

BY THE RULES COMMITTEE BY REQUEST  
OF THE SPECIAL COMMITTEE ON DRUG  
ABUSE AND DEPENDENCY

1 IN THE SENATE

2 SENATE JOINT RESOLUTION NO. 55

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the  
6 Constitution of the State of Alaska  
7 restricting the right to bail when  
8 convicted of a prior criminal offense.

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

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

12 SECTION 11. RIGHTS OF ACCUSED. In all criminal prosecutions,  
13 the accused shall have the right to a speedy and public trial, by an  
14 impartial jury of twelve, except that the legislature may provide for  
15 a jury of not more than twelve nor less than six in courts not of  
16 record. The accused is entitled to be informed of the nature and cause  
17 of the accusation; to be released on bail, except (1) that, in his  
18 discretion the judge may refuse bail when the person charged with a  
19 criminal offense has either (A) been convicted of a prior criminal  
20 offense or (B) been charged with a prior criminal offense that has  
21 not reached a final determination by the time he is subsequently  
22 charged; or (2) for capital offenses when the proof is evident or  
23 the presumption great; to be confronted with the witnesses against  
24 him; to have compulsory process for obtaining witnesses in his favor,  
25 and to have the assistance of counsel for his defense.

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