SCOMM

#49:21

THE

CONSTITUTION

of the

STATE OF ALASKA

Sen. Abood

ARTICLE XI

INITIATIVE, REFERENDUM, AND RECALL

[redacted] and [redacted]

SECTION 1 [redacted]

Application

SECTION 2. An initiative or referendum is proposed by an application containing the bill to be initiated or the act to be referred. The application shall be signed by not less than one hundred qualified voters as sponsors, and shall be filed with the lieutenant governor. If he finds it in proper form he shall so certify. Denial of certification shall be subject to judicial review.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

Petition

SECTION 3. After certification of the application, a petition containing a summary of the subject matter shall be prepared by the lieutenant governor for circulation by the sponsors. If signed by qualified voters, equal in number to ten per cent of those who voted in the preceding general election and resident in at least two-thirds of the election districts of the State, it may be filed with the lieutenant governor.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

Initiative Election

SECTION 4 [redacted]

[redacted], and shall place them on the ballot for the first statewide election held more than one hundred twenty days after adjournment of the legislative session following the filing. [redacted]

[redacted] was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

Referendum Election

SECTION 5. A referendum petition may be filed only within ninety days after adjournment of the legislative session at which the act was passed. The lieutenant governor shall prepare a ballot title and proposition summarizing the act and shall place them on the ballot for the first statewide election held more than one hundred eighty days after adjournment of that session.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

Enactment

SECTION 6. If a majority of the votes cast on the proposition favor its adoption, the initiated measure is enacted. If a majority of the votes cast on the proposition favor the rejection of an act referred, it is rejected. The lieutenant governor shall certify the election returns. [redacted] An act rejected by referendum is void thirty days after certification. Additional procedures for the initiative and referendum may be prescribed by law.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

Restrictions

SECTION 7. [redacted] to create courts, define the jurisdiction of courts or prescribe their rules, or enact local or special legislation. The referendum shall not be applied to dedications of revenue, to appropriations, to local or special legislation, or to laws necessary for the immediate preservation of the public peace, health, or safety.

ing to, or returning from legislative sessions are not subject to civil process and are privileged from arrest except for felony or breach of the peace.

[redacted]

Regular Sessions

SECTION 8. The legislature shall convene in regular session each year on the fourth Monday in January, but the month and day may be changed by law. The legislature shall adjourn from regular session no later than one hundred twenty consecutive calendar days from the date it convenes except that a regular session may be extended once for up to ten consecutive calendar days. An extension of the regular session requires the affirmative vote of at least two-thirds of the membership of each house of the legislature. The legislature shall adopt as part of the uniform rules of procedure deadlines for scheduling session work not inconsistent with provisions controlling the length of the session. [Amendment approved November 6, 1984]

Special Sessions

SECTION 9. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor, legislation shall be limited to subjects designated in his proclamation calling the session, to subjects presented by him, and the reconsideration of bills vetoed by him after adjournment of the last regular session. Special sessions are limited to thirty days.

(The amendment of this section was approved by the voters of the state November 2, 1976 and became effective December 23, 1976. This amendment deleted "or" preceding "to subjects" in the third sentence and added "and the reconsideration of bills vetoed by him after adjournment of the last regular session.")

Adjournment

SECTION 10. Neither house may adjourn or recess for longer than three days unless the other concurs. If the two houses cannot agree on the time of adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature.

Title and Authority

SECTION 14. When the lieutenant governor succeeds to the office of governor, he shall have the title, powers, duties and emoluments of that office.

(The amendment to this section was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

[redacted]

[redacted] was approved by the voters of the state August 25, 1970 and became effective October 10, 1970. The words "secretary of state" were changed to "lieutenant governor".)

Governor: Authority

SECTION 16. The governor shall be responsible for the faithful execution of the laws. He may, by appropriate court action or proceeding brought in the name of the State, enforce compliance with any constitutional or legislative mandate, or restrain violation of any constitutional or legislative power, duty, or right by any officer, department, or agency of the State or any of its political subdivisions. This authority shall not be construed to authorize any action or proceeding against the legislature.

Convening Legislature

SECTION 17. Whenever the governor considers it in the public interest, he may convene the legislature, either house, or the two houses in joint session.

Message to Legislature

SECTION 18. The governor shall, at the beginning of each session, and may at other times, give the legislature information concerning the affairs of the State and recommend the measures he considers necessary.

Military Authority

SECTION 19. The governor is commander-in-chief of the armed forces of the State. He may call out these forces to execute the laws, suppress or prevent insurrection or lawless violence, or repel

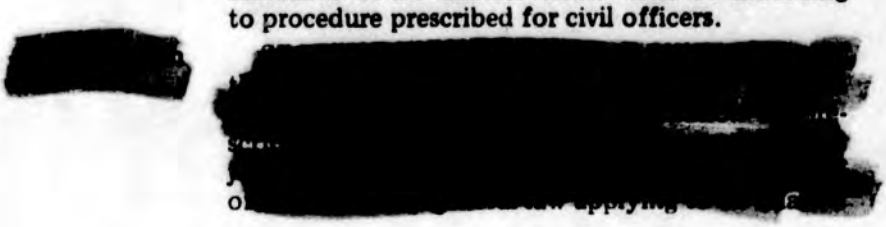
elected by the justices and judges of state courts; three members who have practiced law in this state for ten years, appointed by the governor from nominations made by the governing body of the organized bar and subject to confirmation by a majority of the members of the legislature in joint session; and three persons who are not judges, retired judges, or members of the state bar, appointed by the governor and subject to confirmation by a majority of the members of the legislature in joint session. In addition to being subject to impeachment under Section 12 of this article, a justice or judge may be disqualified from acting as such and may be suspended, removed from office, retired, or censured by the supreme court upon the recommendation of the commission. The powers and duties of the commission and the bases for judicial disqualification shall be established by law. [Amendment approved November 2, 1982]

Retirement

SECTION 11. Justices and judges shall be retired at the age of seventy except as provided in this article. The basis and amount of retirement pay shall be prescribed by law. Retired judges shall render no further service on the bench except for special assignments as provided by court rule.

Impeachment

SECTION 12. Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.



STATE OF ALASKA
THE LEGISLATURE

POUCH Y · STATE CAPITOL
JUNEAU ALASKA 998
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LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM . September 24, 1985

SUBJECT: Legislator's salaries (Work Orders No. 14-1373, 14-1374, and 14-1375)

TO: Senator Mitch Abood, Chairman
Joint Special Committee on Legislative Salaries

FROM: Teresa B. Cramer TBC
Legislative Counsel

Enclosed are drafts of three work orders addressing legislator's salaries and a copy of chapter 263, SLA 1976, creating the Alaska Salary Commission. I have some comments about each draft.

14-1373, 14-1374, and 14-1375. None of these drafts changes the current constitutional provisions permitting the legislature to establish a per diem allowance for session expenses, payment of travel expenses to and from sessions, and payment of additional compensation for presiding officers.

14-1373. The amount at which legislator's salaries are fixed is left blank.

14-1374. The amount at which legislator's salaries is set is left blank. The draft provides for a maximum percentage increase for salaries, regardless of the increase in the CPI. The amount of the maximum is left blank in the draft. (Line 16). The committee may wish to delete this provision. Any increase in salaries takes effect not more than 30 days after the release of the CPI. The draft sets June 30, 1986 as the reference base index. The committee may wish to set different dates.

14-1375. The committee may wish to remove retirement benefits from the scope of the responsibilities of the Commission on Compensation of Elected Officers. A resolution

which treats retirement in this fashion (SJR 15) is enclosed for your information.

If I may be of further assistance, please advise.

TC:lmb
M1/019

Enclosures

14-1373
Cramer
9/23/85

IN THE SENATE

SENATE JOINT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

Proposing an amendment to the Constitution of the State of Alaska relating to salaries for legislators.

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

* Section 1. Article II, Sec. 7, Constitution of the State of Alaska, is amended to read:

SECTION 7. SALARY AND EXPENSES. Legislators shall receive annual salaries of $_____. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation.

* Sec. 2. The amendment proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws of the state.

14-1374
Cramer
9/23/85

IN THE SENATE

SENATE JOINT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

Proposing an amendment to the Constitution of the State of Alaska relating to salaries for legislators.

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

* Section 1. Article II, Sec. 7, Constitution of the State of Alaska, is amended to read:

SECTION 7. SALARY AND EXPENSES. Legislators shall receive annual salaries of $. For fiscal years beginning after June 30, 1987, the annual salary shall be increased one percent for each percent increase in the consumer price index of Anchorage, Alaska, as determined by the United States Department of Labor, Bureau of Labor Statistics, not to exceed an annual increase of percent. The increase, if any, takes effect not more than 30 days after the release of the consumer price index. The consumer price index that is published immediately after July 1, 1986, is the reference base index. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation.

* Sec. 2. The amendment proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws of the state.

14-1375
Cramer
9/20/85

IN THE SENATE

SENATE JOINT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

Proposing an amendment to the Constitution of Alaska relating to establishment of compensation of elected officials.

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

* Section 1. Article II, Sec. 7, Constitution of the State of Alaska is amended to read:

SECTION 7. SALARY AND EXPENSES. Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation. The compensation of legislators shall be prescribed by the Commission on Compensation of Elected Officers under Section 14 of Article XII of the Constitution and may not be diminished during their term of office.

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

SECTION 15. COMPENSATION. The compensation of the governor and the lieutenant governor shall be prescribed by the Commission on Compensation of Elected Officers under Section 14 of Article XII of this constitution [BY LAW] and shall not be diminished during their term of office [, UNLESS BY GENERAL LAW APPLYING TO ALL SALARIED OFFICERS OF THE STATE].

* Sec. 3. Article XII, Constitution of the State of Alaska is amended by adding a new section to read:

SECTION 14. COMMISSION ON COMPENSATION OF ELECTED OFFICERS. (a)

There is established a Commission on Compensation of Elected Officers. The commission is composed of five members appointed for staggered terms of four years. The commission shall be composed of at least one business executive, one representative of a nonpartisan voters' organization, one person with experience in public administration, and one representative of a labor organization. The governor shall appoint the members subject to confirmation by a majority of the members of the legislature in joint session.

(b) A member of the commission may not be employed by the State during the term for which appointed or hold elective state office during the member's term or within one year thereafter.

(c) The commission shall establish the compensation, including salaries, benefits, and allowances, if any, of elected officials. A decision of the commission takes effect at the beginning of the next fiscal year.

(d) The commission shall afford an opportunity for the public to be heard before rendering a decision that changes the compensation of an elected official. Every two years, the commission shall review the compensation of elected officials. The commission shall render its decision with respect to salaries not later than ninety days before the date of the general election.

* Sec. 2. The amendments proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws of the state.

Introduced: 2/18/85
Referred: State Affairs, Judiciary and Finance

IN THE SENATE BY JOSEPHSON

SENATE JOINT RESOLUTION NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

Proposing an amendment to the Constitution of the State of Alaska creating a commission on compensation of elected officials.

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

* Section 1. Article II, sec. 7, Constitution of the State of Alaska is amended to read:

SECTION 7. SALARY AND EXPENSES. Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation. Compensation of legislators shall be set by the Commission on Compensation of Elected Officials.

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

SECTION 15. COMPENSATION. The compensation of the governor and the lieutenant governor shall be prescribed by the Commission on Compensation of Elected Officials [LAW] and shall not be diminished during their term of office, unless by order of the commission consistent with a general law applying to all salaried officers of the State.

* Sec. 3. Article XII, Constitution of the State of Alaska is amended by adding new sections to read:

SECTION 14. COMPENSATION COMMISSION. There is established a Commission on Compensation of Elected Officials. The commission is

with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
tion laws of the state.