

SENATE JOINT RESOLUTION NO. 47  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATORS ELIASON, Menard, Kerttula, Duncan, Craft, Uehling

Introduced: 2/7/92  
Referred: Judiciary, Finance

A RESOLUTION

1 Proposing amendments to the Constitution of the State of Alaska relating to legislative  
2 reapportionment and redistricting.

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

4 \* Section 1. Article VI, sec. 8, Constitution of the State of Alaska, is amended to read:

5 SECTION 8. REAPPORTIONMENT BOARD. The governor shall appoint a  
6 reapportionment board to act in an advisory capacity [TO HIM]. It shall consist of five  
7 members, none of whom may be public employees or officials. At least one member each shall  
8 be appointed from the Southeastern, Southcentral, Central, and Northwestern Senate Districts.  
9 No more than three members of the board may be from the same political party  
10 [APPOINTMENTS SHALL BE MADE WITHOUT REGARD TO POLITICAL AFFILIATION].

11 Board members shall be compensated.

12 \* Sec. 2. Article VI, sec. 10, Constitution of the State of Alaska, is amended to read:

13 SECTION 10. REAPPORTIONMENT PLAN AND PROCLAMATION. (a) Within  
14 ninety days following the official reporting of each decennial census, the board shall submit to  
15 the governor a plan for reapportionment and redistricting as provided in this article. Within  
16 sixty [NINETY] days after receipt of the plan, the governor shall prepare [ISSUE] a draft

1 proclamation of reapportionment and redistricting, convene the legislature in special session  
2 under Section 9 of Article II, and submit the draft proclamation of reapportionment and  
3 redistricting to the legislature. A statement accompanying the draft proclamation of  
4 reapportionment and redistricting | AN ACCOMPANYING STATEMENT| shall explain any  
5 change from the plan of the board.

6 (b) The legislature may approve the draft proclamation of reapportionment and  
7 redistricting as submitted. Action by the legislature shall be by adoption of a special  
8 concurrent resolution by a majority of the members of each house.

9 (c) If the legislature does not approve the draft proclamation, it shall report to the  
10 governor its recommendations for changes to the draft proclamation. The governor shall  
11 promptly reconvene the reapportionment board, refer the changes recommended by the  
12 legislature to the board, and require the board to present a modified plan of  
13 reapportionment and redistricting based on the changes recommended by the legislature or,  
14 if the reapportionment board does not agree to the changes recommended by the legislature,  
15 require the reapportionment board to explain the reasons for its disagreement. Thereafter,  
16 the governor shall make a determination, issue a draft proclamation of reapportionment  
17 and redistricting, convene the legislature in special session under Section 9 of Article II, and  
18 submit another draft proclamation of reapportionment and redistricting to the legislature.  
19 A statement accompanying the draft proclamation of reapportionment and redistricting  
20 shall explain any change from the draft proclamation originally submitted.

21 (d) No proclamation of reapportionment and redistricting based on a draft  
22 proclamation proposed by the governor is effective unless approved by the legislature.

23 (e) When the legislature approves a draft proclamation, the governor shall promptly  
24 issue a proclamation of reapportionment and redistricting based on the draft proclamation  
25 approved. The reapportionment and redistricting determined by the governor and approved  
26 by the legislature and set out in the proclamation of reapportionment and redistricting  
27 issued under this section shall be effective for the election of members of the legislature until  
28 after the official reporting of the next decennial census.

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

30 SECTION 11. ENFORCEMENT. Any qualified voter may apply to the superior court  
31 to compel the governor, by mandamus or otherwise, to perform the governor's |HIS|  
32 reapportionment duties or to correct any error in redistricting or reapportionment. Application

1 to compel the governor to perform the governor's [HIS] reapportionment duties must be filed  
2 within thirty days of the expiration of any period [EITHER OF THE TWO NINETY-DAY  
3 PERIODS] specified in this article for action to be taken by the governor. Application to  
4 compel correction of any error in redistricting or reapportionment must be filed within thirty days  
5 following the proclamation of reapportionment and redistricting issued by the governor.  
6 Original jurisdiction in these matters is hereby vested in the superior court. On appeal, the cause  
7 shall be reviewed by the supreme court upon the law and the facts.

8 \* **Sec. 4.** Article VI, Constitution of the State of Alaska, is amended by adding a new section to read:

9 SECTION 12. REAPPORTIONMENT AND REDISTRICTING BY SUPERIOR COURT.

10 If the legislature fails to approve a draft proclamation of reapportionment and redistricting within  
11 one hundred twenty days after the first submission by the reapportionment board to the governor  
12 of the board's plan for reapportionment and redistricting, the authority of the governor to issue  
13 a proclamation of reapportionment and redistricting ceases and the superior court shall prepare  
14 and adopt a proclamation of reapportionment and redistricting. Not later than ten days after the  
15 authority of the governor to issue a proclamation of reapportionment and redistricting ceases, the  
16 supreme court shall appoint a panel of three superior court judges. Within forty-five days of its  
17 appointment, the panel shall adopt a final proclamation of reapportionment and redistricting. The  
18 supreme court shall adopt rules for proceedings before the three-judge panel under this  
19 subsection. A proclamation of reapportionment and redistricting adopted by the superior court  
20 panel under this section shall be effective for the election of members of the legislature until after  
21 the official reporting of the next decennial census. The proclamation may be appealed to the  
22 supreme court and, on appeal, the cause shall be reviewed by the supreme court upon the law  
23 and the facts.

24 \* **Sec. 5.** The amendments proposed by this resolution shall be placed before the voters of the state  
25 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and  
26 the election laws of the state.