

Introduced: 1/29/74
Referred: Judiciary

1 IN THE HOUSE

BY FISCHER

2 HOUSE JOINT RESOLUTION NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the Consti-
6 tution of the State of Alaska relating
7 to release on bail.

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

9 * Section 1. Article I, sec. 11, Constitution of the State of Alaska, is
10 amended to read:

11 SECTION 11. RIGHTS OF ACCUSED. In all criminal prosecutions, the
12 accused shall have the right to a speedy and public trial, by an impar-
13 tial jury of twelve; except that the legislature may provide for a jury
14 of not more than twelve nor less than six in courts not of record. The
15 accused is entitled to be informed of the nature and cause of the
16 accusation; to be released on bail, except for [CAPITAL] offenses when
17 the proof is evident or the presumption great, and the court finds upon
18 substantial evidence that, if released, the accused will pose a danger
19 to other persons and to the community; to be confronted with the
20 witnesses against him; to have compulsory process for obtaining witnesses
21 in his favor, and to have the assistance of counsel for his defense.

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

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