

Introduced: 2/2/72
Referred: Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE JOINT RESOLUTION NO. 103

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the grand
6 jury section of the Constitution of
7 the State of Alaska.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. Sec. 8, art. I of the Constitution of the State of Alaska
10 is amended to read:

11 SECTION 8. GRAND JURY. No person shall be held to answer for a
12 capital, or otherwise infamous crime, unless on a presentment or
13 indictment of a grand jury, or unless a complaint or information has
14 been filed and a judge has found, after preliminary hearing, that
15 there is probable cause to believe that the accused person has
16 committed the crime, except in cases arising in the armed forces in
17 time of war or public danger. [INDICTMENT MAY BE WAIVED BY THE
18 ACCUSED. IN THAT CASE THE PROSECUTION SHALL BE BY INFORMATION.] The
19 grand jury shall consist of at least twelve citizens, a majority of
20 whom concurring may return an indictment. The power of grand juries
21 to investigate and make recommendations concerning the public welfare
22 or safety shall never be suspended.

23 * Sec. 2. The amendment proposed by this resolution shall be placed
24 before the voters of the state at the next statewide election in conformity
25 with sec. 1, art. XIII of the Constitution of the State of Alaska and the
26 state election laws.