

HOUSE JOINT RESOLUTION NO. 7
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SITTON

Introduced: 1/11/93

Referred: State Affairs, Judiciary, Finance

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska authorizing the
2 use of the initiative to amend the Constitution of the State of Alaska and
3 amending the requirements relating to applications for initiatives and referenda.

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
7 and enact constitutional amendments and laws by the initiative, and approve or reject
8 acts of the 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
11 application containing the constitutional amendment or proposed law [BILL] to be
12 initiated or the act to be referred. The application shall be signed by not less than one
13 hundred qualified voters as sponsors, and shall be filed with the lieutenant governor.

14 An initiative application shall conform to the requirements of Section 13 of Article
15 II, except that the enacting clause for a constitutional amendment shall be: "Be
16 it resolved by the People of the State of Alaska.", and the enacting clause for a

1 proposed law shall be "Be it enacted by the People of the State of Alaska." The
2 application shall set out the language of the proposed constitutional amendment
3 or proposed law substantially as required by law and legislative rule applicable
4 to proposals to amend this constitution or to bills for proposed laws, as
5 appropriate. A referendum application shall make reference to the session law
6 that contains the act of the legislature to be referred. The lieutenant governor
7 may deny certification of the application only if it does not conform to the
8 requirements of this section or it does not comply with the requirements of
9 Section 5 or Section 7 of this article. The lieutenant governor has plenary
10 authority to determine whether to certify or deny certification to an application
11 under this section, but the decision to approve or deny [IF HE FINDS IT IN
12 PROPER FORM HE SHALL SO CERTIFY. DENIAL OF] certification shall be
13 subject to judicial review.

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

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

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

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

31 (b) If a majority of the votes cast on the proposed constitutional
32 amendment favors its adoption, the proposed amendment becomes effective. An

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

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

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

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

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

14 SECTION 1. AMENDMENTS. Amendments to this constitution may be
15 proposed by a two-thirds vote of each house of the legislature. The lieutenant
16 governor shall prepare a ballot title and proposition summarizing each [PROPOSED]
17 amendment proposed by the legislature, and shall place them on the ballot for the
18 next general election. If a majority of the votes cast on the proposition favours
19 [FAVOR] the amendment, it shall be adopted. Unless otherwise provided in the
20 amendment, it becomes effective thirty days after the certification of the election
21 returns by the lieutenant governor. Amendments may also be proposed by the
22 initiative under Article XI.

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