

1 IN THE SENATE

BY RADER AND CROFT

2 SENATE JOINT RESOLUTION NO. 2

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, 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 [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 Twelfth Alaska Legislature
27 shall sit as a bicameral legislature during the first session, but shall sit
28 as a unicameral legislature consisting of 60 members during the second session;

29 (2) at the first session of the Twelfth Alaska Legislature, the

1 legislature shall make the necessary preparation for sitting as a unicameral
2 legislature during the second session;

3 (3) no later than July 1, 1981, the governor shall redistrict the
4 legislature in accordance with art. VI, Constitution of the State of Alaska,
5 as amended by this resolution to provide for a unicameral legislature con-
6 sisting of 61 members; the total population of the state as determined by the
7 most recent decennial federal census, or, if the census is five years old or
8 older, then other reliable population data, including but not limited to
9 population estimates based on public school enrollments, public utility
10 connections, registered voters or certified employment payrolls, shall be
11 used as the basis for the legislative redistricting;

12 (4) at the 1982 general election, 31 members of the legislature
13 shall be elected to four-year terms, and 20 members shall be elected to two-
14 year terms, set by the governor in the redistricting plan provided for by (3)
15 of this section; the 10 members of the senate elected to four-year terms in
16 1980 shall hold over as members of the Thirteenth Alaska Legislature until
17 the expiration of their terms in 1984.

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