after
adjournment of the legislative session at which the measure
was passed. Laws proposed by the initiative shall be sub-
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election which occurs more than one hundred twenty (120)
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measure referred. No law passed by the initiative may be
vetoed by the Governor nor may it be repealed by the legis­
lature for a period of two years, but may be amended at
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institutions.

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except judicial officers, is subject to recall by the
voters of the State or subdivision from which elected.
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Section 2. Any legislature may by a two-thirds vote of each house propose amendments to the Constitution. Proposed amendments shall be submitted by ballot title prepared by the Attorney General to the voters at the next general election. If a majority of the votes tallied on the question favor the ratification of the amendment, the amendment is ratified.

Constitutional Convention

Section 3. The legislature may provide for Constitutional Conventions. If any ten-year period elapses during which the legislature has not called a convention, the Governor shall certify the question, "Shall there be a Constitutional Convention?" The question shall be submitted at the first general election following the expiration of such period. If a majority of the ballots cast upon the question are in the affirmative, delegates to the convention shall be chosen at the next regular election unless the legislature provides for the election of delegates at a special election.

Unless the legislature provides otherwise, the law providing for the Alaska Constitutional Convention of 1955 shall be followed insofar as possible relating to number
of members, districts, convention powers, election and
registration of delegates, submission and certification of
revisions and ordinances, and other applicable provisions. The appropriation provisions of the law shall
be self-executing and shall constitute a first claim on
the general fund of the State Treasury. The legislature
may provide additional appropriations.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

STRIKE Section 1 and substitute

Section 1. Revisions of or amendments to this Constitution may be adopted by the Legislature or by constitutional Convention as hereinafter authorized, subject to ratification by the people.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Article 3, Section 2

Line 7 page one strike the word "May" and insert the word "Shall".
Mr. President:

I move that (Committee) Proposal No. 3 be amended as follows:

Article II

Sec. 1. Strike lines 2 and 3, strike "adopted by two succeeding legislates, etc.," change 2 removed to adopted, and proposed after on

Sec. 2. Strike lines 12, 13, 14, 15, 16.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Section 3.

Add to line 9 on page 1 the words "strike period and insert a comma " except as herein provided."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 111

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

line 6 - Section 4 "Revised Edition" 

after cast, delete "for governor" and insert period

after election in line 7.

delete "vote cast" and insert in line there

"voters who voted"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. ___ be amended as follows:

LINE 20. P2 delete "amended or"

after the word "years"

on the last line of Section 4, P2

change period to comma and add "but may be amended at any time."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Section 4 - Line 21 - Change word "three" after "For a period" to "two years"
As amended through December 19, 1955
but still in second reading.

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 3

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INITIATIVE, REFERENDUM AND RECALL,
AMENDMENT AND REVISION

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the Alaska State Constitution:

ARTICLE ON DIRECT LEGISLATION

Initiative  1  Section 1. The people reserve the power by peti-
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Referendum  4  Section 2. The people reserve the power to re-
            quire, by petition, that laws enacted by the legis-
            lature be submitted to the voters for approval or
            rejection.

Procedure  8  Section 3. The legislature shall prescribe the
            procedures to be followed in the exercise of the powers
            of initiative and referendum.

Petitions, 11  Section 4. Prior to general circulation, an ini-
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be reviewable by the court. If certified to be sufficient the initiative or referendum petition containing a summary of the subject matter prepared by the attorney general may then be circulated and must be signed by qualified electors equal to 10% of the number of votes cast for governor in the preceding general election at which the governor was chosen. The petition shall contain signatures of qualified electors resident in at least two-thirds of the election Districts of the State. The petition may be filed with the attorney general who shall prepare a ballot title or proposition designating and summarizing the substance of the proposed law which proposition shall go upon the ballot as hereinafter provided. Initiative petitions may be filed at any time. Referendum petitions shall be filed within 90 days after adjournment of the legislative session at which the measure was passed. Laws proposed by the initiative shall be submitted to the voters by ballot title at the first statewide election which occurs more than one hundred twenty (120) days after adjournment of the legislative session following the filing of the initiative petition, unless the legislature at said session shall have enacted substantially the same measure. Questions on referendum shall also be submitted to the voters by ballot title
at the first statewide election occurring more than one hundred twenty (120) days after adjournment of the legislature which passed the law being referred. A majority of the votes cast is necessary for the adoption of an initiated law, or the defeat of a measure referred. No law passed by the initiative may be vetoed by the Governor.

Section 5. The initiative or referendum may not be used as a means of earmarking revenues, for making or defeating appropriations of public funds, or for local or special legislation. The referendum shall not be applicable to such laws as are necessary for the immediate preservation of the public peace, health and safety.

Section 6. Every elected public official in the State, except judicial officers, is subject to recall by the voters of the State or subdivision from which elected. Grounds for recall are malfeasance, misfeasance, nonfeasance, or conviction of a crime involving moral turpitude. The legislature shall prescribe the recall procedures.
Constitutional Convention
December 19, 1955

AMENDMENT TO COMMITTEE PROPOSAL NO. 3

by

J.S. Hellenthal-Smith-Davis-Rivers, R.

Page 2, lines 9 (beginning with the word "Laws") to 17 (ending with the word "sure") should be stricken and the following substituted:

"Laws proposed by the initiative shall be submitted to the voters by ballot title at the first statewide election which occurs more than one hundred twenty (120) days after adjournment of the legislative session following the filing of the initiative petition, unless the legislature at said session shall have enacted substantially the same measure. Questions on referendum shall also be submitted to the voters by ballot title at the first statewide election occurring more than one hundred twenty (120) days after adjournment of the legislature which passed the law being referred."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows: Initiative, referendum and recall.

Section 4, page 2, line 20, insert after the word "nor" the words "may it be"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows: Initiative, referendum and recall:

Section 5, page 2, line 24. Insert a comma after the word female, delete the word "or" and insert "of" in lieu thereof, change the word "may" to the next to last word in the line to "or".
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Page one - Section 4 - Line 18

Strike word "right" at the end of the line and insert in lieu thereof the word "fifteen"

Page one - Section 4

June 15 — Strike the word "constitutionalist" and substitute in lieu thereof the word "form"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. ___

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

page 2, line 3, Section 4:

after word "chosen" and new sentence "The petition shall contain signatures from at least two-thirds of the election districts of the State."
AMENDMENT NO. ________

Constitutional Convention

By: R.E. Robertson

Date: Dec 17, 1951

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Section 4, line 2, delete "80" and insert "100" in lieu thereof, so that it will read "100" qualified electors.

R.E. Robertson
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Sec. 3, Line 10. Delete the words "authority reserved" and substitute the word "provision".

[Signature]

Adopted
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Page 2, sec. 1, lines 22-25, strike the first sentence & insert in lieu thereof: The initiative or referendum may not be used as a means of earmarking revenues, for making or defeating appropriations of public funds, or for local or special legislation.
AMENDMENT TO (COMMITTEE) PROPOSAL NO.

MR. PRESIDENT:  RIVERS DWEEN

I move that (Committee) Proposal No. 3 be amended as follows:

STRIKE ENTIRE SENTENCE BEGINNING WITH

THE PETITION SHALL AT

ADD

THE PETITION SHALL CONTAIN
SIGNATURES OF QUALIFIED ELECTORS RESIDENT IN AT LEAST TWO-THIRDS
OF ELECTION DISTRICTS OF THE STATE.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Section four as amended at request of Ralph Ruus, after word "general" on line 4 of Ralph Ruus's amendment insert the following sentence: "The same procedure so far as applicable, shall apply to referendum petitions."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

SECTION 3, LINE 9.

DELETE COMMA AFTER REFERENDUM TNSERT PERIOD. DELETE REMAINDER OF SENTENCE.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

SECTION 3, LINE 10
DELETE WORDS "No law shall be enacted to hamper, restrict or impair the exercise of power reserved herein by the people."

adopted red card
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Page 2, line 25 after the word, "legislation"
strike the balance of the line and on
Page 3 strike the line 1, and insert in line 1 thereof the following:

"The referendum shall not be applicable to such laws as are necessary for the immediate preservation of the public peace, health or safety, and laws making appropriations for the support of the State government and for the maintenance of public institutions."
Hon. William A. Egan
President, Alaska Constitutional Convention

Dear Mr. President:

Your Committee on Direct Legislation, Amendment and Revision presents for your consideration and adoption its proposed Articles on Initiative, Referendum and Recall; and Amendment and Revision.

The Committee proposal, while incorporating many of the ideas contained in Convention Proposals No. 29 and 34, and in other drafts submitted to the Committee, is a Committee substitute.

A section by section commentary of the subject matter has been prepared by your Committee for the use of the Delegates to the Convention.

Respectfully submitted,

E. B. Collins, Chairman
Jack Hinckel
M. R. Marston
Irwin L. Metcalf
Warren A. Taylor
W. O. Smith
Leonard King
CONSTITUTIONAL CONVENTION OF ALASKA

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INITIATIVE, REFERENDUM AND RECALL AMENDMENT AND REVISION

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Referendum 2. The people reserve the power to require, by petition, that laws enacted by the legislature be submitted to the voters for approval or rejection.

Procedure 3. The legislature shall prescribe the procedures to be followed in the exercise of the powers of initiative and referendum, subject to the specific authority reserved herein. No law shall be enacted to hamper, restrict or impair the exercise of powers reserved herein by the people.

Petitions 4. Prior to general circulation, an initiative petition shall be signed by ten qualified electors as sponsors and have the constitutionality certified by the Attorney General. Certification shall be reviewable by the courts. A valid initiative or referendum petition required shall be signed by qualified electors equal to eight.
percent of the number of votes cast for Governor in the preceding general election at which the Governor was chosen. Petitions shall be filed with the Attorney General, who shall prepare a ballot title, and the adequacy of the ballot title shall be reviewable by the courts. Initiative petitions may be filed at any time. Referendum petitions shall be filed within 90 days after adjournment of the legislative session at which the measure was passed. Laws proposed by the initiative shall be submitted to the voters by ballot title at an election not later than 180 days after the adjournment of the legislative session following the filing of the petition, unless the legislature enacts the measure initiated during the session. The question on referendum shall be submitted to the voters by ballot title not later than 120 days after the filing of a petition against the measure. A majority of the votes cast is necessary for the adoption of an initiated law, or the defeat of a measure referred. No law passed by the initiative may be vetoed by the Governor nor amended or repealed by the legislature for a period of three years, but may be amended at any time.

Restrictions

Section 5. Neither the initiative nor referendum may be used as a means of making or defeating appropriations of public funds or earmarking of revenues nor for local or special legislation. Emergency acts are not
Recall

Section 6. Every elected public official in the State, except judicial officers, is subject to recall by the voters of the State or subdivision from which elected. Grounds for recall are malfeasance, misfeasance, nonfeasance, or conviction of a crime involving moral turpitude. The legislature shall prescribe the recall procedures.
ARTICLE ON REVISION AND AMENDMENT

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Unless the legislature provides otherwise, the law providing for the Alaska Constitutional Convention of 1955 shall be followed insofar as possible relating to number of members, districts, convention powers, election and certification of delegates, submission and ratification of revisions and ordinances, and other applicable provisions. The appropriation provisions of the law shall be self-executing and shall constitute a first claim on the general fund of the State Treasury. The legislature may provide additional appropriations.
Commentary on the Article of Initiative, Referendum and Recall

(Sec. 1 Initiative)

The initiative is the power of the people to initiate laws themselves and provide for a referendum on such laws without action by the legislature. This section reserves the authority of the people to initiate laws by petition and vote of the people directly.

(Sec. 2 Referendum)

This section permits the people to require that laws passed by the Legislature be referred to a vote of the people before taking effect. This power is known as the Referendum.

(Sec. 3 Procedure)

Many constitutions, in the states which make provision for the use of the initiative and referendum, contain a great degree of detail relating to the exercise of the initiative and referendum. This section permits the legislature to provide by law for some details, but provides that the legislature may not restrict the substantive rights guaranteed in Section 4, nor to require procedures more difficult than provided in Section 4.

(Sec. 4 Petition, Ballot title; election; vote required)

This section sets forth certain substantive provisions and minimum procedures affecting the exercise of the initiative
and referendum. To prevent waste of money on elections for laws that are unconstitutional, sponsors are required to submit a proposed law to the Attorney General for certification of its constitutionality, subject to court review, prior to the circulation of petitions. The provision is intended to stop, at the initial stage, the circulation of petitions for laws that would, even if approved by the voters, result in expensive court action.

If the legislature adopts a measure that is the subject of the initiative, the measure does not have to be submitted to the people.

Additional details of procedure may be provided by the legislature subject to the limits imposed by this section. The procedure outlined has the advantage of brevity while ensuring the substantive rights to the people.

(Sec. 5 Restrictions) The exercise of the initiative is a fundamental right of the people, but special interest groups should not be permitted to unduly hamper the operation of government. The restrictions in Section 5 will prevent the abuses and problems that have sometimes arisen in the states permitting initiative and referendum. Neither the initiative nor referendum can be used with regard to emergency legislation, appropriations, or measures earmarking taxes and other revenues, or for special or local laws that are of interest to only one group of people or people in only one portion of the state.
The right of the people to remove elected officials is preserved. The Legislature is directed to provide the methods to be used.
(Sec. 1 Methods)

This section outlines three methods by which the constitution may be amended or revised. (1) By action of two separate legislatures directly; (2) by action of one legislature and referral to the people; and (3) by constitutional convention.

(Sec. 2 Proposals by Legislature)

The Legislature, by a two-thirds vote, may submit a proposed amendment to a vote at a general election. Use of general election is intended to insure a substantial vote on the question.

An alternate method is provided which permits the legislature, by a two-thirds vote, to submit a proposed amendment to the next legislature, but not to a succeeding session of the same legislature. If the second legislature adopts the amendment by a two-thirds vote it becomes part of the constitution without referring it to a vote of the people.

(Sec. 3 Constitutional Convention)

The legislature is empowered to call a convention, but if the legislature does not provide for a convention each ten years, the question is submitted to the people at the following general election.

The legislature is authorized to prescribe the procedures and powers of a convention; but if it does not make such provisions, the law calling this convention will be followed insofar as practicable.