

CS FOR HOUSE JOINT RESOLUTION NO. 80 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/24/92
Referred: Rules

Sponsor(s): REPRESENTATIVES NAVARRE, Koponen, Mackie

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 amendments.**

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 TWENTY
7 AND A HOUSE OF REPRESENTATIVES] with a membership of fifty-five [FORTY].

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

9 **SECTION 2. MEMBERS' QUALIFICATIONS.** A senator [MEMBER OF THE
10 LEGISLATURE] shall be a qualified voter who has been a resident of Alaska for at least three
11 years and of the district from which elected for at least one year, immediately preceding [HIS]
12 filing for office. A senator shall be at least [TWENTY-FIVE YEARS OF AGE AND A
13 REPRESENTATIVE 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.** Senators [LEGISLATORS] shall be elected
16 at general elections. Their terms begin on the fourth Monday of the January following election

1 unless otherwise provided by law. The term of a senator [REPRESENTATIVES] shall be
2 [TWO YEARS, AND THE TERM OF SENATORS,] four years. Twenty-seven or twenty-eight
3 [ONE-HALF] of the senators shall be elected every two years. The number of senators elected
4 shall alternate each election.

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

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

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

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

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

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

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

30 SECTION 14. PASSAGE OF BILLS. The senate [LEGISLATURE] shall establish the
31 procedure for enactment of bills into law. No bill may become law unless it has passed three
32 readings [IN EACH HOUSE] on three separate days, except that any bill may be advanced from

1 second to third reading on the same day by concurrence of at least three-fourths of the
2 membership [HOUSE CONSIDERING IT]. No bill may become law without an affirmative
3 vote of at least a majority of the membership [OF EACH HOUSE]. The yeas and nays on final
4 passage shall be entered in the journal.

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

6 SECTION 15. VETO. The governor may veto bills passed by the senate
7 [LEGISLATURE]. The governor [HE] may, by veto, strike or reduce items in appropriation
8 bills. The governor [HE] shall return any vetoed bill, with a statement of [HIS] objections, to
9 the senate [HOUSE OF ORIGIN].

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

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

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

25 SECTION 18. EFFECTIVE DATE. Laws passed by the senate [LEGISLATURE]
26 become effective ninety days after enactment. The senate [LEGISLATURE] may, by
27 concurrence of at least two-thirds of its [THE] membership [OF EACH HOUSE], provide for
28 another effective date.

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

30 SECTION 20. IMPEACHMENT. All civil officers of the State are subject to
31 impeachment by the senate [LEGISLATURE]. Impeachment [SHALL ORIGINATE IN THE
32 SENATE AND] must be approved by at least a two-thirds vote of its members. The resolution

1 [MOTION] for impeachment shall list fully the basis for the proceeding. Trial on impeachment
2 shall be conducted by the senate [HOUSE OF REPRESENTATIVES]. A supreme court justice
3 designated by the court shall preside at the trial. Concurrence of at least two-thirds of the
4 members of the senate [HOUSE] is required for a judgment of impeachment. The judgment may
5 not extend beyond removal from office, but shall not prevent proceedings in the courts on the
6 same or related charges.

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

8 SECTION 17. CONVENING SENATE [LEGISLATURE]. Whenever the governor
9 considers it in the public interest, the governor [HE] may convene the senate [LEGISLATURE,
10 EITHER HOUSE, OR THE TWO HOUSES] in [JOINT] session.

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

12 SECTION 19. MILITARY AUTHORITY. The governor is commander-in-chief of the
13 armed forces of the State. The governor [HE] may call out these forces to execute the laws,
14 suppress or prevent insurrection or lawless violence, or repel invasion. The governor, as provided
15 by law, shall appoint all general and flag officers of the armed forces of the State, subject to
16 confirmation by at least a majority of the members of the senate [LEGISLATURE IN JOINT
17 SESSION]. The governor [HE] shall appoint and commission all other officers.

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

19 SECTION 20. MARTIAL LAW. The governor may proclaim martial law when the
20 public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall
21 not continue for longer than twenty days without the approval of at least a majority of the
22 members of the senate [LEGISLATURE IN JOINT SESSION].

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

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

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

1 **SECTION 25. DEPARTMENT HEADS.** The head of each principal department shall
2 be a single executive unless otherwise provided by law. The head of each principal
3 department [HE] shall be appointed by the governor, subject to confirmation by at least a
4 majority of the members of the senate [LEGISLATURE IN JOINT SESSION], and shall serve
5 at the pleasure of the governor, except as otherwise provided in this article with respect to the
6 lieutenant governor [SECRETARY OF STATE]. The heads of all principal departments shall
7 be citizens of the United States.

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

9 **SECTION 26. BOARDS AND COMMISSIONS.** When a board or commission is at the
10 head of a principal department or a regulatory or quasi-judicial agency, its members shall be
11 appointed by the governor, subject to confirmation by at least a majority of the members of the
12 senate [LEGISLATURE IN JOINT SESSION], and may be removed as provided by law. They
13 shall be citizens of the United States. The board or commission may appoint a principal
14 executive officer when authorized by law, but the appointment shall be subject to the approval
15 of the governor.

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

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

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

31 **SECTION 15. RULE-MAKING POWER.** The supreme court shall make and
32 promulgate rules governing the administration of all courts. It shall make and promulgate rules

1 governing practice and procedure in civil and criminal cases in all courts. These rules may be
2 changed by the senate [LEGISLATURE] by at least two-thirds vote of the members [ELECTED
3 TO EACH HOUSE].

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

5 SECTION 1. ELECTION DISTRICTS. Members of the senate [HOUSE OF
6 REPRESENTATIVES] shall be elected by the qualified voters of the respective election districts.
7 The boundaries of the election districts shall be set by the governor after each decennial
8 census of the United States [UNTIL REAPPORTIONMENT, ELECTION DISTRICTS AND
9 THE NUMBER OF REPRESENTATIVES TO BE ELECTED FROM EACH DISTRICT SHALL
10 BE AS SET FORTH IN SECTION 1 OF ARTICLE XIV].

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

12 SECTION 3. REAPPORTIONMENT OF SENATE [HOUSE]. The governor shall
13 reapportion the senate [HOUSE OF REPRESENTATIVES] immediately following the official
14 reporting of each decennial census of the United States. Reapportionment shall be based upon
15 civilian population within each election district as reported by the census.

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

17 SECTION 4. METHOD. Reapportionment shall be by the method of equal proportions,
18 except that each election district having the major fraction of the quotient obtained by dividing
19 total civilian population by fifty-five [FORTY] shall have one senator [REPRESENTATIVE].

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

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

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

29 SECTION 8. REAPPORTIONMENT BOARD. The governor shall appoint a
30 reapportionment board to act in an advisory capacity [TO HIM]. It shall consist of five
31 members, none of whom may be public employees or officials. At least one member each shall
32 be appointed from the Southeastern, Southcentral, Central, and Northwestern areas of the state

1 [SENATE DISTRICTS]. Appointments shall be made without regard to political affiliation.
2 Board members shall be compensated.

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

4 SECTION 3. BOARD OF REGENTS OF UNIVERSITY. The University of Alaska shall
5 be governed by a board of regents. The regents shall be appointed by the governor, subject to
6 confirmation by at least a majority of the members of the senate [LEGISLATURE IN JOINT
7 SESSION]. The board shall, in accordance with law, formulate policy and appoint the president
8 of the university. The president [HE] shall be the executive officer of the board.

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

10 (c) An appropriation from the budget reserve fund may be made for any public purpose
11 upon affirmative vote of at least three-fourths of the members [OF EACH HOUSE] of the senate
12 [LEGISLATURE].

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

14 SECTION 12. BOUNDARIES. A local boundary commission or board shall be
15 established by law in the executive branch of the state government. The commission or board
16 may consider any proposed local government boundary change. It may present proposed changes
17 to the senate [LEGISLATURE] during the first ten days of any regular session. The change
18 shall become effective forty-five days after presentation or at the end of the session, whichever
19 is earlier, unless disapproved by a resolution concurred in by at least a majority of the members
20 of the senate [EACH HOUSE]. The commission or board, subject to law, may establish
21 procedures whereby boundaries may be adjusted by local action.

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

23 SECTION 1. AMENDMENTS. Amendments to this constitution may be proposed by
24 at least a two-thirds vote [OF EACH HOUSE] of the membership of the senate
25 [LEGISLATURE]. The lieutenant governor shall prepare a ballot title and proposition
26 summarizing each proposed amendment, and shall place them on the ballot for the next general
27 election. If a majority of the votes cast on the proposition favor the amendment, it shall be
28 adopted. Unless otherwise provided in the amendment, it becomes effective thirty days after the
29 certification of the election returns by the lieutenant governor.

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

32 SECTION 29. TRANSITION TO UNICAMERAL LEGISLATURE. (a) The following

1 provisions shall be followed in the transition from a bicameral to a unicameral legislature
2 provided for under the 1992 amendments:

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

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

10 (3) no later than March 15, 1994, the governor shall redistrict the legislature in
11 accordance with Article VI, Constitution of the State of Alaska, to provide for a unicameral
12 legislature consisting of fifty-five members based upon the total population of the State as
13 determined by the most recent decennial federal census;

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

17 (5) a member of the senate elected to a four-year term in 1992 may not serve as
18 a member of the Nineteenth Alaska State Legislature unless the member is elected at the 1994
19 general election to serve in the unicameral legislature.

20 (b) Notwithstanding Article XIII, sec. 1, if the voters approve more than one amendment
21 to the same section of the constitution in 1992, the revisor of statutes shall adopt language that
22 reconciles the amendments so as to preserve the substance of each to the greatest extent possible.
23 The language adopted by the revisor under this subsection shall constitute the amended language
24 of that section.

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

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

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

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