

SENATE JOINT RESOLUTION NO. 1

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY SENATORS HALFORD, Leman, Green

Introduced: 1/16/95

Referred: JUD, FIN

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 by approval**
3 **of two-thirds of the votes cast on the proposed amendment.**

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

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

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

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

12 SECTION 2. APPLICATION. An initiative or referendum is proposed
13 by an application containing the constitutional amendment or proposed law
14 [BILL] to be initiated or the act to be referred. The application shall be
15 signed by not less than one hundred qualified voters as sponsors, and shall
16 be filed with the lieutenant governor. The lieutenant governor shall certify

1 the application if it is [IF HE FINDS IT] in proper form [HE SHALL SO
2 CERTIFY]. Denial of certification shall be subject to judicial review.

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

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

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

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

23 (b) If two-thirds of the votes cast on a constitutional amendment
24 proposed by initiative favor its adoption, the proposed amendment is
25 adopted. An initiated constitutional amendment becomes effective thirty
26 days after the certification of the election returns by the lieutenant
27 governor.

28 (c) If a majority of the votes cast on a proposed law favor its
29 enactment, the proposed law is enacted. An initiated law becomes effective
30 ninety days after the certification of the election returns by the lieutenant
31 governor, is not subject to veto, [AND] may not be repealed by the
32 legislature within two years of its effective date, and [. IT] may be

1 amended at any time. **(d) If a majority of the votes cast on an act**
2 **referred favor the rejection of the act referred, the act is rejected.** An
3 act rejected by referendum is void thirty days after certification **of the election**
4 **returns by the lieutenant governor.**

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

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

9 SECTION 1. AMENDMENTS **PROPOSED BY LEGISLATURE.**

10 Amendments to this constitution may be proposed by a two-thirds vote of each
11 house of the legislature. The lieutenant governor shall prepare a ballot title
12 and proposition summarizing each [PROPOSED] amendment **proposed by the**
13 **legislature,** and shall place them on the ballot for the next general election.

14 If a majority of the votes cast on the proposition favor the amendment, it
15 shall be adopted. Unless otherwise provided in the amendment, it becomes
16 effective thirty days after the certification of the election returns by the
17 lieutenant governor. **Amendments to this constitution may also be made**
18 **using the initiative process under Article XI.**

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