

**CS FOR HOUSE JOINT RESOLUTION NO. 44(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/6/98

Referred: Rules

Sponsor(s): REPRESENTATIVES PORTER AND MULDER, Dyson, Green

**A RESOLUTION**

1 **Proposing amendments to the Constitution of the State of Alaska relating to**  
2 **redistricting and reapportionment of the legislature; repealing obsolete language**  
3 **setting out the apportionment schedule used to elect members of the first state**  
4 **legislature.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 \* **Section 1.** Article VI, sec. 1, Constitution of the State of Alaska, is amended to read:

7 **Section 1. House [ELECTION] Districts.** Members of the house of  
8 representatives shall be elected by the qualified voters of the respective **house**  
9 **[ELECTION] districts. The boundaries of the house districts shall be set under this**  
10 **article after each decennial census of the United States** [UNTIL  
11 REAPPORTIONMENT, ELECTION DISTRICTS AND THE NUMBER OF  
12 REPRESENTATIVES TO BE ELECTED FROM EACH DISTRICT SHALL BE  
13 AS SET FORTH IN SECTION 1 OF ARTICLE XIV].

14 \* **Sec. 2.** Article VI, sec. 2, Constitution of the State of Alaska, is amended to read:

15 **Section 2. Senate Districts.** Members of the senate shall be elected by the  
16 qualified voters of the respective senate districts. **The boundaries of the senate**

1 districts shall be set under this article after each decennial census of the United  
2 States [SENATE DISTRICTS SHALL BE AS SET FORTH IN SECTION 2 OF  
3 ARTICLE XIV, SUBJECT TO CHANGES AUTHORIZED IN THIS ARTICLE].

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

5 **Section 3. Reapportionment of House and Senate.** The **Redistricting Board**  
6 [GOVERNOR] shall reapportion the house of representatives and the senate  
7 immediately following the official reporting of each decennial census of the United  
8 States. Reapportionment shall be based upon the [CIVILIAN] population within each  
9 house and senate [ELECTION] district as reported by the census.

10 \* **Sec. 4.** Article VI, sec. 4, Constitution of the State of Alaska, is amended to read:

11 **Section 4. Method of Redistricting.** The Redistricting Board shall  
12 establish forty house districts, with each house district to elect one member of the  
13 house of representatives. The board shall establish twenty senate districts, each  
14 composed of two house districts, with each senate district to elect one senator  
15 [REAPPORTIONMENT SHALL BE BY THE METHOD OF EQUAL  
16 PROPORTIONS, EXCEPT THAT EACH ELECTION DISTRICT HAVING THE  
17 MAJOR FRACTION OF THE QUOTIENT OBTAINED BY DIVIDING TOTAL  
18 CIVILIAN POPULATION BY FORTY SHALL HAVE ONE REPRESENTATIVE].

19 \* **Sec. 5.** Article VI, sec. 6, Constitution of the State of Alaska, is amended to read:

20 **Section 6. District Boundaries [REDISTRICTING].** The **Redistricting**  
21 **Board shall establish** [GOVERNOR MAY FURTHER REDISTRIBUTE BY  
22 CHANGING] the size and area of house [ELECTION] districts, subject to the  
23 limitations of this article. Each house [NEW] district [SO CREATED] shall be formed  
24 of contiguous and compact territory containing as nearly as practicable a relatively  
25 integrated socio-economic area. Each shall contain a population as near as  
26 practicable [AT LEAST EQUAL] to the quotient obtained by dividing the [TOTAL  
27 CIVILIAN] population of the state by forty. Each senate district shall be composed  
28 as near as practicable of two contiguous house districts. Consideration may be  
29 given to local government boundaries. Drainage and other geographic features shall  
30 be used in describing boundaries wherever possible.

31 \* **Sec. 6.** Article VI, sec. 8, Constitution of the State of Alaska, is amended to read:

1           **Section 8. Redistricting [REAPPORTIONMENT] Board.** (a) The **chief**  
 2 **justice of the supreme court** [GOVERNOR] shall appoint a **redistricting**  
 3 **[REAPPORTIONMENT] board, subject to the provisions of this section and as may**  
 4 **be provided by law** [TO ACT IN AN ADVISORY CAPACITY TO HIM]. It shall  
 5 consist of five members, **all of whom shall be residents of the state and** none of  
 6 whom may be public employees or officials **at the time of and during the tenure of**  
 7 **appointment. Board members shall be appointed as provided in (b) of this section**  
 8 [. AT LEAST ONE MEMBER EACH SHALL BE APPOINTED FROM THE  
 9 SOUTHEASTERN, SOUTHCENTRAL, CENTRAL, AND NORTHWESTERN  
 10 SENATE DISTRICTS. APPOINTMENTS SHALL BE MADE WITHOUT REGARD  
 11 TO POLITICAL AFFILIATION]. Board members shall be compensated.

12           **(b) Members of the Redistricting Board shall be appointed by**  
 13 **September 1 of the year in which a decennial census is taken. At least one board**  
 14 **member shall be a resident of each judicial district that existed on January 1,**  
 15 **1999. Board members serve until a final plan for redistricting and proclamation**  
 16 **of redistricting has been adopted and all challenges to it brought under Section**  
 17 **11 of this article have been resolved after final remand or affirmation.**

18           **(c) A person who was a member of the Redistricting Board at any time**  
 19 **during the process leading to final adoption of a redistricting plan under Section**  
 20 **10 of this article may not be a candidate for the legislature in the general election**  
 21 **following the adoption of the final redistricting plan.**

22 \* **Sec. 7.** Article VI, sec. 9, Constitution of the State of Alaska, is amended to read:

23           **Section 9. Board Actions [ORGANIZATION].** [THE BOARD SHALL  
 24 ELECT ONE OF ITS MEMBERS CHAIRMAN AND MAY EMPLOY TEMPORARY  
 25 ASSISTANTS.] Concurrence of three members **of the Redistricting Board** is  
 26 required for **actions of the board** [A RULING OR DETERMINATION], but a lesser  
 27 number may conduct hearings [OR OTHERWISE ACT FOR THE BOARD]. **The**  
 28 **board shall employ or contract for services of independent legal counsel.**

29 \* **Sec. 8.** Article VI, sec. 10, Constitution of the State of Alaska, is amended to read:

30           **Section 10. Redistricting [REAPPORTIONMENT] Plan and Proclamation.**  
 31 **(a) Within thirty days after the release of the decennial census population data**

1 or thirty days after being duly appointed, whichever occurs last, the board shall  
 2 adopt one or more proposed redistricting plans. The board shall hold public  
 3 hearings on the proposed plan, or, if no single proposed plan is agreed on, on all  
 4 plans proposed by the board. No later than ninety days after the board has been  
 5 appointed and the decennial census population data has been released, the board  
 6 shall adopt a final redistricting plan and [WITHIN NINETY DAYS FOLLOWING  
 7 THE OFFICIAL REPORTING OF EACH DECENNIAL CENSUS, THE BOARD  
 8 SHALL SUBMIT TO THE GOVERNOR A PLAN FOR REAPPORTIONMENT AND  
 9 REDISTRICTING AS PROVIDED IN THIS ARTICLE. WITHIN NINETY DAYS  
 10 AFTER RECEIPT OF THE PLAN, THE GOVERNOR SHALL] issue a proclamation  
 11 of [REAPPORTIONMENT AND] redistricting. [AN ACCOMPANYING  
 12 STATEMENT SHALL EXPLAIN ANY CHANGE FROM THE PLAN OF THE  
 13 BOARD.] The final plan shall set out boundaries of house and senate districts and  
 14 [REAPPORTIONMENT AND REDISTRICTING] shall be effective for the election  
 15 of members of the legislature until after the official reporting of the next decennial  
 16 census.

17 (b) Adoption of a final redistricting plan shall require the affirmative  
 18 votes of three members of the Redistricting Board.

19 \* **Sec. 9.** Article VI, sec. 11, Constitution of the State of Alaska, is amended to read:

20 **Section 11. Enforcement.** Any qualified voter may apply to the superior  
 21 court to compel the Redistricting Board [GOVERNOR], by mandamus or otherwise,  
 22 to perform its [HIS REAPPORTIONMENT] duties under this article or to correct any  
 23 error in redistricting [OR REAPPORTIONMENT]. Application to compel the board  
 24 [THE GOVERNOR] to perform [HIS REAPPORTIONMENT DUTIES] must be filed  
 25 not later than [WITHIN] thirty days following [OF] the expiration of the ninety-day  
 26 period specified in [EXPIRATION OF EITHER OF THE TWO NINETY-DAY  
 27 PERIODS SPECIFIED IN] this article. Application to compel correction of any error  
 28 in redistricting [OR REAPPORTIONMENT] must be filed within thirty days following  
 29 the adoption of the final redistricting plan and proclamation by the board  
 30 [PROCLAMATION]. Original jurisdiction in these matters is [HEREBY] vested in  
 31 the superior court. On appeal from the superior court, the cause shall be reviewed

1 by the supreme court **on** [UPON] the law and the facts. **Notwithstanding Section 15**  
2 **of Article IV, all dispositions by the superior court and the supreme court under**  
3 **this section shall be expedited and shall have priority over all other matters**  
4 **pending before the respective court. Upon a final judicial decision that a plan is**  
5 **invalid, the matter shall be returned to the board for correction and development**  
6 **of a new plan.**

7 \* **Sec. 10.** Article XI, sec. 3, Constitution of the State of Alaska, is amended to read:

8 **Section 3. Petition.** After certification of the application, a petition containing  
9 a summary of the subject matter shall be prepared by the lieutenant governor for  
10 circulation by the sponsors. If signed by qualified voters, equal in number to ten per  
11 cent of those who voted in the preceding general election and resident in at least two-  
12 thirds of the **house** [ELECTION] districts of the State, it may be filed with the  
13 lieutenant governor.

14 \* **Sec. 11.** Article VI, secs. 5 and 7, and Article XIV, Constitution of the State of Alaska,  
15 are repealed.

16 \* **Sec. 12.** The amendments proposed by this resolution shall be placed before the voters  
17 of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the  
18 State of Alaska, and the election laws of the state.