

HOUSE JOINT RESOLUTION NO. 6

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MARTIN

Introduced: 1/13/97

Referred: State Affairs, Judiciary, Finance

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

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

9 **Section 6. Disposition of Proposed Constitutional Amendment or Law or**
 10 **of Act Referred. (a)** [ENACTMENT. IF A MAJORITY OF THE VOTES CAST
 11 ON THE PROPOSITION FAVOR ITS ADOPTION, THE INITIATED MEASURE
 12 IS ENACTED. IF A MAJORITY OF THE VOTES CAST ON THE PROPOSITION
 13 FAVOR THE REJECTION OF AN ACT REFERRED, IT IS REJECTED.] The
 14 lieutenant governor shall certify the **returns of an election conducted under Section**
 15 **4 or 5 of this article** [RETURNS].

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

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 23 veto, [AND] may not be repealed by the legislature within two years of its effective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

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

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

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

31 **Section 1. Amendments.** Amendments to this constitution may be proposed

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

7 **Amendments may also be proposed by the initiative under Article XI.**

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