

SENATE JOINT RESOLUTION NO. 36
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR HALFORD

Introduced: 1/14/92
Referred: Judiciary, Finance

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska authorizing the use of
2 the initiative to amend the Constitution of the State of Alaska by approval of two-thirds
3 of the votes cast on the proposed amendment.

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

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

6 SECTION 1. INITIATIVE AND REFERENDUM. The people may propose and enact
7 constitutional amendments and laws by the initiative, and approve or reject acts of the
8 legislature by the referendum.

9 * Sec. 2. Article XI, sec. 2, Constitution of the State of Alaska, is amended to read:

10 SECTION 2. APPLICATION. An initiative or referendum is proposed by an application
11 containing the constitutional amendment or proposed law [BILL] to be initiated or the act to
12 be referred. The application shall be signed by not less than one hundred qualified voters as
13 sponsors, and shall be filed with the lieutenant governor. The lieutenant governor shall certify
14 the application if it is [IF HE FINDS IT] in proper form [HE SHALL SO CERTIFY]. Denial
15 of certification shall be subject to judicial review.

16 * Sec. 3. Article XI, sec. 4, Constitution of the State of Alaska, is amended to read:

1 SECTION 4. INITIATIVE ELECTION. An initiative petition may be filed at any time.
2 The lieutenant governor shall prepare a ballot title and proposition summarizing the proposed
3 constitutional amendment or law, and shall place them on the ballot for the first statewide
4 election held more than one hundred twenty days after adjournment of the legislative session
5 following the filing. If, before the election, substantially the same constitutional amendment
6 has been proposed by the legislature or substantially the same law [MEASURE] has been
7 enacted, the petition is void.

8 * Sec. 4. Article XI, sec. 6, Constitution of the State of Alaska, is amended to read:

9 SECTION 6. DISPOSITION OF PROPOSED CONSTITUTIONAL AMENDMENT
10 OR LAW OR OF ACT REFERRED. (a) [ENACTMENT. IF A MAJORITY OF THE
11 VOTES CAST ON THE PROPOSITION FAVOR ITS ADOPTION, THE INITIATED
12 MEASURE IS ENACTED. IF A MAJORITY OF THE VOTES CAST ON THE PROPOSITION
13 FAVOR THE REJECTION OF AN ACT REFERRED, IT IS REJECTED.] The lieutenant
14 governor shall certify the returns of an election conducted under Section 4 or 5 of this article
15 [RETURNS].

16 (b) If two-thirds of the votes cast on the proposed constitutional amendment favor
17 its adoption, the proposed amendment becomes effective. An initiated constitutional
18 amendment becomes effective thirty days after the certification of the election returns by
19 the lieutenant governor.

20 (c) If a majority of the votes cast on the proposed law favors its enactment, the
21 proposed law is enacted. An initiated law becomes effective ninety days after the certification
22 of the election returns by the lieutenant governor, is not subject to veto, [AND] may not be
23 repealed by the legislature within two years of its effective date, and [. IT] may be amended at
24 any time.

25 (d) If a majority of the votes cast on an act referred favors the rejection of the act
26 referred, the act is rejected. An act rejected by referendum is void thirty days after certification
27 of the election returns by the lieutenant governor.

28 (e) Additional procedures for the initiative and referendum may be prescribed by law.

29 * Sec. 5. Article XIII, sec. 1, Constitution of the State of Alaska, is amended to read:

30 SECTION 1. AMENDMENTS. Amendments to this constitution may be proposed by
31 a two-thirds vote of each house of the legislature. The lieutenant governor shall prepare a ballot
32 title and proposition summarizing each [PROPOSED] amendment proposed by the legislature.

1 and shall place them on the ballot for the next general election. If a majority of the votes cast
2 on the proposition favours [FAVOR] the amendment, it shall be adopted. Unless otherwise
3 provided in the amendment, it becomes effective thirty days after the certification of the election
4 returns by the lieutenant governor. Amendments to this constitution may also be proposed
5 by the initiative under Article XI.

6 * Sec. 6. The amendments proposed by this resolution shall be placed before the voters of the state
7 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
8 the election laws of the state.