

HOUSE JOINT RESOLUTION NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MARTIN, Rokeberg

Introduced: 1/16/95

Referred: State Affairs, Judiciary

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska authorizing the**
2 **use of the initiative to amend the Constitution of the State of Alaska.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** Article XI, sec. 1, Constitution of the State of Alaska, is amended to read:

5 SECTION 1. INITIATIVE AND REFERENDUM. The people may propose
6 and enact **constitutional amendments and** laws by the initiative, and approve or reject
7 acts of the legislature by the referendum.

8 * **Sec. 2.** Article XI, sec. 2, Constitution of the State of Alaska, is amended to read:

9 SECTION 2. APPLICATION. An initiative or referendum is proposed by an
10 application containing the **constitutional amendment or proposed law** [BILL] to be
11 initiated or the act to be referred. The application shall be signed by not less than one
12 hundred qualified voters as sponsors, and shall be filed with the lieutenant governor.
13 **The lieutenant governor shall certify the application if it is** [IF HE FINDS IT] in
14 proper form [HE SHALL SO CERTIFY]. Denial of certification shall be subject to
15 judicial review.

16 * **Sec. 3.** Article XI, sec. 4, Constitution of the State of Alaska, is amended to read:

1 SECTION 4. INITIATIVE ELECTION. An initiative petition may be filed
2 at any time. The lieutenant governor shall prepare a ballot title and proposition
3 summarizing the proposed **constitutional amendment or** law, and shall place them
4 on the ballot for the first statewide election held more than one hundred twenty days
5 after adjournment of the legislative session following the filing. If, before the election,
6 substantially the same **constitutional amendment has been proposed by the**
7 **legislature or substantially the same law** [MEASURE] has been enacted, the petition
8 is void.

9 * **Sec. 4.** Article XI, sec. 6, Constitution of the State of Alaska, is amended to read:

10 SECTION 6. **DISPOSITION OF PROPOSED CONSTITUTIONAL**
11 **AMENDMENT OR LAW OR OF ACT REFERRED.** (a) [ENACTMENT. IF A
12 MAJORITY OF THE VOTES CAST ON THE PROPOSITION FAVOR ITS
13 ADOPTION, THE INITIATED MEASURE IS ENACTED. IF A MAJORITY OF
14 THE VOTES CAST ON THE PROPOSITION FAVOR THE REJECTION OF AN
15 ACT REFERRED, IT IS REJECTED.] The lieutenant governor shall certify the
16 **returns of an** election **conducted under Section 4 or 5 of this article** [RETURNS].

17 **(b) If a majority of the votes cast on the proposed constitutional**
18 **amendment favor its adoption, the proposed amendment is adopted. An initiated**
19 **constitutional amendment becomes effective thirty days after the certification of**
20 **the election returns by the lieutenant governor.**

21 **(c) If a majority of the votes cast on the proposed law favor its enactment,**
22 **the proposed law is enacted.** An initiated law becomes effective ninety days after
23 **the certification of the election returns by the lieutenant governor,** is not subject to
24 veto, [AND] may not be repealed by the legislature within two years of its effective
25 date, **and** [. IT] may be amended at any time.

26 **(d) If a majority of the votes cast on an act referred favor the rejection**
27 **of the act referred, the act is rejected.** An act rejected by referendum is void thirty
28 days after certification **of the election returns by the lieutenant governor.**

29 **(e)** Additional procedures for the initiative and referendum may be prescribed
30 by law.

31 * **Sec. 5.** Article XIII, sec. 1, Constitution of the State of Alaska, is amended to read:

1 SECTION 1. AMENDMENTS. Amendments to this constitution may be
2 proposed by a two-thirds vote of each house of the legislature. The lieutenant
3 governor shall prepare a ballot title and proposition summarizing each [PROPOSED]
4 amendment **proposed by the legislature**, and shall place them on the ballot for the
5 next general election. If a majority of the votes cast on the proposition favor the
6 amendment, it shall be adopted. Unless otherwise provided in the amendment, it
7 becomes effective thirty days after the certification of the election returns by the
8 lieutenant governor. **Amendments may also be proposed by the initiative under**
9 **Article XI.**

10 * **Sec. 6.** The amendments proposed by this resolution shall be placed before the voters of
11 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
12 State of Alaska, and the election laws of the state.