

BY SEN. FISCHER BY REQUEST

1 IN THE SENATE

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SENATE JOINT RESOLUTION NO. 68

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - SECOND SESSION

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Proposing an amendment to the Constitu-

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tion of the State of Alaska relating to

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the authority of a trial jury in a

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criminal proceeding.

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

10 * Section 1. Article I, sec. 16, Constitution of the State of Alaska,
11 is amended to read:

12 SECTION 16. [CIVIL SUITS;] TRIAL BY JURY IN CIVIL AND CRIMINAL
13 CASES. (a) In civil cases where the amount in controversy exceeds
14 two hundred fifty dollars, the right of trial by a jury of twelve is
15 preserved to the same extent as it existed at common law. The legis-
16 lature may make provision for a verdict by not less than three-fourths
17 of the jury and, in courts not of record, may provide for a jury of
18 not less than six or more than twelve.

19 (b) In all criminal cases, the jury shall have the right to
20 determine the law and the facts, except that the court shall determine
21 the sufficiency of the evidence necessary to sustain a conviction.

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