

Introduced: 5/11/85  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY MARROU

2 SPONSOR SUBSTITUTE FOR 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, permitting the initiative to  
9 apply to appropriations, and repealing  
10 the prohibition on dedicated funds.

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

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

14 SECTION 7. RESTRICTIONS. The initiative shall not be used to  
15 [DEDICATE REVENUES, MAKE OR REPEAL APPROPRIATIONS,] create courts,  
16 define the jurisdiction of courts or prescribe their rules, or enact  
17 local or special legislation. The referendum shall not be applied to  
18 [DEDICATIONS OF REVENUE, TO APPROPRIATIONS, TO] local or special  
19 legislation, or to laws necessary for the immediate preservation of  
20 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. Article IX, sec. 7 is repealed.

29 \* Sec. 5. The amendments proposed by this resolution shall be placed

1 before the voters of the state at the next general election in conformity  
2 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-  
3 tion laws of the state.