Original sponsor: Rules Committee
by request of the Governor

Offered: 4/21/72
Referred: Rules

IN THE HOUSE BY THE JUDICIARY COMMITTEE

CS FOR HOUSE JOINT RESOLUTION NO. 103

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTH LEGISLATURE - SECOND SESSION

Proposing an amendment to the grand jury section of the Alaska Constitution.

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

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

SECTION 8. GRAND JURY. Except in cases arising in the armed forces in time of war or public danger, no [NO] person shall be held to answer for a capital, or otherwise infamous crime, unless either (1) on a presentment or indictment of a grand jury, or (2) a complaint or information has been filed and a judicial officer has found, after preliminary hearing, that a crime was committed and there is probable cause to believe that the accused person committed the crime charged [EXCEPT IN CASES ARISING IN THE ARMED FORCES IN TIME OF WAR OR PUBLIC DANGER]. If probable cause is not found at the preliminary hearing, the charge shall not be presented to a grand jury. Indictment and preliminary hearing may be waived by the accused. If both are waived [IN THAT CASE] the prosecution shall be by information. The grand jury shall consist of at least twelve citizens, a majority of whom concurring may return an indictment. The power of grand juries to investigate and take recommendations concerning the public welfare or safety shall never be suspended.

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