

Introduced: 3/29/85
Referred: Judiciary
and Finance

1 IN THE HOUSE

BY MARROU

2

HOUSE JOINT RESOLUTION NO. 28

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Proposing an amendment to the Constitu-

6

tion of the State of Alaska permitting

7

the amendment of the Constitution by

8

initiative and permitting the initiative

9

to apply to appropriations.

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

11 * Section 1. Article XI, sec. 7, Constitution of the State of Alaska,
12 is amended to read:

13 SECTION 7. RESTRICTIONS. The initiative shall not be used to
14 dedicate revenues, make or increase [REPEAL] appropriations, create
15 courts, define the jurisdiction of courts or prescribe their rules, or
16 enact local or special legislation. The initiative may be used to
17 decrease or make transfers between appropriations. The referendum
18 shall not be applied to dedications of revenue, to appropriations, to
19 local or special legislation, or to laws necessary for the immediate
20 preservation of the public peace, health, or safety.

21 * Sec. 2. Article XIII, sec. 1, Constitution of the State of Alaska is
22 amended to read:

23 SECTION 1. AMENDMENTS. Amendments to this constitution may be
24 proposed either by a two-thirds vote of each house of the legislature
25 or under sections 5 - 7 of this article. The lieutenant governor
26 shall prepare a ballot title and proposition summarizing each proposed
27 amendment, and shall place them on the ballot for the next general
28 election. If a majority of the votes cast on the proposition favor
29 the amendment, it shall be adopted. Unless otherwise provided in the

1 amendment, it becomes effective thirty days after the certification of
2 the election returns by the lieutenant governor.

3 * Sec. 3. Article XIII, Constitution of the State of Alaska is amended
4 by adding new sections to read:

5 SECTION 5. APPLICATION FOR A CONSTITUTIONAL AMENDMENT. An
6 amendment to this constitution is proposed by an application contain-
7 ing the amendment to be initiated. The application shall be signed by
8 not less than one hundred qualified voters as sponsors, and shall be
9 filed with the lieutenant governor. The lieutenant governor shall
10 certify the application if it is in proper form. Denial of certifica-
11 tion shall be subject to judicial review.

12 SECTION 6. PETITION FOR A CONSTITUTIONAL AMENDMENT. After
13 certification of the application for a constitutional amendment, a
14 petition containing a summary of the subject matter shall be prepared
15 by the lieutenant governor for circulation by the sponsors. If signed
16 by qualified voters, equal in number to ten percent of those who voted
17 in the preceding general election and resident in at least two-thirds
18 of the election districts of the State, it may be filed with the
19 lieutenant governor.

20 SECTION 7. ELECTION ON A PROPOSED CONSTITUTIONAL AMENDMENT. A
21 petition seeking to amend the constitution by initiative may be filed
22 at any time. The lieutenant governor shall place the proposed amend-
23 ment on the ballot for the first statewide election held more than one
24 hundred twenty days after adjournment of the legislative session
25 following the filing. If, before the election, substantially the same
26 measure has been proposed as an amendment to this constitution by the
27 legislature, the petition is void.

28 * Sec. 4. The amendments proposed by this resolution shall be placed
29 before the voters of the state at the next general election in conformity

1 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
2 tion laws of the state.