

Original sponsors: Parker and Rogers

Offered: 4/14/80
Referred: Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND 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 fifty-nine 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 second [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-HALF] of the senators
26 shall be elected in the presidential election year and twenty-nine in
27 the 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 sepa-
11 rate days, except that any bill may be advanced from second to third
12 reading on the same day by concurrence of three-fourths of the member-
13 ship [HOUSE CONSIDERING IT]. No bill may become law without an affirma-
14 tive vote of a majority of the membership of the legislature [EACH
15 HOUSE]. The yeas and nays on final passage shall be entered in the
16 journal.

17 (b) A vote on final passage of a bill may not be taken until five
18 legislative days after the introduction of the bill and until at least
19 one legislative day after the date publicly announced for the bill to
20 appear on the daily calendar of the legislature. However, in the case
21 of an urgency bill necessary for the immediate preservation of the public
22 peace, health, or safety, three-fourths of the membership of the legis-
23 lature may dispense with these requirements. A statement of facts con-
24 stituting the urgency shall be set out in one section of the urgency
25 bill, and that section and the bill shall be voted on separately and each
26 may be passed only by the concurrence of two-thirds of the membership of
27 the legislature. An urgency bill may not create or abolish a state
28 office, change the salary, term, or duties of a state official, grant a
29 franchise or special privilege, create a vested right or interest, or

1 levy a tax.

2 SECTION 15. VETO. The governor may veto bills passed by the
3 legislature. He may, by veto, strike or reduce items in appropriation
4 bills. He shall return any vetoed bill, with a statement of his objec-
5 tions, to the legislature [HOUSE OF ORIGIN].

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

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

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

29 * Sec. 2. Article VI, Constitution of the State of Alaska, is repealed

1 and re-adopted to read:

2 ARTICLE VI. LEGISLATIVE DISTRICTING.

3 SECTION 1. LEGISLATIVE DISTRICTS. (a) Members of the legislature
4 shall be elected by the qualified voters in the legislative districts
5 established as provided in this article.

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

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

27 SECTION 2. REDISTRICTING. (a) The governor shall redistrict the
28 legislature in the manner prescribed by this article immediately fol-
29 lowing the official reporting of the decennial federal census, or imme-

1 diately following a court order to redistrict the legislature.

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

5 SECTION 3. REDISTRICTING BOARD. The governor shall appoint a
6 redistricting board to advise him. The board shall consist of five
7 members, none of whom may be a public employee or official. At least
8 one member of the board shall be appointed from the (1) Southeastern,
9 (2) Southcentral, (3) Central, (4) Western, and (5) Northwestern regions
10 of the state. Appointments to the board shall be made without regard to
11 political affiliation. However, the board shall include at least one
12 member from each political party which nominated a candidate for governor
13 who received at least ten percent of the total vote cast at the general
14 election for governor preceding the appointment of the board. Board
15 members shall be compensated. The board shall elect one of its members
16 chairman and may employ a temporary staff. Concurrence of three members
17 of the board is required for a ruling or determination by the board, but
18 a lesser number of members may conduct hearings or otherwise act for the
19 board.

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

1 SECTION 5. ENFORCEMENT; JUDICIAL REVIEW, CORRECTION. A qualified
2 voter may apply to the supreme court to compel the governor to re-
3 district, to review the redistricting plan, or to correct an error in
4 redistricting. An application to compel the governor to redistrict must
5 be filed within thirty days of the expiration of either of the two
6 ninety-day periods specified in Section 4 of this article. An applica-
7 tion to review the redistricting plan or to compel its correction must
8 be filed within thirty days following the date of a proclamation of
9 redistricting. Original jurisdiction of applications filed under this
10 section is vested in the supreme court, and the application may be
11 reviewed by the supreme court upon the law and the facts.

12 * Sec. 3. Article II, sec. 10, and art. XIV, Constitution of the State of
13 Alaska, are repealed.

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

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

22 (1) the holdover members of the senate and those members of the
23 senate and house of representatives elected to the Twelfth Alaska Legislature
24 shall sit as a bicameral legislature during the first session, but shall sit
25 as a unicameral legislature consisting of 60 members during the second ses-
26 sion;

27 (2) at the first session of the Twelfth Alaska Legislature, the
28 legislature shall make the necessary preparation for sitting as a unicameral
29 legislature during the second session;

1 (3) no later than July 1, 1982, the governor shall redistrict the
2 legislature in accordance with art. VI, Constitution of the State of Alaska,
3 as amended by this resolution, to provide for a unicameral legislature con-
4 sisting of 59 members; the total population of the state as determined by the
5 most recent decennial federal census shall be used as the basis for the leg-
6 islative redistricting;

7 (4) at the 1982 general election, 29 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 for by
10 (3) of this section; the 10 members of the senate elected to four-year terms
11 in 1980 shall hold over as members of the Thirteenth Alaska Legislature until
12 the expiration of their terms in 1984.

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