

Original sponsor: Bradner, Parker, Bradley
Ostrosky, Smith, Rhode and Gruening

Offered: 3/3/75
Referred Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH 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. Article II, secs. 1, 2, 3, 12, 14, 16, 18 and 20, Constitution
10 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 third [FOURTH]
23 Monday of the January following election unless otherwise provided by
24 law. The [TERM OF REPRESENTATIVES SHALL BE TWO YEARS, AND THE] term of
25 senators shall be [,] four years. Thirty-one [ONE-HALF] of the senators
26 shall be elected in the presidential election year and thirty in the
27 gubernatorial election year [EVERY TWO YEARS].

28 SECTION 12. RULES. The [HOUSE OF EACH] legislature shall adopt
29 [UNIFORM] rules of procedure. The legislature [EACH HOUSE] may choose

1 its officers and employees. The legislature [EACH] is the judge of the
2 election and qualifications of its members and may expel a member with
3 the concurrence of two-thirds of its members. The legislature [EACH]
4 shall keep a journal of its proceedings. A majority of the membership
5 of the legislature [EACH HOUSE] constitutes a quorum to do business, but
6 a smaller number may adjourn from day to day and may compel attendance
7 of absent members. The legislature shall regulate lobbying.

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

16 (b) No vote on final passage of a bill may be taken until five
17 legislative days after its introduction and until at least one legis-
18 lative day after the date publicly announced for it to appear on the
19 daily calendar. However, in the case of an urgency bill necessary for
20 the immediate preservation of the public peace, health, or safety,
21 three-fourths of the membership may dispense with this requirement. A
22 statement of facts constituting the necessity shall be set out in one
23 section of the bill, and the section and the bill shall be passed sepa-
24 rately, each by the concurrence of two-thirds of the membership. An
25 urgency bill may not create or abolish any office, change the salary,
26 term, or duties of an office, grant a franchise or special privilege,
27 create a vested right or interest, or levy a tax.

28 SECTION 15. VETO. The governor may veto bills passed by the
29 legislature. He may, by veto, strike or reduce items in appropriation

1 bills. He shall return any vetoed bill, with a statement of his objec-
2 tions, to the legislature [HOUSE OF ORIGIN].

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

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

15 SECTION 20. IMPEACHMENT. All civil officers of the State are
16 subject to impeachment by the legislature. Impeachment [SHALL ORIGINATE
17 IN THE SENATE AND] must be approved by a majority [TWO-THIRDS] vote of
18 its members. The resolution [MOTION] for impeachment shall list fully
19 the basis for the proceeding. Trial on impeachment shall be conducted
20 by the legislature [HOUSE OF REPRESENTATIVES]. A supreme court justice
21 designated by the court shall preside at the trial. Concurrence of
22 three-fourths [TWO-THIRDS] of the members of the legislature [HOUSE] is
23 required for a judgment of impeachment. The judgment may not extend
24 beyond removal from office, but shall not prevent proceedings in the
25 courts on the same or related charges.

26 * Sec. 2. Art. VI, Constitution of the State of Alaska, is repealed and
27 re-adopted to read:

28 ARTICLE VI. LEGISLATIVE DISTRICTING.

29 SECTION 1. LEGISLATIVE DISTRICTS. (a) Members of the legislature

1 shall be elected by the qualified voters in the legislative districts
2 established in the manner provided in this article.

3 (b) Legislative districts shall consist of compact, contiguous
4 territory. Each senator shall represent, as nearly as possible, an
5 equal number of persons. The number of persons represented by each
6 senator is determined by dividing the total membership of the legisla-
7 ture into the total population of the State. The basis for legislative
8 redistricting shall be the total population of the state as reported in
9 the most recent decennial federal census. If the redistricting is
10 pursuant to a court order, the total population of the state as deter-
11 mined by the most recent decennial federal census, or, if the census is
12 five years old or older, then other reliable population data, including
13 but not limited to population estimates based on public school enroll-
14 ments, public utility connections, registered voters or certified employ-
15 ment payrolls, shall be used as the basis for the legislative redis-
16 tricting.

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

24 SECTION 2. REDISTRICTING. (a) The governor shall redistrict the
25 legislature in the manner prescribed by this article immediately fol-
26 lowing the official reporting of the decennial federal census, or
27 immediately following a court order to redistrict.

28 (b) The term of office of a member of the legislature is not
29 affected by a change in the boundaries of the district from which he was

1 elected.

2 SECTION 3. REDISTRICTING ADVISORY BOARD. (a) The governor shall
3 appoint a redistricting board to act in an advisory capacity to him. It
4 shall consist of five members, none of whom may be public employees or
5 officials. At least one member each shall be appointed from the South-
6 eastern, Southcentral, Central, and Western or Northwestern regions of
7 the state. Appointments shall be made without regard to political
8 affiliation; however, the board membership shall include at least one
9 member of each political party which nominated a candidate for governor
10 who received at least ten per cent of the total vote cast at the pre-
11 ceding general election for governor.

12 (b) Board members shall be compensated.

13 (c) The board shall elect one of its members chairman and may
14 employ a temporary staff. Concurrence of three members is required for
15 a ruling or determination, but a lesser number may conduct hearings or
16 otherwise act for the board.

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

26 SECTION 5. ENFORCEMENT; JUDICIAL REVIEW, CORRECTION. A qualified
27 voter may apply to the supreme court to compel the governor to perform
28 his redistricting duties, to review the redistricting plan, or to
29 correct an error in redistricting. Application to compel the governor

1 to perform his redistricting duties must be filed within thirty days of
2 the expiration of either of the two ninety-day periods specified in
3 Section 4 of this article. Application to review the redistricting plan
4 or to compel its correction must be filed within thirty days following
5 the proclamation. Original jurisdiction in these matters is vested in
6 the supreme court, and the cause may be reviewed by the supreme court
7 upon the law and the facts.

8 * Sec. 3. Sec. 10, art. II and art. XIV, Constitution of the State of
9 Alaska, are repealed.

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

14 * Sec. 5. If the amendments proposed by this resolution are ratified by a
15 majority of qualified voters voting on the resolution, the following pro-
16 visions shall be followed in the transition from a bicameral to a unicameral
17 legislature:

18 (1) the holdover members of the senate and those members of the
19 senate and house of representatives elected to the Eleventh Alaska
20 Legislature shall sit as a bicameral legislature during the first
21 session, but shall sit as a unicameral legislature consisting of 60
22 members during the second session;

23 (2) at the first session of the Eleventh Alaska Legislature, the
24 legislature shall make the necessary preparation for sitting as a uni-
25 cameral legislature during the second session;

26 (3) no later than July 1, 1979, the governor shall redistrict the
27 legislature in accordance with art. VI, Constitution of the State of
28 Alaska, as amended by this resoltuion, to provide for a unicameral
29 legislature consisting of 61 members; the total population of the state

1 as determined by the most recent decennial federal census, or, if the
2 census is five years old or older, then other reliable population data,
3 including but not limited to population estimates based on public school
4 enrollments, public utility connections, registered voters or certified
5 employment payrolls, shall be used as the basis for the legislative
6 redistricting.

7 (4) at the 1980 general election, 31 members of the legislature
8 shall be elected to four-year terms, and 20 members shall be elected to
9 two-year terms, set by the governor in the redistricting plan provided
10 for by subsection (3) of this section; the ten members of the senate
11 elected to four-year terms in 1978 shall hold over as members of the
12 Twelfth Alaska Legislature until the expiration of their terms in 1982.

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