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Referred: Judiciary and
Rules

1 IN THE SENATE

BY RADER, CROFT, HENSLEY
AND KERTTULA

2 SENATE JOINT RESOLUTION NO. 23

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Constitution
6 of the State of Alaska providing for a
7 unicameral legislature.

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

9 * Section 1. Secs. 1, 2, 3, 10, 12, 14, 16, 18 and 20, art. II, Constitu-
10 tion of the State of Alaska are amended to read:

11 SECTION 1. LEGISLATIVE POWER; MEMBERSHIP. The legislative power
12 of the State is vested in a legislature [CONSISTING OF A SENATE WITH A
13 MEMBERSHIP OF TWENTY AND A HOUSE OF REPRESENTATIVES] with a membership
14 of sixty-one senators [FORTY].

15 SECTION 2. MEMBERS' QUALIFICATIONS. A member of the legislature
16 shall be a qualified voter who has been a resident of Alaska for at
17 least three years and of the district from which elected for at least
18 one year, immediately preceding his filing for office. A senator shall
19 be at least [TWENTY-FIVE YEARS OF AGE AND A REPRESENTATIVE AT LEAST]
20 twenty-one years of age.

21 SECTION 3. ELECTION AND TERMS. Senators [LEGISLATORS] shall be
22 elected at general elections. Their terms begin on the fourth Monday
23 of the January following election unless otherwise provided by law.
24 The [TERM OF REPRESENTATIVES SHALL BE TWO YEARS, AND THE] term of
25 senators shall be [,] four years. Thirty-one [ONE-HALF] of the
26 senators shall be elected in the presidential election year and thirty
27 in the gubernatorial election year [EVERY TWO YEARS].

28 SECTION 10. ADJOURNMENT. [NEITHER HOUSE MAY ADJOURN OR RECESS
29 FOR LONGER THAN THREE DAYS UNLESS THE OTHER CONCURS.] If the legislators

1 [TWO HOUSES] cannot agree on the time of adjournment and certify
2 [EITHER HOUSE CERTIFIES] the disagreement to the governor, he may
3 adjourn the legislature.

4 SECTION 12. RULES. The [HOUSES OF EACH] legislature shall adopt
5 [UNIFORM] rules of procedure. The legislature [EACH HOUSE] may choose
6 its officers and employees. The legislature [EACH] is the judge of the
7 election and qualifications of its members and may expel a member with
8 the concurrence of two-thirds of its members. The legislature [EACH]
9 shall keep a journal of its proceedings. A majority of the membership
10 of the legislature [EACH HOUSE] constitutes a quorum to do business,
11 but a smaller number may adjourn from day to day and may compel attend-
12 ance of absent members. The legislature shall regulate lobbying.

13 SECTION 14. PASSAGE OF BILLS. (a) The legislature shall establish
14 the procedure for enactment of bills into law. No bill may become law
15 unless it has passed three readings [IN EACH HOUSE] on three separate
16 days, except that any bill may be advanced from second to third reading
17 on the same day by concurrence of three-fourths of the membership
18 [HOUSE CONSIDERING IT]. No bill, other than an urgency bill, may become
19 law without an affirmative vote of a majority of the membership of the
20 legislature [EACH HOUSE]. The yeas and nays on final passage shall be
21 entered in the journal.

22 (b) No vote on final passage of a bill may be taken until five
23 legislative days after its introduction and until at least one legisla-
24 tive day after the date publicly announced for it to appear on the daily
25 calendar. However, in the case of an urgency bill necessary for the
26 immediate preservation of the public peace, health, or safety, three-
27 fourths of the membership may dispense with this requirement. A state-
28 ment of facts constituting the necessity shall be set forth in one
29 section of the bill, and the section and the bill shall be passed

1 separately, each by the concurrence of two-thirds of the membership.
2 An urgency bill may not create or abolish any office, or change the
3 salary, term, or duties of an office, or grant a franchise or special
4 privilege, or create a vested right or interest.

5 SECTION 15. VETO. The governor may veto bills passed by the
6 legislature. He may, by veto, strike or reduce items in appropriation
7 bills. He shall return any vetoed bill, with a statement of his
8 objections, to the legislature [HOUSE OF ORIGIN].

9 SECTION 16. ACTION UPON VETO. Upon receipt of a veto message,
10 the legislature shall meet immediately [IN JOINT SESSION] and reconsider
11 passage of the vetoed bill or item. Bills to raise revenue and appro-
12 priation bills or items, although vetoed, become law by affirmative vote
13 of three-fourths of the membership of the legislature. Other vetoed
14 bills become law by affirmative vote of two-thirds of the membership of
15 the legislature. The vote on reconsideration of a vetoed bill shall be
16 entered in [ON] the journal [JOURNALS] of the legislature [BOTH HOUSES].

17 SECTION 18. EFFECTIVE DATE. Laws passed by the legislature become
18 effective ninety days after enactment. The legislature may, by con-
19 currence of two-thirds of the membership [OF EACH HOUSE], provide for
20 another effective date.

21 SECTION 20. IMPEACHMENT. All civil officers of the State are
22 subject to impeachment by the legislature. Impeachment [SHALL ORIGINATE
23 IN THE SENATE AND] must be approved by a majority [TWO-THIRDS] vote of
24 its members. The resolution [MOTION] for impeachment shall list fully
25 the basis for the proceeding. Trial on impeachment shall be conducted
26 by the legislature [HOUSE OF REPRESENTATIVES]. A supreme court justice
27 designated by the court shall preside at the trial. Concurrence of
28 two-thirds of the members of the legislature [HOUSE] is required for a
29 judgment of impeachment. The judgment may not extend beyond removal

1 from office, but shall not prevent proceedings in the courts on the
2 same or related charges.

3 * Sec. 2. Article VI, Constitution of the State of Alaska, is repealed
4 and re-adopted to read:

5 ARTICLE VI. LEGISLATIVE DISTRICTING.

6 SECTION 1. LEGISLATIVE DISTRICTS. (a) Members of the legislature
7 shall be elected by the qualified voters in the legislative districts
8 established in the manner provided in this article.

9 (b) Legislative districts shall consist of compact, contiguous
10 territory and each senator shall represent, as nearly as may be, an
11 equal number of registered voters. The total number of registered voters
12 eligible to vote at the general election following the decennial federal
13 census, or the total number of registered voters eligible to vote at the
14 most recent general election if the redistricting is pursuant to a court
15 order, shall be the basis for legislative redistricting. The number of
16 persons represented by each senator is determined by dividing the total
17 membership of the legislature into the total number of registered voters
18 in the state.

19 (c) To the extent the requirements of equality in terms of regis-
20 tered voters permit, each legislative district shall contain, as nearly
21 as practicable, a relatively integrated socio-economic area. In the
22 formation of legislative districts, consideration shall be given to
23 local government boundaries. Whenever possible, drainage basins and
24 other identifiable geographic features shall be used in describing
25 legislative district boundaries.

26 (d) Following redistricting, the term of office of a member of the
27 legislature is not affected by a change in the boundaries of the district
28 from which he was elected.

29 SECTION 2. REDISTRICTING. The governor shall redistrict the

1 legislature in the manner prescribed in this article immediately
2 following the official reporting of a decennial federal census, or
3 immediately following a court order to redistrict.

4 SECTION 3. REDISTRICTING ADVISORY BOARD. (a) The governor shall
5 appoint a redistricting board to act in an advisory capacity to him. It
6 shall consist of five members, none of whom may be public employees or
7 officials. At least one member each shall be appointed from the South-
8 eastern, Southcentral, Central, and Western or Northwestern regions of
9 the state. Appointments shall be made without regard to political
10 affiliation. Board members shall be compensated.

11 (b) The board shall elect one of its members chairman and may em-
12 ploy a temporary staff. Concurrence of three members is required for
13 a ruling or determination, but a lesser number may conduct hearings or
14 otherwise act for the board.

15 SECTION 4. REDISTRICTING PLAN; PROCLAMATION. Within ninety days
16 following the official reporting of decennial census, the board shall
17 submit to the governor a plan for redistricting as provided in this
18 article. Within ninety days after receipt of the plan, the governor
19 shall issue a proclamation of redistricting. An accompanying statement
20 shall explain any change from the plan submitted to him by the board.
21 The redistricting shall be effective for the election of members of the
22 legislature until after the official reporting of the next decennial
23 census.

24 SECTION 5. ENFORCEMENT; JUDICIAL REVIEW, CORRECTION. A qualified
25 voter may apply to the supreme court to compel the governor, by mandamus
26 or otherwise, to perform his redistricting duties, to review the re-
27 districting plan or to correct an error in redistricting. Application
28 to compel the governor to perform his redistricting duties must be filed
29 within thirty days of the expiration of either of the two ninety-day

1 periods specified in section 4 of this article. Application to review
2 the redistricting plan or to compel its correction must be filed within
3 thirty days following the proclamation. Original jurisdiction in these
4 matters is vested in the supreme court, and the cause may be reviewed
5 by the supreme court upon the law and the facts.

6 * Sec. 3. Art. XIV, Constitution of the State of Alaska, is repealed.

7 * Sec. 4. The amendments proposed by this resolution shall be placed
8 before the voters of the state at the next statewide election in conformity
9 with sec. 1, art. XIII, Constitution of the State of Alaska, and the election
10 laws of the state.

11 * Sec. 5. If the amendments proposed by this resolution are ratified by
12 a majority of the qualified voters voting on the question:

13 (1) the holdover members of the senate and those members of
14 the senate and the members of the house of representatives elected to the
15 Ninth Alaska Legislature shall sit as a bicameral, or two-house, legislature
16 during the first session, but shall sit as a unicameral, or one-house, legis-
17 lature consisting of 60 members during the second session;

18 (2) not later than July 1, 1975, the governor shall redistrict
19 the legislature in accordance with article VI, Constitution of the State of
20 Alaska, as amended by this resolution, to provide for a unicameral, or one-
21 house, legislature consisting of 61 members; the total number of registered
22 voters eligible to vote at the most recent general election shall be the
23 basis for the legislative redistricting;

24 (3) at the first session of the Ninth Alaska Legislature,
25 the legislature shall make the necessary preparations for organizing as a
26 unicameral legislature during the second session;

27 (4) at the 1976 general election the 61st member of the
28 legislature together with 30 other members shall be elected to four-year
29 terms, and 20 members shall be elected to two-year terms, set by the governor

1 in the redistricting plan proclaimed in accordance with art. VI, Constitution
2 of the State of Alaska, as amended by this resolution. Nominations for
3 membership in the Tenth Alaska Legislature and the 1976 Primary Election
4 shall be conducted in substantially the same manner as provided in AS 15.25.
5 Ten members of the senate elected to four-year terms in 1974 shall hold over
6 as members of the Tenth Alaska Legislature until the expiration of their
7 terms in 1978.

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