

Introduced: 1/13/77  
Referred: State Affairs and  
Judiciary

1 IN THE HOUSE

BY BRADLEY AND MALONE

CS  
2 HOUSE JOINT RESOLUTION NO. 7

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH 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, 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 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 [HOUSES 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  
4 during a regular session of the legislature, the legislature shall meet  
5 immediately [IN JOINT SESSION] and reconsider passage of the vetoed bill  
6 or item. Bills to raise revenue and appropriation bills or items,  
7 although vetoed, become law by affirmative vote of three-fourths of the  
8 membership of the legislature. Other vetoed bills become law by affir-  
9 mative vote of two-thirds of the membership of the legislature. Bills  
10 vetoed after adjournment of the first regular session of the legislature  
11 shall be reconsidered by the legislature [SITTING AS ONE BODY] no later  
12 than the fifth day of the next regular or special session of that legis-  
13 lature. Bills vetoed after adjournment of the second regular session  
14 shall be reconsidered by the legislature [SITTING AS ONE BODY] no later  
15 than the fifth day of a special session of that legislature, if one is  
16 called. The vote on reconsideration of a vetoed bill shall be entered  
17 in [ON] the journal [JOURNALS] of the legislature [BOTH HOUSES].

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

22 SECTION 20. IMPEACHMENT. All civil officers of the State are  
23 subject to impeachment by the legislature. Impeachment [SHALL ORIGINATE  
24 IN THE SENATE AND] must be approved by a majority [TWO-THIRDS] vote of  
25 its members. The resolution [MOTION] for impeachment shall list fully  
26 the basis for the proceeding. Trial on impeachment shall be conducted  
27 by the legislature [HOUSE OF REPRESENTATIVES]. A supreme court justice  
28 designated by the court shall preside at the trial. Concurrence of  
29 three-fourths [TWO-THIRDS] of the members of the legislature [HOUSE] is

1 required for a judgment of impeachment. The judgment may not extend  
2 beyond removal from office, but shall not prevent proceedings in the  
3 courts on the same or related charges.

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

6 ARTICLE VI. LEGISLATIVE DISTRICTING.

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

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

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

1 district boundaries.

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

6 (b) The term of office of a member of the legislature is not  
7 affected by a change in the boundaries of the district from which he was  
8 elected.

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

19 (b) Board members shall be compensated.

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

24 SECTION 4. REDISTRICTING PLAN; PROCLAMATION. Within ninety days  
25 following the official reporting of the decennial federal census, the  
26 board shall submit to the governor a plan for redistricting as provided  
27 in this article and shall make the plan public. Within ninety days  
28 after receipt of the plan, the governor shall issue a proclamation of  
29 redistricting. An accompanying statement shall explain any change from

1 the plan submitted to him by the board. The redistricting shall be  
2 effective for the election of members of the legislature until after the  
3 official reporting of the next decennial census.

4 SECTION 5. ENFORCEMENT; JUDICIAL REVIEW, CORRECTION. A qualified  
5 voter may apply to the supreme court to compel the governor to perform  
6 his redistricting duties, to review the redistricting plan, or to  
7 correct an error in redistricting. Application to compel the governor  
8 to perform his redistricting duties must be filed within thirty days of  
9 the expiration of either of the two ninety-day periods specified in  
10 Section 4 of this article. Application to review the redistricting plan  
11 or to compel its correction must be filed within thirty days following  
12 the proclamation. Original jurisdiction in these matters is vested in  
13 the supreme court, and the cause may be reviewed by the supreme court  
14 upon the law and the facts.

15 \* Sec. 3. Article II, sec. 10, and art. XIV, Constitution of the State of  
16 Alaska, are repealed.

17 \* Sec. 4. The amendments proposed by this resolution shall be placed  
18 before the voters of the state at the next general election in conformity  
19 with art. XIII, sec. 1, Constitution of the State of Alaska, and the election  
20 laws of the state.

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

25 (1) the holdover members of the senate and those members of the  
26 senate and house of representatives elected to the Eleventh Alaska Legisla-  
27 ture shall sit as a bicameral legislature during the first session, but shall  
28 sit as a unicameral legislature consisting of 60 members during the second  
29 session;

1 (2) at the first session of the Eleventh Alaska Legislature, the  
2 legislature shall make the necessary preparation for sitting as a unicameral  
3 legislature during the second session;

4 (3) no later than July 1, 1979, the governor shall redistrict the  
5 legislature in accordance with art. VI, Constitution of the State of Alaska,  
6 as amended by this resolution, to provide for a unicameral legislature con-  
7 sisting of 61 members; the total population of the state as determined by the  
8 most recent decennial federal census, or, if the census is five years old or  
9 older, then other reliable population data, including but not limited to  
10 population estimates based on public school enrollments, public utility  
11 connections, registered voters or certified employment payrolls, shall be  
12 used as the basis for the legislative redistricting;

13 (4) at the 1980 general election, 31 members of the legislature  
14 shall be elected to four-year terms, and 20 members shall be elected to two-  
15 year terms, set by the governor in the redistricting plan provided for by  
16 (3) of this section; the ten members of the senate elected to four-year terms  
17 in 1978 shall hold over as members of the Twelfth Alaska Legislature until  
18 the expiration of their terms in 1982.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29