

HOUSE JOINT RESOLUTION NO. 80
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE NAVARRE

Introduced: 2/18/92
Referred: State Affairs, Judiciary, Finance

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska establishing a unicameral
2 legislature; and providing for an effective date to the amendment.

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

4 * Section 1. Article II, sec. 1, Constitution of the State of Alaska, is amended to read:

5 SECTION 1. LEGISLATIVE POWER; MEMBERSHIP. The legislative power of the
6 State is vested in a legislature [CONSISTING OF A SENATE WITH A MEMBERSHIP OF
7 TWENTY AND A HOUSE OF REPRESENTATIVES] with a membership of fifty [FORTY].

8 * Sec. 2. Article II, sec. 2, Constitution of the State of Alaska, is amended to read:

9 SECTION 2. MEMBERS' QUALIFICATIONS. A member of the legislature shall be
10 a qualified voter who has been a resident of Alaska for at least three years and of the district
11 from which elected for at least one year, immediately preceding his filing for office. A legislator
12 [SENATOR] shall be at least [TWENTY-FIVE YEARS OF AGE AND A REPRESENTATIVE
13 AT LEAST] twenty-one years of age.

14 * Sec. 3. Article II, sec. 3, Constitution of the State of Alaska, is amended to read:

15 SECTION 3. ELECTION AND TERMS. Legislators shall be elected at general
16 elections. Their terms begin on the fourth Monday of the January following election unless

1 otherwise provided by law. The term of a legislator [REPRESENTATIVES] shall be [TWO
2 YEARS, AND THE TERM OF SENATORS,] four years. One-half of the legislators
3 [SENATORS] shall be elected every two years.

4 * Sec. 4. Article II, sec. 7, Constitution of the State of Alaska, is amended to read:

5 SECTION 7. SALARY AND EXPENSES. Legislators shall receive annual salaries.
6 They may receive a per diem allowance for expenses while in session and are entitled to travel
7 expenses going to and from sessions. The presiding officer [PRESIDING OFFICERS] may
8 receive additional compensation.

9 * Sec. 5. Article II, sec. 8, Constitution of the State of Alaska, is amended to read:

10 SECTION 8. REGULAR SESSIONS. The legislature shall convene in regular session
11 each year on the fourth Monday in January, but the month and day may be changed by law. The
12 legislature shall adjourn from regular session no later than one hundred twenty consecutive
13 calendar days from the date it convenes except that a regular session may be extended once for
14 up to ten consecutive calendar days. An extension of the regular session requires the affirmative
15 vote of at least two-thirds of the membership [OF EACH HOUSE] of the legislature. The
16 legislature shall adopt as part of the uniform rules of procedure deadlines for scheduling session
17 work not inconsistent with provisions controlling the length of the session.

18 * Sec. 6. Article II, sec. 12, Constitution of the State of Alaska, is amended to read:

19 SECTION 12. RULES. The [HOUSES OF EACH] legislature shall adopt [UNIFORM]
20 rules of procedure. The legislature [EACH HOUSE] may choose its officers and employees.
21 The legislature [EACH] is the judge of the election and qualifications of its members and may
22 expel a member with the concurrence of two-thirds of its members. The legislature [EACH]
23 shall keep a journal of its proceedings. A majority of the membership [OF EACH HOUSE]
24 constitutes a quorum to do business, but a smaller number may adjourn from day to day and
25 may compel attendance of absent members. The legislature shall regulate lobbying.

26 * Sec. 7. Article II, sec. 14, Constitution of the State of Alaska, is amended to read:

27 SECTION 14. PASSAGE OF BILLS. The legislature shall establish the procedure for
28 enactment of bills into law. No bill may become law unless it has passed three readings [IN
29 EACH HOUSE] on three separate days, except that any bill may be advanced from second to
30 third reading on the same day by concurrence of three-fourths of the membership [HOUSE
31 CONSIDERING IT]. No bill may become law without an affirmative vote of a majority of the
32 membership [OF EACH HOUSE]. The yeas and nays on final passage shall be entered in the

1 journal.

2 * Sec. 8. Article II, sec. 15, Constitution of the State of Alaska, is amended to read:

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

6 * Sec. 9. Article II, sec. 16, Constitution of the State of Alaska, is amended to read:

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

19 * Sec. 10. Article II, sec. 18, Constitution of the State of Alaska, is amended to read:

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

23 * Sec. 11. Article II, sec. 20, Constitution of the State of Alaska, is amended to read:

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

1 * **Sec. 12.** Article III, sec. 17, Constitution of the State of Alaska, is amended to read:

2 SECTION 17. CONVENING LEGISLATURE. Whenever the governor considers it in
3 the public interest, he may convene the legislature [, EITHER HOUSE, OR THE TWO
4 HOUSES] in [JOINT] session.

5 * **Sec. 13.** Article III, sec. 19, Constitution of the State of Alaska, is amended to read:

6 SECTION 19. MILITARY AUTHORITY. The governor is commander-in-chief of the
7 armed forces of the State. He may call out these forces to execute the laws, suppress or prevent
8 insurrection or lawless violence, or repel invasion. The governor, as provided by law, shall
9 appoint all general and flag officers of the armed forces of the State, subject to confirmation by
10 a majority of the members of the legislature [IN JOINT SESSION]. He shall appoint and
11 commission all other officers.

12 * **Sec. 14.** Article III, sec. 20, Constitution of the State of Alaska, is amended to read:

13 SECTION 20. MARTIAL LAW. The governor may proclaim martial law when the
14 public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall
15 not continue for longer than twenty days without the approval of a majority of the members of
16 the legislature [IN JOINT SESSION].

17 * **Sec. 15.** Article III, sec. 23, Constitution of the State of Alaska, is amended to read:

18 SECTION 23. REORGANIZATION. The governor may make changes in the
19 organization of the executive branch or in the assignment of functions among its units which he
20 considers necessary for efficient administration. Where these changes require the force of law,
21 they shall be set forth in executive orders. The legislature shall have sixty days of a regular
22 session, or a full session if of shorter duration, to disapprove these executive orders. Unless
23 disapproved by resolution concurred in by a majority of the members [IN JOINT SESSION],
24 these orders become effective at a date thereafter to be designated by the governor.

25 * **Sec. 16.** Article III, sec. 25, Constitution of the State of Alaska, is amended to read:

26 SECTION 25. DEPARTMENT HEADS. The head of each principal department shall
27 be a single executive unless otherwise provided by law. He shall be appointed by the governor,
28 subject to confirmation by a majority of the members of the legislature [IN JOINT SESSION],
29 and shall serve at the pleasure of the governor, except as otherwise provided in this article with
30 respect to the lieutenant governor [SECRETARY OF STATE]. The heads of all principal
31 departments shall be citizens of the United States.

32 * **Sec. 17.** Article III, sec. 26, Constitution of the State of Alaska, is amended to read:

1 **SECTION 26. BOARDS AND COMMISSIONS.** When a board or commission is at the
2 head of a principal department or a regulatory or quasi-judicial agency, its members shall be
3 appointed by the governor, subject to confirmation by a majority of the members of the
4 legislature [IN JOINT SESSION], and may be removed as provided by law. They shall be
5 citizens of the United States. The board or commission may appoint a principal executive officer
6 when authorized by law, but the appointment shall be subject to the approval of the governor.

7 * **Sec. 18.** Article IV, sec. 10, Constitution of the State of Alaska, is amended to read:

8 **SECTION 10. COMMISSION ON JUDICIAL CONDUCT.** The Commission on Judicial
9 Conduct shall consist of nine members, as follows: three persons who are justices or judges of
10 state courts, elected by the justices and judges of state courts; three members who have practiced
11 law in this state for ten years, appointed by the governor from nominations made by the
12 governing body of the organized bar and subject to confirmation by a majority of the members
13 of the legislature [IN JOINT SESSION]; and three persons who are not judges, retired judges,
14 or members of the state bar, appointed by the governor and subject to confirmation by a majority
15 of the members of the legislature [IN JOINT SESSION]. In addition to being subject to
16 impeachment under Section 12 of this article, a justice or judge may be disqualified from acting
17 as such and may be suspended, removed from office, retired, or censured by the supreme court
18 upon the recommendation of the commission. The powers and duties of the commission and the
19 bases for judicial disqualification shall be established by law.

20 * **Sec. 19.** Article IV, sec. 15, Constitution of the State of Alaska, is amended to read:

21 **SECTION 15. RULE-MAKING POWER.** The supreme court shall make and
22 promulgate rules governing the administration of all courts. It shall make and promulgate rules
23 governing practice and procedure in civil and criminal cases in all courts. These rules may be
24 changed by the legislature by two-thirds vote of the members [ELECTED TO EACH HOUSE].

25 * **Sec. 20.** Article VI, sec. 1, Constitution of the State of Alaska, is amended to read:

26 **SECTION 1. ELECTION DISTRICTS.** Members of the legislature [HOUSE OF
27 REPRESENTATIVES] shall be elected by the qualified voters of the respective election districts.
28 The boundaries of the election districts shall be set by the governor after each decennial
29 census of the United States [UNTIL REAPPORTIONMENT, ELECTION DISTRICTS AND
30 THE NUMBER OF REPRESENTATIVES TO BE ELECTED FROM EACH DISTRICT SHALL
31 BE AS SET FORTH IN SECTION 1 OF ARTICLE XIV].

32 * **Sec. 21.** Article VI, sec. 3, Constitution of the State of Alaska, is amended to read:

1 **SECTION 3. REAPPORTIONMENT OF LEGISLATURE [HOUSE].** The governor
2 shall reapportion the legislature [HOUSE OF REPRESENTATIVES] immediately following the
3 official reporting of each decennial census of the United States. Reapportionment shall be based
4 upon civilian population within each election district as reported by the census.

5 * **Sec. 22.** Article VI, sec. 4, Constitution of the State of Alaska, is amended to read:

6 **SECTION 4. METHOD.** Reapportionment shall be by the method of equal proportions,
7 except that each election district having the major fraction of the quotient obtained by dividing
8 total civilian population by fifty [FORTY] shall have one legislator [REPRESENTATIVE].

9 * **Sec. 23.** Article VI, sec. 6, Constitution of the State of Alaska, is amended to read:

10 **SECTION 6. REDISTRICTING.** The governor may further redistrict by changing the
11 size and area of election districts, subject to the limitations of this article. Each new district so
12 created shall be formed of contiguous and compact territory containing as nearly as practicable
13 a relatively integrated socio-economic area. Each shall contain a population at least equal to the
14 quotient obtained by dividing the total civilian population by fifty [FORTY]. Consideration may
15 be given to local government boundaries. Drainage and other geographic features shall be used
16 in describing boundaries wherever possible.

17 * **Sec. 24.** Article VI, sec. 8, Constitution of the State of Alaska is amended to read:

18 **SECTION 8. REAPPORTIONMENT BOARD.** The governor shall appoint a
19 reapportionment board to act in an advisory capacity to him. It shall consist of five members,
20 none of whom may be public employees or officials. At least one member each shall be
21 appointed from the Southeastern, Southcentral, Central, and Northwestern areas of the state
22 [SENATE DISTRICTS]. Appointments shall be made without regard to political affiliation.
23 Board members shall be compensated.

24 * **Sec. 25.** Article VII, sec. 3, Constitution of the State of Alaska, is amended to read:

25 **SECTION 3. BOARD OF REGENTS OF UNIVERSITY.** The University of Alaska shall
26 be governed by a board of regents. The regents shall be appointed by the governor, subject to
27 confirmation by a majority of the members of the legislature [IN JOINT SESSION]. The board
28 shall, in accordance with law, formulate policy and appoint the president of the university. He
29 shall be the executive officer of the board.

30 * **Sec. 26.** Article IX, sec. 17(c), Constitution of the State of Alaska, is amended to read:

31 (c) An appropriation from the budget reserve fund may be made for any public purpose
32 upon affirmative vote of three-fourths of the members [OF EACH HOUSE] of the legislature.

1 * Sec. 27. Article X, sec. 12, Constitution of the State of Alaska, is amended to read:

2 SECTION 12. BOUNDARIES. A local boundary commission or board shall be
3 established by law in the executive branch of the state government. The commission or board
4 may consider any proposed local government boundary change. It may present proposed changes
5 to the legislature during the first ten days of any regular session. The change shall become
6 effective forty-five days after presentation or at the end of the session, whichever is earlier,
7 unless disapproved by a resolution concurred in by a majority of the members of the legislature
8 [EACH HOUSE]. The commission or board, subject to law, may establish procedures whereby
9 boundaries may be adjusted by local action.

10 * Sec. 28. Article XIII, sec. 1, Constitution of the State of Alaska, is amended to read:

11 SECTION 1. AMENDMENTS. Amendments to this constitution may be proposed by
12 a two-thirds vote [OF EACH HOUSE] of the membership of the legislature. The lieutenant
13 governor shall prepare a ballot title and proposition summarizing each proposed amendment, and
14 shall place them on the ballot for the next general election. If a majority of the votes cast on the
15 proposition favor the amendment, it shall be adopted. Unless otherwise provided in the
16 amendment, it becomes effective thirty days after the certification of the election returns by the
17 lieutenant governor.

18 * Sec. 29. Article XV, Constitution of the State of Alaska, is amended by adding a new section to
19 read:

20 SECTION 29. TRANSITION TO UNICAMERAL LEGISLATURE. The following
21 provisions shall be followed in the transition from a bicameral to a unicameral legislature
22 provided for under the 1992 amendments:

23 (1) the holdover members of the senate and those members of the senate and
24 house of representatives elected to the Eighteenth Alaska State Legislature shall sit as a bicameral
25 legislature during the first session, but shall sit as a unicameral legislature consisting of sixty
26 members during the second session;

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

30 (3) no later than March 15, 1994, the governor shall redistrict the legislature in
31 accordance with Article VI, Constitution of the State of Alaska, to provide for a unicameral
32 legislature consisting of sixty members based upon the total population of the State as determined

1 by the most recent decennial federal census;

2 (4) at the 1994 general election, twenty five members of the legislature shall be
3 elected to four-year terms, and fifteen members shall be elected to two-year terms, set by the
4 governor in the redistricting plan under (3) of this section;

5 (5) the ten members of the senate elected to four-year terms in 1992 shall hold
6 over as members of the Nineteenth Alaska State Legislature until the expiration of their terms.

7 * Sec. 30. Article II, sec. 10, article VI, secs. 2, 5, and 7, and article XIV, Constitution of the State
8 of Alaska, are repealed.

9 * Sec. 31. Section 29 of this resolution takes effect January 1, 1993.

10 * Sec. 32. Sections 1 - 28 and sec. 30 of this resolution take effect January 1, 1994.

11 * Sec. 33. The amendments proposed by this resolution shall be placed before the voters of the state
12 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
13 the election laws of the state.