

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE JOINT RESOLUTION NO. 3

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the grand jury
6 section of the Constitution of the State
7 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 indict-
13 ment of a grand jury, or unless a complaint or information has been
14 filed and a judge has found, after preliminary hearing, that there is
15 probable cause to believe that the accused person has committed the
16 crime, except in cases arising in the armed forces in time of war or
17 public danger. [INDICTMENT MAY BE WAIVED BY THE ACCUSED. IN THAT
18 CASE THE PROSECUTION SHALL BE BY INFORMATION.] The grand jury shall
19 consist of at least twelve citizens, a majority of whom concurring may
20 return an indictment. The power of grand juries to investigate and
21 make recommendations concerning the public welfare or safety shall
22 never be suspended.

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