

CS FOR HOUSE JOINT RESOLUTION NO. 2(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 1/19/96
Referred: Finance

Sponsor(s): REPRESENTATIVES GREEN, Navarre

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska relating to
2 redistricting and to the length of a regular session, and establishing a unicameral
3 legislature; and providing for an effective date for each amendment.

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

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

6 SECTION 1. LEGISLATIVE POWER; MEMBERSHIP. The legislative power
7 of the State is vested in a legislature consisting of a senate [WITH A MEMBERSHIP
8 OF TWENTY AND A HOUSE OF REPRESENTATIVES] with a membership of
9 sixty [FORTY].

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

11 SECTION 2. MEMBERS' QUALIFICATIONS. A **senator** [MEMBER OF
12 THE LEGISLATURE] shall be a qualified voter who has been a resident of Alaska
13 for at least three years and of the district from which elected for at least one year,
14 immediately preceding [HIS] filing for office. A senator shall be at least twenty-five
15 years of age [AND A REPRESENTATIVE AT LEAST TWENTY-ONE YEARS OF
16 AGE].

1 * **Sec. 3.** Article II, sec. 3, Constitution of the State of Alaska, is amended to read:

2 SECTION 3. ELECTION AND TERMS. **Senators** [LEGISLATORS] shall
3 be elected at general elections. Their terms begin on the fourth Monday of the January
4 following election unless otherwise provided by law. The term of **a senator**
5 [REPRESENTATIVES] shall be [TWO YEARS, AND THE TERM OF SENATORS,]
6 four years **except that a term that begins in a year the federal decennial census of**
7 **the United States is conducted is two years to accommodate redistricting and one-**
8 **half of the senators elected initially under the new redistricting plan serve two-**
9 **year terms.** One-half of the senators shall be elected every two years **except that all**
10 **senators shall be elected at the first election held under a new redistricting plan.**

11 * **Sec. 4.** Article II, sec. 7, Constitution of the State of Alaska, is amended to read:

12 SECTION 7. SALARY AND EXPENSES. **Senators** [LEGISLATORS] shall
13 receive annual salaries. They may receive a per diem allowance for expenses while in
14 session and are entitled to travel expenses going to and from sessions. **The presiding**
15 **officer** [PRESIDING OFFICERS] may receive additional compensation.

16 * **Sec. 5.** Article II, sec. 8, Constitution of the State of Alaska, is amended to read:

17 SECTION 8. REGULAR SESSIONS. The **senate** [LEGISLATURE] shall
18 convene in regular session each year on the fourth Monday in January, but the month
19 and day may be changed by law. The **senate** [LEGISLATURE] shall adjourn from
20 regular session no later than **ninety** [ONE HUNDRED TWENTY] consecutive
21 calendar days from the date it convenes except that a regular session may be extended
22 once for up to ten consecutive calendar days. An extension of the regular session
23 requires the affirmative vote of at least two-thirds of the **senate** membership [OF
24 EACH HOUSE OF THE LEGISLATURE]. The **senate** [LEGISLATURE] shall adopt
25 as part of the [UNIFORM] rules of procedure deadlines for scheduling session work
26 not inconsistent with provisions controlling the length of the session.

27 * **Sec. 6.** Article II, sec. 12, Constitution of the State of Alaska, is amended to read:

28 SECTION 12. RULES. The **senate** [HOUSES OF EACH LEGISLATURE]
29 shall adopt [UNIFORM] rules of procedure. **The senate** [EACH HOUSE] may choose
30 its officers and employees. **The senate** [EACH] is the judge of the election and
31 qualifications of its members and may expel a member with the concurrence of **at**

1 least two-thirds of its members. The senate [EACH] shall keep a journal of its
2 proceedings. A majority of the membership [OF EACH HOUSE] constitutes a quorum
3 to do business, but a smaller number may adjourn from day to day and may compel
4 attendance of absent members. The senate [LEGISLATURE] shall regulate lobbying.

5 * **Sec. 7.** Article II, sec. 14, Constitution of the State of Alaska, is amended to read:

6 SECTION 14. PASSAGE OF BILLS. The senate [LEGISLATURE] shall
7 establish the procedure for enactment of bills into law. No bill may become law
8 unless it has passed three readings [IN EACH HOUSE] on three separate days, except
9 that any bill may be advanced from second to third reading on the same day by
10 concurrence of at least three-fourths of the membership [HOUSE CONSIDERING
11 IT]. No bill may become law without an affirmative vote of a majority of the senate
12 membership [OF EACH HOUSE]. The yeas and nays on final passage shall be
13 entered in the journal.

14 * **Sec. 8.** Article II, sec. 15, Constitution of the State of Alaska, is amended to read:

15 SECTION 15. VETO. The governor may veto bills passed by the senate
16 [LEGISLATURE]. The governor [HE] may, by veto, strike or reduce items in
17 appropriation bills. The governor [HE] shall return any vetoed bill, with a statement
18 of [HIS] objections, to the senate [HOUSE OF ORIGIN].

19 * **Sec. 9.** Article II, sec. 16, Constitution of the State of Alaska, is amended to read:

20 SECTION 16. ACTION UPON VETO. Upon receipt of a veto message
21 during a regular session [OF THE LEGISLATURE], the senate [LEGISLATURE]
22 shall meet immediately [IN JOINT SESSION] and reconsider passage of the vetoed
23 bill or item. Bills to raise revenue and appropriation bills or items, although vetoed,
24 become law by affirmative vote of at least three-fourths of the senate membership
25 [OF THE LEGISLATURE]. Other vetoed bills become law by affirmative vote of at
26 least two-thirds of the senate membership [OF THE LEGISLATURE]. Bills vetoed
27 after adjournment of the first regular session of the legislature shall be reconsidered
28 by the senate [LEGISLATURE SITTING AS ONE BODY] no later than the fifth day
29 of the next regular or special session of that legislature. Bills vetoed after adjournment
30 of the second regular session shall be reconsidered by the senate [LEGISLATURE
31 SITTING AS ONE BODY] no later than the fifth day of a special session of that

1 legislature, if one is called. The vote on reconsideration of a vetoed bill shall be
2 entered in [ON] the journal [JOURNALS] of the senate [BOTH HOUSES].

3 * **Sec. 10.** Article II, sec. 18, Constitution of the State of Alaska, is amended to read:

4 SECTION 18. EFFECTIVE DATE. Laws passed by the senate
5 [LEGISLATURE] become effective ninety days after enactment. The senate
6 [LEGISLATURE] may, by concurrence of at least two-thirds of its [THE] membership
7 [OF EACH HOUSE], provide for another effective date.

8 * **Sec. 11.** Article II, sec. 20, Constitution of the State of Alaska, is amended to read:

9 SECTION 20. IMPEACHMENT. All civil officers of the State are subject to
10 impeachment by the senate [LEGISLATURE]. Impeachment [SHALL ORIGINATE
11 IN THE SENATE AND] must be approved by at least a two-thirds vote of its
12 members. The resolution [MOTION] for impeachment shall list fully the basis for the
13 proceeding. Trial on impeachment shall be conducted by the senate [HOUSE OF
14 REPRESENTATIVES]. A supreme court justice designated by the court shall preside
15 at the trial. Concurrence of at least two-thirds of the members of the senate
16 [HOUSE] is required for a judgment of impeachment. The judgment may not extend
17 beyond removal from office, but shall not prevent proceedings in the courts on the
18 same or related charges.

19 * **Sec. 12.** Article III, sec. 17, Constitution of the State of Alaska, is amended to read:

20 SECTION 17. CONVENING SENATE [LEGISLATURE]. Whenever the
21 governor considers it in the public interest, the governor [HE] may convene the
22 senate [LEGISLATURE, EITHER HOUSE, OR THE TWO HOUSES] in [JOINT]
23 session.

24 * **Sec. 13.** Article III, sec. 19, Constitution of the State of Alaska, is amended to read:

25 SECTION 19. MILITARY AUTHORITY. The governor is
26 commander-in-chief of the armed forces of the State. The governor [HE] may call
27 out these forces to execute the laws, suppress or prevent insurrection or lawless
28 violence, or repel invasion. The governor, as provided by law, shall appoint all
29 general and flag officers of the armed forces of the State, subject to confirmation by
30 at least a majority of the members of the senate [LEGISLATURE IN JOINT
31 SESSION]. The governor [HE] shall appoint and commission all other officers.

1 * **Sec. 14.** Article III, sec. 20, Constitution of the State of Alaska, is amended to read:
2 SECTION 20. MARTIAL LAW. The governor may proclaim martial law
3 when the public safety requires it in case of rebellion or actual or imminent invasion.
4 Martial law shall not continue for longer than twenty days without the approval of **at**
5 **least** a majority of the **senate** members [OF THE LEGISLATURE IN JOINT
6 SESSION].

7 * **Sec. 15.** Article III, sec. 23, Constitution of the State of Alaska, is amended to read:
8 SECTION 23. REORGANIZATION. The governor may make changes in the
9 organization of the executive branch or in the assignment of functions among its units
10 which **the governor** [HE] considers necessary for efficient administration. Where
11 these changes require the force of law, they shall be set forth in executive orders. The
12 **senate** [LEGISLATURE] shall have sixty days of a regular session, or a full session
13 if of shorter duration, to disapprove these executive orders. Unless disapproved by
14 resolution concurred in by a majority of the members [IN JOINT SESSION], these
15 orders become effective at a date thereafter to be designated by the governor.

16 * **Sec. 16.** Article III, sec. 25, Constitution of the State of Alaska, is amended to read:
17 SECTION 25. DEPARTMENT HEADS. The head of each principal
18 department shall be a single executive unless otherwise provided by law. **The head**
19 **of each principal department** [HE] shall be appointed by the governor, subject to
20 confirmation by **at least** a majority of the **senate** members [OF THE LEGISLATURE
21 IN JOINT SESSION], and shall serve at the pleasure of the governor, except as
22 otherwise provided in this article with respect to the **lieutenant governor**
23 [SECRETARY OF STATE]. The heads of all principal departments shall be citizens
24 of the United States.

25 * **Sec. 17.** Article III, sec. 26, Constitution of the State of Alaska, is amended to read:
26 SECTION 26. BOARDS AND COMMISSIONS. When a board or
27 commission is at the head of a principal department or a regulatory or quasi-judicial
28 agency, its members shall be appointed by the governor, subject to confirmation by **at**
29 **least** a majority of the **senate** members [OF THE LEGISLATURE IN JOINT
30 SESSION], and may be removed as provided by law. They shall be citizens of the
31 United States. The board or commission may appoint a principal executive officer

1 when authorized by law, but the appointment shall be subject to the approval of the
2 governor.

3 * **Sec. 18.** Article IV, sec. 10, Constitution of the State of Alaska, is amended to read:

4 SECTION 10. COMMISSION ON JUDICIAL CONDUCT. The Commission
5 on Judicial Conduct shall consist of nine members, as follows: three persons who are
6 justices or judges of state courts, elected by the justices and judges of state courts;
7 three members who have practiced law in this state for ten years, appointed by the
8 governor from nominations made by the governing body of the organized bar and
9 subject to confirmation by **at least** a majority of the **senate** members [OF THE
10 LEGISLATURE IN JOINT SESSION]; and three persons who are not judges, retired
11 judges, or members of the state bar, appointed by the governor and subject to
12 confirmation by **at least** a majority of the **senate** members [OF THE LEGISLATURE
13 IN JOINT SESSION]. In addition to being subject to impeachment under Section 12
14 of this article, a justice or judge may be disqualified from acting as such and may be
15 suspended, removed from office, retired, or censured by the supreme court upon the
16 recommendation of the commission. The powers and duties of the commission and
17 the bases for judicial disqualification shall be established by law.

18 * **Sec. 19.** Article IV, sec. 15, Constitution of the State of Alaska, is amended to read:

19 SECTION 15. RULE-MAKING POWER. The supreme court shall make and
20 promulgate rules governing the administration of all courts. It shall make and
21 promulgate rules governing practice and procedure in civil and criminal cases in all
22 courts. These rules may be changed by the **senate** [LEGISLATURE] by **at least**
23 two-thirds vote of the members [ELECTED TO EACH HOUSE].

24 * **Sec. 20.** Article VI, sec. 1, Constitution of the State of Alaska, is amended to read:

25 SECTION 1. ELECTION DISTRICTS. **One member** [MEMBERS] of the
26 **senate** [HOUSE OF REPRESENTATIVES] shall be elected by the qualified voters of
27 **each of sixty** [THE RESPECTIVE] election districts. [UNTIL
28 REAPPORTIONMENT, ELECTION DISTRICTS AND THE NUMBER OF
29 REPRESENTATIVES TO BE ELECTED FROM EACH DISTRICT SHALL BE AS
30 SET FORTH IN SECTION 1 OF ARTICLE XIV].

31 * **Sec. 21.** Article VI, sec. 6, Constitution of the State of Alaska, is amended to read:

1 SECTION 6. REDISTRICTING. The governor may only [FURTHER]
2 redistrict the senate immediately following the decennial census of the United
3 States by changing the size and area of election districts, subject to the limitations of
4 this article. Each new district so created shall be formed of contiguous and compact
5 territory containing as nearly as practicable a relatively integrated socio-economic area.
6 Each shall contain a population at least equal to the quotient obtained by dividing the
7 total civilian population by sixty [FORTY]. Consideration may be given to local
8 government boundaries. Drainage and other geographic features shall be used in
9 describing boundaries wherever possible. At the first election held under a new
10 redistricting plan thirty senate members shall be elected to two-year terms and
11 thirty shall be elected to four-year terms set by the governor in the redistricting
12 plan.

13 * **Sec. 22.** Article VI, sec. 8, Constitution of the State of Alaska is amended to read:

14 SECTION 8. REDISTRICTING [REAPPORTIONMENT] BOARD. The
15 governor shall appoint a redistricting [REAPPORTIONMENT] board to act in an
16 advisory capacity [TO HIM]. It shall consist of five members, none of whom may be
17 public employees or officials. At least one member each shall be appointed from the
18 Southeastern, Southcentral, Central, and Northwestern areas of the state [SENATE
19 DISTRICTS]. Appointments shall be made without regard to political affiliation.
20 Board members shall be compensated.

21 * **Sec. 23.** Article VII, sec. 3, Constitution of the State of Alaska, is amended to read:

22 SECTION 3. BOARD OF REGENTS OF UNIVERSITY. The University of
23 Alaska shall be governed by a board of regents. The regents shall be appointed by the
24 governor, subject to confirmation by at least a majority of the senate members [OF
25 THE LEGISLATURE IN JOINT SESSION]. The board shall, in accordance with law,
26 formulate policy and appoint the president of the university. The president [HE] shall
27 be the executive officer of the board.

28 * **Sec. 24.** Article IX, sec. 17(c), Constitution of the State of Alaska, is amended to read:

29 (c) An appropriation from the budget reserve fund may be made for any public
30 purpose upon affirmative vote of at least three-fourths of the senate members [OF
31 EACH HOUSE OF THE LEGISLATURE].

1 * **Sec. 25.** Article X, sec. 12, Constitution of the State of Alaska, is amended to read:

2 SECTION 12. BOUNDARIES. A local boundary commission or board shall
3 be established by law in the executive branch of the state government. The
4 commission or board may consider any proposed local government boundary change.
5 It may present proposed changes to the senate [LEGISLATURE] during the first ten
6 days of any regular session. The change shall become effective forty-five days after
7 presentation or at the end of the session, whichever is earlier, unless disapproved by
8 a resolution concurred in by at least a majority of the senate members [OF EACH
9 HOUSE]. The commission or board, subject to law, may establish procedures whereby
10 boundaries may be adjusted by local action.

11 * **Sec. 26.** Article XIII, sec. 1, Constitution of the State of Alaska, is amended to read:

12 SECTION 1. AMENDMENTS. Amendments to this constitution may be
13 proposed by at least a two-thirds vote [OF EACH HOUSE] of the senate membership
14 [LEGISLATURE]. The lieutenant governor shall prepare a ballot title and
15 proposition summarizing each proposed amendment, and shall place them on the ballot
16 for the next general election. If a majority of the votes cast on the proposition favor
17 the amendment, it shall be adopted. Unless otherwise provided in the amendment, it
18 becomes effective thirty days after the certification of the election returns by the
19 lieutenant governor.

20 * **Sec. 27.** Article XV, Constitution of the State of Alaska, is amended by adding a new
21 section to read:

22 SECTION 29. TRANSITION TO UNICAMERAL LEGISLATURE. The
23 following provisions shall be followed in the transition from a bicameral to a
24 unicameral legislature provided for under the amendments approved by the voters in
25 1996:

26 (1) the senate shall first meet as a unicameral legislature during the
27 Twenty-First Alaska State Legislature and shall continue to meet as a unicameral
28 legislature thereafter;

29 (2) the term of a senate member elected or appointed to office before
30 the 1998 general election terminates on the convening of the First Session of the
31 Twenty-First Alaska State Legislature;

1 (3) notwithstanding the provision in Article VI, Section 6, Constitution
2 of the State of Alaska, that redistricting occur only after a decennial census, no later
3 than January 1, 1998, the governor shall redistrict the legislature in accordance with
4 all other provisions of Article VI, Constitution of the State of Alaska, to provide for
5 a unicameral legislature consisting of sixty members elected from sixty districts based
6 upon the total population of the State as determined by the most recent decennial
7 federal census;

8 (4) at the 1998 general election, thirty members of the senate shall be
9 elected to four-year terms, and thirty members shall be elected to two-year terms, set
10 by the governor in the redistricting plan adopted under (3) of this section.

11 * **Sec. 28.** Article II, sec. 10, article VI, secs. 2, 3, 4, 5, and 7, and article XIV,
12 Constitution of the State of Alaska, are repealed.

13 * **Sec. 29.** Section 27 of this resolution takes effect January 1, 1997.

14 * **Sec. 30.** Sections 1 - 26 and sec. 28 of this resolution take effect January 1, 1998.

15 * **Sec. 31.** The amendments proposed by this resolution shall be placed before the voters
16 of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
17 State of Alaska, and the election laws of the state.