

HOUSE JOINT RESOLUTION NO. 11

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE GREEN

Introduced: 1/13/97

Referred: State Affairs, Judiciary, Finance

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 of the
7 State is vested in a legislature consisting of a senate [WITH A MEMBERSHIP OF
8 TWENTY AND A HOUSE OF REPRESENTATIVES] with a membership of sixty
9 [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 THE
12 LEGISLATURE] shall be a qualified voter who has been a resident of Alaska for at
13 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 be elected
 3 at general elections. Their terms begin on the fourth Monday of the January following
 4 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 receive
 13 annual salaries. They may receive a per diem allowance for expenses while in session
 14 and are entitled to travel expenses going to and from sessions. The presiding officer
 15 [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 convene in
 18 regular session each year on the fourth Monday in January, but the month and day may
 19 be changed by law. The senate [LEGISLATURE] shall adjourn from regular session
 20 no later than ninety [ONE HUNDRED TWENTY] consecutive calendar days from the
 21 date it convenes except that a regular session may be extended once for up to ten
 22 consecutive calendar days. An extension of the regular session requires the affirmative
 23 vote of at least two-thirds of the senate membership [OF EACH HOUSE OF THE
 24 LEGISLATURE]. The senate [LEGISLATURE] shall adopt as part of the
 25 [UNIFORM] rules of procedure deadlines for scheduling session work not inconsistent
 26 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] shall
 29 adopt [UNIFORM] rules of procedure. The senate [EACH HOUSE] may choose its
 30 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 establish the
7 procedure for enactment of bills into law. No bill may become law unless it has
8 passed three readings [IN EACH HOUSE] on three separate days, except that any bill
9 may be advanced from second to third reading on the same day by concurrence of **at**
10 **least** three-fourths of the **membership** [HOUSE CONSIDERING IT]. No bill may
11 become law without an affirmative vote of a majority of the **senate** membership [OF
12 EACH HOUSE]. The yeas and nays on final passage shall be entered in the journal.

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

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

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

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

1 entered **in** [ON] the **journal** [JOURNALS] of **the senate** [BOTH HOUSES].

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

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

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

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

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

19 **Section 17. Convening Senate [LEGISLATURE].** Whenever the governor
20 considers it in the public interest, **the governor** [HE] may convene the **senate**
21 [LEGISLATURE, EITHER HOUSE, OR THE TWO HOUSES] in [JOINT] session.

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

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

30 * **Sec. 14.** Article III, sec. 20, Constitution of the State of Alaska, is amended to read:

31 **Section 20. Martial Law.** The governor may proclaim martial law when the

1 public safety requires it in case of rebellion or actual or imminent invasion. Martial
2 law shall not continue for longer than twenty days without the approval of **at least** a
3 majority of the **senate** members [OF THE LEGISLATURE IN JOINT SESSION].

4 * **Sec. 15.** Article III, sec. 23, Constitution of the State of Alaska, is amended to read:

5 **Section 23. Reorganization.** The governor may make changes in the
6 organization of the executive branch or in the assignment of functions among its units
7 which **the governor** [HE] considers necessary for efficient administration. Where
8 these changes require the force of law, they shall be set forth in executive orders. The
9 **senate** [LEGISLATURE] shall have sixty days of a regular session, or a full session
10 if of shorter duration, to disapprove these executive orders. Unless disapproved by
11 resolution concurred in by a majority of the members [IN JOINT SESSION], these
12 orders become effective at a date thereafter to be designated by the governor.

13 * **Sec. 16.** Article III, sec. 25, Constitution of the State of Alaska, is amended to read:

14 **Section 25. Department Heads.** The head of each principal department shall
15 be a single executive unless otherwise provided by law. **The head of each principal**
16 **department** [HE] shall be appointed by the governor, subject to confirmation by **at**
17 **least** a majority of the **senate** members [OF THE LEGISLATURE IN JOINT
18 SESSION], and shall serve at the pleasure of the governor, except as otherwise
19 provided in this article with respect to the **lieutenant governor** [SECRETARY OF
20 STATE]. The heads of all principal departments shall be citizens of the United States.

21 * **Sec. 17.** Article III, sec. 26, Constitution of the State of Alaska, is amended to read:

22 **Section 26. Boards and Commissions.** When a board or commission is at
23 the head of a principal department or a regulatory or quasi-judicial agency, its
24 members shall be appointed by the governor, subject to confirmation by **at least** a
25 majority of the **senate** members [OF THE LEGISLATURE IN JOINT SESSION], and
26 may be removed as provided by law. They shall be citizens of the United States. The
27 board or commission may appoint a principal executive officer when authorized by
28 law, but the appointment shall be subject to the approval of the governor.

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

30 **Section 10. Commission on Judicial Conduct.** The Commission on Judicial
31 Conduct shall consist of nine members, as follows: three persons who are justices or

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

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

14 **Section 15. Rule-Making Power.** The supreme court shall make and
 15 promulgate rules governing the administration of all courts. It shall make and
 16 promulgate rules governing practice and procedure in civil and criminal cases in all
 17 courts. These rules may be changed by the **senate** [LEGISLATURE] by **at least**
 18 two-thirds vote of the members [ELECTED TO EACH HOUSE].

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

20 **Section 1. Election Districts. One member** [MEMBERS] of the **senate**
 21 [HOUSE OF REPRESENTATIVES] shall be elected by the qualified voters of **each**
 22 **of sixty** [THE RESPECTIVE] election districts. [UNTIL REAPPORTIONMENT,
 23 ELECTION DISTRICTS AND THE NUMBER OF REPRESENTATIVES TO BE
 24 ELECTED FROM EACH DISTRICT SHALL BE AS SET FORTH IN SECTION 1
 25 OF ARTICLE XIV].

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

27 **Section 6. Redistricting.** The governor may **only** [FURTHER] redistrict **the**
 28 **senate immediately following the decennial census of the United States** by changing
 29 the size and area of election districts, subject to the limitations of this article. Each
 30 new district so created shall be formed of contiguous and compact territory containing
 31 as nearly as practicable a relatively integrated socio-economic area. Each shall contain

1 a population at least equal to the quotient obtained by dividing the total civilian
 2 population by sixty [FORTY]. Consideration may be given to local government
 3 boundaries. Drainage and other geographic features shall be used in describing
 4 boundaries wherever possible. At the first election held under a new redistricting
 5 plan, thirty senate members shall be elected to two-year terms and thirty shall be
 6 elected to four-year terms set by the governor in the redistricting plan.

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

8 **Section 8. Redistricting [REAPPORTIONMENT] Board.** The governor
 9 shall appoint a redistricting [REAPPORTIONMENT] board to act in an advisory
 10 capacity [TO HIM]. It shall consist of five members, none of whom may be public
 11 employees or officials. At least one member each shall be appointed from the
 12 Southeastern, Southcentral, Central, and Northwestern areas of the state [SENATE
 13 DISTRICTS]. Appointments shall be made without regard to political affiliation.
 14 Board members shall be compensated.

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

16 **Section 3. Board of Regents of University.** The University of Alaska shall
 17 be governed by a board of regents. The regents shall be appointed by the governor,
 18 subject to confirmation by at least a majority of the senate members [OF THE
 19 LEGISLATURE IN JOINT SESSION]. The board shall, in accordance with law,
 20 formulate policy and appoint the president of the university. The president [HE] shall
 21 be the executive officer of the board.

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

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

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

27 **Section 12. Boundaries.** A local boundary commission or board shall be
 28 established by law in the executive branch of the state government. The commission
 29 or board may consider any proposed local government boundary change. It may
 30 present proposed changes to the senate [LEGISLATURE] during the first ten days of
 31 any regular session. The change shall become effective forty-five days after

1 presentation or at the end of the session, whichever is earlier, unless disapproved by
 2 a resolution concurred in by **at least** a majority of the **senate** members [OF EACH
 3 HOUSE]. The commission or board, subject to law, may establish procedures whereby
 4 boundaries may be adjusted by local action.

5 * **Sec. 26.** Article XII, sec. 14, Constitution of the State of Alaska, is amended to read:

6 **Section 14. Approval of Federal Amendment to Statehood Act Affecting**
 7 **an Interest of the State under That Act.** A federal statute or proposed federal statute
 8 that affects an interest of this State under the Act admitting Alaska to the Union is
 9 ineffective as against the State interest unless approved by a two-thirds vote [OF
 10 EACH HOUSE] of the **senate** [LEGISLATURE] or approved by the people of the
 11 State. The **senate** [LEGISLATURE] may, by a resolution passed by a majority vote
 12 [OF EACH HOUSE], place the question of approval of the federal statute on the ballot
 13 for the next general election unless in the resolution placing the question of approval,
 14 the **senate** [LEGISLATURE] requires the question to be placed before the voters at
 15 a special election. The approval of the federal statute by the people of the State is not
 16 effective unless the federal statute described in the resolution is ratified by a majority
 17 of the qualified voters of the State who vote on the question. Unless a summary of
 18 the question is provided in the resolution passed by the **senate** [LEGISLATURE], the
 19 lieutenant governor shall prepare an impartial summary of the question. The lieutenant
 20 governor shall present the question to the voters so that a "yes" vote on the question
 21 is a vote to approve the federal statute.

22 * **Sec. 27.** Article XIII, sec. 1, Constitution of the State of Alaska, is amended to read:

23 **Section 1. Amendments.** Amendments to this constitution may be proposed
 24 by **at least** a two-thirds vote [OF EACH HOUSE] of the **senate membership**
 25 [LEGISLATURE]. The lieutenant governor shall prepare a ballot title and proposition
 26 summarizing each proposed amendment, and shall place them on the ballot for the next
 27 general election. If a majority of the votes cast on the proposition favor the
 28 amendment, it shall be adopted. Unless otherwise provided in the amendment, it
 29 becomes effective thirty days after the certification of the election returns by the
 30 lieutenant governor.

31 * **Sec. 28.** Article XV, Constitution of the State of Alaska, is amended by adding a new

1 section to read:

2 **Section 29. Transition to Unicameral Legislature.** The following provisions
3 apply to the transition from a bicameral to a unicameral legislature provided for under
4 the 1998 amendments:

5 (1) the senate shall first meet as a unicameral legislature during the
6 Twenty-Second Alaska State Legislature and shall continue to meet as a unicameral
7 legislature thereafter;

8 (2) the term of a senate member elected or appointed to office before
9 the 2000 general election terminates on the convening of the First Session of the
10 Twenty-Second Alaska State Legislature;

11 (3) notwithstanding the provision in Article VI, Section 6, Constitution
12 of the State of Alaska, that redistricting occur only after a decennial census, no later
13 than January 1, 1999, the governor shall redistrict the legislature in accordance with
14 all other provisions of Article VI, Constitution of the State of Alaska, to provide for
15 a unicameral legislature consisting of sixty members elected from sixty districts based
16 upon the total population of the State as determined by the most recent decennial
17 federal census;

18 (4) at the 2000 general election, thirty members of the senate shall be
19 elected to four-year terms, and thirty members shall be elected to two-year terms, set
20 by the governor in the redistricting plan adopted under (3) of this section.

21 * **Sec. 29.** Article II, sec. 10; art. VI, secs. 2, 3, 4, 5, and 7; and art. XIV, Constitution of
22 the State of Alaska, are repealed.

23 * **Sec. 30.** Section 28 of this resolution takes effect January 1, 1998.

24 * **Sec. 31.** Sections 1 - 27 and 29 of this resolution take effect January 1, 2000.

25 * **Sec. 32.** The amendments proposed by this resolution shall be placed before the voters
26 of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
27 State of Alaska, and the election laws of the state.