

Introduced: 2/14/72
Referred: Judiciary

1 IN THE SENATE

BY YOUNG, HENSLEY, KOSLOSKY,
AND RETTIG

2 SENATE JOINT RESOLUTION NO. 55

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 Proposing amendments to the state
6 constitution revising the method
7 and procedure for redistricting the
8 senate and house of representatives
9 of the state legislature.

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

11 * Section 1. Art. VI, Constitution of the State of Alaska is repealed
12 and re-adopted to read:

13 ARTICLE VI. LEGISLATIVE DISTRICTING.

14 SECTION 1. LEGISLATIVE DISTRICTS. (a) Members of the senate and
15 the house of representatives shall be elected by the qualified voters
16 in the legislative districts established in the manner provided in
17 this article. A legislative district consists of at least one senate
18 and two representative districts. If a legislative district elects
19 two or more senators or two or more representatives, the legislative
20 district shall be either (1) subdivided into separate single-member
21 senate or representative districts, or (2) the senate and representative
22 seats shall be designated separately by letter or number.

23 (b) Legislative districts, senate and representative districts,
24 shall consist of compact, contiguous territory and shall be as nearly
25 equal in population as may be.

26 (c) To the extent population equality requirements permit, each
27 legislative district shall contain, as nearly as practicable, a rela-
28 tively integrated socio-economic area. In the formation of legislative
29 districts, consideration shall be given to local government boundaries.

1 Whenever possible, drainage basins and other identifiable geographic
2 features shall be used in describing legislative district boundaries.

3 (d) In this article, to the extent population equality require-
4 ments, geographic considerations and transportation services and routes
5 permit

6 (1) "contiguous" means that every part of every legislative
7 district shall be accessible by land, by state highway or marine high-
8 way route, scheduled commercial airline or air taxi route from every
9 part of the same district without passing through any other district
10 of like purpose;

11 (2) "compact" means that the boundaries of every legislative
12 district shall be as close to equidistant from the geographic center
13 of the district as is practicable.

14 (e) Following redistricting, the term of office of a member of
15 the senate is not affected by a change in the boundaries of the dis-
16 trict from which he was elected.

17 (f) The census taken under the direction of the Congress of the
18 United States in 1970, and every ten years thereafter, shall be the
19 basis for legislative redistricting.

20 SECTION 2. REDISTRICTING. The governor shall redistrict the
21 senate and house of representatives in the manner prescribed in this
22 article immediately following the official reporting of a decennial
23 federal census.

24 SECTION 3. REDISTRICTING ADVISORY BOARD. (a) The governor shall
25 appoint a redistricting board to act in an advisory capacity to him.
26 It shall consist of five members who shall be qualified voters in the
27 state. However, (1) no more than three members of the board may be
28 members of the same political party as the governor, and at least one
29 member shall be a member of the opposite political party; (2) none of

1 the members of the board may be public officers or employees; and (3)
2 no members of the board are eligible for election to the legislature
3 until four years after the redistricting in which they participated
4 becomes effective. At least one member shall be appointed from the
5 southeastern, southcentral, central and western or northwestern regions
6 of the state.

7 (b) The board shall elect one of its members chairman and one
8 vice chairman and may employ temporary staff. The board shall adopt
9 its own rules of procedure, but a majority of the members constitutes
10 a quorum. The concurrence of three members of the board is required
11 for a ruling, determination or the adoption of a redistricting plan.

12 (c) The lieutenant governor shall be the ex officio secretary of
13 the board without vote and shall furnish, at the direction of the
14 board or the governor, all necessary technical services. The lieutenant
15 governor shall keep a public record of all the proceedings of the board
16 and shall be responsible for the publication and distribution of the
17 redistricting plan proposed by the board and proclaimed by the governor.
18 The attorney general is the legal counsel for the board; he shall advise
19 the board and the governor and represent them in any litigation con-
20 cerning legislative redistricting.

21 (d) The meetings of the board are open to the public except as
22 otherwise provided by law. The board shall hold public hearings on
23 legislative redistricting throughout the state.

24 (e) The board and its staff shall be compensated and shall receive
25 actual and necessary expenses as provided by law. The legislature shall
26 appropriate funds to enable the board to carry out its duties.

27 SECTION 4. REDISTRICTING PLAN. (a) Within ninety days following the
28 official reporting of a decennial federal census, the board shall sub-
29 mit its redistricting plan to the governor and make it public. Within

1 sixty days after receipt of the plan, the governor shall issue a redistricting proclamation which shall become law in the same manner, and
2 subject to the same provisions for referendum, as apply to an act of
3 the legislature. The governor shall accompany the redistricting plan
4 he proclaims with a statement explaining any change from the plan
5 presented to him by the board. The redistricting plan shall be effective
6 for the election of members of the legislature until the official
7 reporting of the next decennial census.
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9 (b) If in a referendum on the redistricting plan proclaimed by
10 the governor, a majority of the qualified voters voting on the question
11 reject the redistricting plan, the governor, within sixty days following
12 the election, shall redraft the redistricting plan in the manner provided
13 in this article.

14 SECTION 5. JUDICIAL ENFORCEMENT. Original jurisdiction is vested
15 in the supreme court, on the petition of any qualified voter in the
16 state to compel the governor or the redistricting advisory board, by
17 mandamus or otherwise, to perform his redistricting duties under this
18 article.

19 SECTION 6. JUDICIAL REVIEW, CORRECTION. (a) Original jurisdiction
20 is vested in the supreme court, on the petition of any qualified
21 voter in the state, filed within thirty days after the governor pro-
22 claims a redistricting plan, to review, or to compel correction of an
23 error in the redistricting plan. The cause shall be reviewed on the
24 law and the facts.

25 (b) If the supreme court determines that the plan thus reviewed
26 complies with the provisions of this article it shall dismiss the
27 petition by written opinion within thirty days after the filing of the
28 petition and the governor's redistricting plan shall become law upon
29 the date of the opinion.

1 (c) If the supreme court determines that the redistricting plan
2 does not comply with the provisions of this article, the plan is void,
3 and the supreme court shall direct the governor to redraft the redistricting
4 plan under the provisions of this article, and return the
5 plan to the supreme court within sixty days after the filing of the
6 petition. The supreme court shall review the plan returned to it and
7 if it complies with the provisions of this article, shall file it
8 with the lieutenant governor within ninety days after the filing of the
9 petition, shall order it published in the manner provided by law and
10 the redistricting shall become effective upon the date of filing.

11 (d) If the supreme court determines that the plan returned to it
12 by the governor under (c) of this section does not comply with the
13 provisions of this article, the supreme court shall return it immediately
14 to the governor accompanied by a written opinion specifying with
15 particularity wherein the plan fails to comply with the requirements
16 of this article. The opinion shall further direct the governor to
17 correct the plan in those particulars and no others, and to file and
18 publish the corrected redistricting plan in the manner provided by
19 law within ninety days after the filing of the petition and it shall
20 become law upon the date of filing of the corrected redistricting
21 plan.

22 * Sec. 2. Art. XIV, Constitution of the State of Alaska, is repealed.

23 * Sec. 3. The amendment proposed by this resolution shall be placed
24 before the voters of the state at the next statewide election in conformity
25 with sec. 1, art. XIII, Constitution of the State of Alaska, and the election
26 laws of the state.

27 * Sec. 4. If the amendments proposed in secs. 1 and 2 of this resolution
28 are approved by the voters the change in legislative redistricting procedure
29 in accordance with the provisions of art. VI, Constitution of the State

1 of Alaska, as amended by this resolution, shall be effective beginning with
2 the redistricting of the legislature following the 1980 decennial federal
3 census.

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