

FOLDER NO.

203.02

CONSTITUTIONAL CONVENTION
203.02 III. Committee on Style and Drafting

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George Aumslong

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REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article I

February 3, ~~January 25~~ 1956

Constitution

ALASKA CONSTITUTIONAL CONVENTION

~~RESOLVED, that the following be agreed upon as part of~~
CONSTITUTION OF THE STATE OF ALASKA
~~of the Alaska State Constitution~~

PREAMBLE

We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil and religious liberty ^{within the Union of States,} do ordain and establish this constitution for the State of Alaska.

ARTICLE I

DECLARATION OF RIGHTS

Section 1. This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities and protection under the law; and that all persons have corresponding obligations to the people and to the State.

Section 2. All political power is inherent in the people. All government originates with the people, is founded upon their will only, and is instituted solely for the good of the people as a whole.

Inherent Rights

Source of Government

Amended by Alaska State Constitution

Style & Drafting

Civil Rights

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Section 3. No person is to be denied ^{the enjoyment of} any civil or political right because of race, color, creed, or national origin. The legislature shall implement this section.

Freedom of Religion

Section 4. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof.

Freedom of Speech

Section 5. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

Assembly; Petition

Section 6. The right of the people peaceably to assemble, and to petition the government shall never be abridged.

Due Process

Section 7. No person shall be deprived of life, liberty, or property, without due process of law. The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.

Grand Jury

Section 8. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces in time of war or public danger. Indictment may be waived by the accused. In ^{that} ~~which~~ case the prosecution shall be by information. = ^{shall} The grand jury ^{shall} consist of at least twelve citizens,

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1 a majority of whom concurring may return an indictment.
2 The power of grand juries to investigate and make recom-
3 mendations concerning the public welfare or safety
4 shall never be suspended.

Double Jeop-
ardy; Self-
Incrimination

5 Section 9. No person shall be put in jeopardy
6 twice for the same offense. No person shall be compelled
7 in any criminal proceeding to be a witness against
8 himself.

Treason

9 Section 10. Treason against the State consists
10 only in levying war against it, or in adhering to its
11 enemies, giving them aid and comfort. No person shall
12 be convicted of treason, unless on the testimony of two
13 witnesses to the same overt act, or on confession in
14 open court.

Rights of
Accused

15 Section 11. In all criminal prosecutions, the
16 accused ~~has~~ ^{shall have} the right to a speedy and public trial, by
17 an impartial jury of twelve, except that the legislature
18 may provide for a jury of not more than twelve nor less
19 than six in courts not of record. The accused is entitled
20 to be informed of the nature and cause of the accusa-
21 tion; to be released on bail, except for capital
22 offenses when the proof is evident or the presumption
23 great; to be confronted with the witnesses against him;
24 to have compulsory process for obtaining witnesses in
25 his favor, and to have the assistance of counsel for
26 his defense.

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Excessive Punishment

Section 12. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Penal administration shall be based on the principle of reformation and ^{upon} the need for protecting the public.

Habeas Corpus

Section 13. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or actual or imminent invasion, the public safety requires it.

Searches and Seizures

Section 14. The right of the people to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Prohibited State Action

Section 15. No bill of attainder or ex post facto law shall be passed. No law impairing the obligation of contracts, and no law making any irrevocable grant of special privileges or immunities shall be passed. No conviction shall work corruption of blood or forfeiture of estate.

Right to
Bear Arms;
civil suits;
Trial by jury

Section 16. ~~A well-regulated militia being necessary~~

In civil cases where the amount in controversy exceeds two hundred fifty dollars, the right of trial by ^a jury ^{of} twelve is preserved to the same extent as it existed at common law. The legislature may make provision for a verdict by not less than three-fourths of the jury, and in courts not of record, may provide for a jury of not less than six or more than twelve.

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Imprisonment For Debt

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Section 17. There shall be no imprisonment for debt. *This section does not prohibit civil arrest of absconding debtors.*

Eminent Domain

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Section 18. Private property shall not be taken or damaged for public use without just compensation.

Right to Bear Arms

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Section 19. A well-regulated militia being necessary to the security of a free state, the right of the

Quartering Soldiers

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Section 20. No member of the armed forces shall in time of peace be quartered in any house without the consent of the owner or occupant, or in time of war except as prescribed by law. The military shall be in strict subordination to the civil power.

Construction

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Section 21. The enumeration of rights in this constitution ^{shall} ~~do~~ not impair or deny others retained by the people.

~~23 public danger. In such cases,~~
~~24 in which case the prosecution shall be by information.~~
~~25 the grand jury consist of at least twelve citizens,~~

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January 23, 1956

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/5

CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following be agreed upon as

~~part of the Alaska State Constitution.~~

ARTICLE II

THE LEGISLATURE

Legislative
Power; Mem-
bership

1 Section 1. The legislative power of the State is
2 vested in a legislature consisting of a senate with a
3 membership of twenty and a house of representatives with
4 a membership of forty.

Members:
Qualifica-
tions

5 Section 2. A member of the legislature shall be a
6 qualified voter who has been a resident of Alaska for at
7 least three years and of the district from which elected
8 for at least one year, immediately preceding his filing
9 for office. A senator shall be at least twenty-five
10 years of age and a representative at least twenty-one
11 years of age.

Election
and Terms

12 Section 3. Legislators ^{shall be} ~~are~~ elected at general elec-
13 tions. Their terms begin on the fourth Monday of the
14 January following election unless otherwise provided by
15 law. The term of representatives ^{shall be} ~~is~~ two years, ^{and the} ~~the~~
16 term of senators, ~~is~~ ^{shall be} four years. One-half of the senators
17 shall be elected every two years.

Vacancies

18 Section 4. A vacancy in the legislature ^{shall be} ~~is~~ filled

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1 for the unexpired term as provided by law. If no pro-
2 vision is made, the governor ^{shall fill} ~~fills~~ the vacancy by appoint-
3 ment.

Disqualifi-
cations

4 Section 5. No legislator may hold any other office or
5 position of profit under the United States or the State.
6 During the term for which elected and for one year there-
7 after, no legislator may be nominated, elected or appointed
8 to any other office or position of profit which has been
9 created, or the salary or emoluments of which have been
10 increased, while he was a member. This section shall not
11 prevent any person from seeking or holding the office of
12 governor, secretary of state or member of Congress. This
13 section shall not apply to employment by or election to a
14 constitutional convention.

Immunities

11 Section 6. Legislators may not be held to answer
12 before any other tribunal for any statement made ~~in~~
13 ~~in the~~ in the exercise of their legislative duties *while*
14 *the legislature is in session.*
15 Members attending, going to or returning from legislative
16 sessions are not subject to civil process and are pri-
17 vileged from arrest except for felony or breach of the
18 peace.

Salary and
Expenses

18 Section 7. Legislators shall receive annual salaries.
19 They may receive a per diem allowance for expenses while
20 in session and are entitled to travel expenses going to
21 and from sessions. Presiding officers may receive addi-
22 tional compensation.

Regular
Sessions

23 Section 8. The legislature shall convene each year
24 on the fourth Monday in January, but the month and day
25 may be changed by law.

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Special Sessions

1 Section 9. Special sessions may be called by the
2 governor or by vote of two-thirds of the legislators.
3 The vote may be conducted by the legislative council or
4 as prescribed by law. At special sessions called by the
5 governor, legislation ^{shall be} ~~is~~ limited to subjects designated in
6 his proclamation calling the session or to subjects pre-
7 sented by him. Special sessions are limited to thirty
8 days.

Adjournment

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

Interim

Committees

14 Section 11. There shall be a legislative council, *and*
15 ~~the~~ legislature may establish other interim committees.
16 The council and other interim committees may meet between
17 legislative sessions. They may perform duties and employ
18 personnel as provided by the legislature. Their members
19 may receive an allowance for expenses while performing
20 their duties.

Rules

21 Section 12. The houses of each legislature shall
22 adopt uniform rules of procedure. Each house may choose
23 its officers and employees. Each is the judge of the
24 election and qualifications of its members. Each shall
25 keep a journal of its proceedings. A majority

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1 of the membership of each house constitutes a quorum to
2 do business, but a smaller number may adjourn from day
3 to day and may compel attendance of absent members. The
4 legislature ~~may~~ ^{shall} regulate lobbying.

Form of
Bills

5 Section 13. Every bill shall be confined to one sub-
6 ject unless it is an appropriation bill or one codifying,
7 revising or rearranging existing laws. Bills for appro-
8 priations shall be confined to appropriations. The sub-
9 ject of each bill shall be expressed in the title. The
10 enacting clause shall be: "Be it enacted by the Legisla-
11 ture of the State of Alaska."

Passage of
Bills

12 Section 14. The legislature shall establish the pro-
13 cedure for enactment of bills into law. No bill may be-
14 come law unless it has passed three readings in each
15 house ^{three} on [^]separate days, except that any bill may be ad-
16 vanced from second to third reading on the same day by
17 concurrence of three-fourths of the house considering it.
18 No bill may become law without an affirmative vote of a
19 majority of the membership of each house. The yeas and
20 nays on final passage shall be entered in the journal.

Veto

21 Section 15. The governor may veto bills passed by
22 the legislature. He may by veto, strike or reduce items
23 in appropriation bills. He shall return any vetoed bill,
24 with a statement of his objections, to the house of origin.

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Action Upon

1 Section 16. Upon receipt of a veto message, the
2 legislature shall meet immediately in joint session and re-
3 consider passage of the vetoed bill or item. ~~Appropria-~~

Veto

4 Bills to raise revenue and appropriation bills or
5 items, although vetoed, become law by affirmative
6 vote of three-fourths of the membership of the
7 legislature.

8 ~~legislature.~~ Other vetoed bills become law by affirmative
9 vote of two-thirds of the membership of the legislature.

10 The vote on reconsideration of a vetoed bill shall be en-
11 tered on the journals of both houses.

Bills Not

12 Section 17. A bill becomes law if, while the legis-

Signed

13 lature is in session, the governor neither signs nor vetoes
14 it within fifteen days, Sundays excepted, after its de-
15 livery to him. If the legislature is not in session and
16 the governor neither signs nor vetoes a bill within twenty
17 days, Sundays excepted, after its delivery to him, the
18 bill becomes law.

Effective

19 Section 18. Laws passed by the legislature ~~except~~

Date

20 ~~general appropriation acts, do not~~ become effective ~~until~~
21 ~~ninety days after~~ *enactment.*

22 ~~and~~ The legislature may, by concurrence of two-thirds
23 of the membership of each house, provide for *another* ~~an earlier~~
24 effective date, ~~in case of emergency. The emergency must~~

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Local or
Special
Acts

1 Section 19. The legislature shall pass no local or
2 special act if a general act can be made applicable.
3 Whether a general act can be made applicable shall be sub-
4 ject to judicial determination. Local acts necessitating
5 appropriations by a political subdivision may not become
6 effective unless approved by a majority of the qualified
7 voters voting thereon in the subdivision affected.

Impeachment

8 Section 20. All civil officers of the State are sub-
9 ject to impeachment by the legislature. Impeachment ^{shall} origi-
10 nate in the senate and must be approved by a two-thirds
11 vote of its members. The motion for impeachment shall list
12 fully the basis for the proceeding. Trial on impeachment
13 ~~is~~ ^{shall be} conducted by the house of representatives. A supreme
14 court justice designated by the court, ^{shall} president at the
15 trial. Concurrence of two-thirds of the members of the
16 house is required for a judgment of impeachment. The
17 judgment may not extend beyond removal from office, but
18 shall not prevent proceedings in the courts on the same or
19 related charges.

Suits
Against
the State

20 Section 21. The legislature shall establish procedures
21 for suits against the State.

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~~REPORT OF COMMITTEE ON STYLE AND DRAFTING~~

~~Constitutional Convention
Article III, Executive
Style and Drafting
January 26, 1956~~

~~CONSTITUTIONAL CONVENTION OF ALASKA~~

~~RESOLVED, that the following be agreed upon as part of the
Alaska State Constitution:~~

ARTICLE III

THE EXECUTIVE

Executive Power

1 Section 1. The executive power of the State is
2 vested in the governor.

Governor:
Qualifications
~~Governor~~

3 Section 2. The governor shall be at least thirty
4 years of age and a qualified voter of the State. He
5 shall have been a resident of Alaska at least seven
6 years immediately preceding his filing for office,
7 and he shall have been a citizen of the United States
8 for at least seven years.

Election

9 Section 3. The governor ^{shall be} chosen by the qualified
10 voters of the State at a general election. The candi-
11 date receiving the greatest number of votes shall be
12 governor.

Term of Office

13 Section 4. The term of office of the governor is
14 four years, beginning at noon on the first Monday in
15 December following his election and ending at noon on
16 the first Monday in December four years later.

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Limit on Tenure

1 Section 5. No person who has been elected governor
2 for two full successive terms shall be again eligible
3 to hold that office until one full term has intervened.

Dual Office Holding

4 Section 6. The governor shall not hold any other
5 office or position of profit under the United States,
6 the State or its political subdivisions.

Secretary of State: Duties

7 Section 7. There shall be a secretary of state.
8 He shall have the same qualifications as the governor
9 and serve for the same term. He shall perform such
10 duties as may be prescribed by law and as may be dele-
11 gated to him by the governor.

Election

12 Section 8. The secretary of state shall be nomi-
13 nated in the manner provided by law for nominating
14 candidates for other elective offices. In the general
15 election the votes cast for a candidate for governor
16 shall be considered as cast also for the candidate for
17 secretary of state running jointly with him. The
18 candidate whose name appears on the ballot jointly with
19 that of the successful candidate for governor ^{shall be} elected
20 secretary of state.

Acting Governor

21 Section 9. In case of the temporary absence of
22 the governor from office, the secretary of state ^{shall} serve
23 as acting governor.

Succession: Failure to Qualify

24 Section 10. If the governor-elect dies, resigns or is
25 disqualified, the secretary of state elected with him ^{shall} succeed to
26 the office of governor. ^{for the full term.} If the governor-elect fails to assume office
27 for any other reason, the secretary of state elected with him shall
28 serve as acting governor, and ^{shall} succeed to the office if the governor-
29 elect does not assume his office within six months of the beginning
30 of the term.

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1 elected with him as secretary of state shall succeed to
2 the office of governor for the full term.

Vacancy

3 Section 11. In case of a vacancy in the office of
4 governor for any reason, the secretary of state shall
5 succeed to the office for the remainder of the term.

Absence

6 Section 12. Whenever for a period of six months,
7 a governor ^{has been} ~~shall have been~~ continuously absent from the
8 State or ^{has} ~~shall have~~ been unable to discharge the duties
9 of his office by reason of mental or physical disability,
10 the office shall be deemed vacant. The procedure for
11 determining ~~continuous~~ absence and disability shall be
12 prescribed by law.

Further Succession

13 Section 13. Provision shall be made by law for suc-
14 cession to the office of governor and for an acting
15 governor in the event that the secretary of state is
16 unable to succeed to the office or act as governor.
17 No election of a secretary of state shall be held
18 except at the time of electing a governor.

Title and Authority

17 ~~secretary of state shall be held except at the time of~~
18 ~~electing a governor.~~

19 Section 14. When the secretary of state ~~or other~~
20 ~~officer~~ succeeds to the office of governor, he shall
21 have the title, powers, duties, and emoluments of that
22 office.

Compensation

23 Section 15. The compensation of the governor and
24 the secretary of state shall be prescribed by law and
25 shall not be diminished during their term of office,

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1 unless by general law applying to all salaried officers
2 of the State.

Governor:
Authority

3 Section 16. The governor ^{shall be} ~~is~~ responsible for the
4 faithful execution of the laws. He may, by appropriate
5 court action or proceeding brought in the name of the
6 State, enforce compliance with any constitutional or
7 legislative mandate, or restrain violation of any
8 constitutional or legislative power, duty or right by
9 any officer, department or agency of the State or any
10 of its political subdivisions. This authority shall
11 not be construed to authorize any action or proceeding
12 against the legislature.

Convening
Legislature

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

Messages
to
Legislature

16 Section 18. The governor shall, at the beginning
17 of each session, and may at other times, give the legis-
18 lature information concerning the affairs of the State
19 and recommend the measures he considers necessary.

Military
Authority

20 Section 19. The governor is commander-in-chief
21 of the armed forces of the State. He may call out these
22 forces to execute the laws, suppress or prevent insur-
23 rection or lawless violence, or repel invasion. The
24 governor, as provided by law, shall nominate and appoint
25 all general and flag officers of the armed forces of

REVISION
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the State, subject to confirmation by a majority of the members of the legislature in joint session. He shall appoint and commission all other officers.

Martial Law

Section 20. The governor may proclaim martial law when the public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall not continue for longer than ^{twenty} ~~20~~ days without the approval of a majority of the members of the legislature in joint session.

Executive Clemency

Section 21. Subject to procedure prescribed by law, the governor may grant pardons, commutations and reprieves, and may suspend and remit fines and forfeitures. This power shall not extend to impeachment. A parole system shall be provided by law.

Executive Branch

~~Department~~
~~Departments~~

Section 22. All executive and administrative offices, departments, and agencies of the state government and their respective functions, powers and duties shall be allocated by law among and within not more than twenty principal departments, so as to group them as far as practicable according to major purposes. Regulatory, quasi-judicial and temporary agencies may be established by law and need not be allocated within a principal department.

Reorganization

Section 23. The governor may make changes in the organization of the executive branch or in the



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assignment of functions among its units which he considers necessary for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders, ~~which shall become~~

The legislature shall have sixty days of a regular session, or a full session if of shorter duration, to disapprove these executive orders. Unless disapproved by resolution concurred in by a majority of the members in joint session, these orders become effective at a date thereafter to be designated by the governor.

Supervision

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Section 24. Each principal department shall be under the supervision of the governor.

Department Heads

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Section 25. The head of each principal department shall be a single executive unless otherwise provided by law. He shall be ~~nominated and~~ appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the secretary of state. The heads of all principal departments shall be citizens of the United States.

Boards and Commissions

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Section 26. When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be ~~nominated~~ ~~and~~ appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law.



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They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

Recess
Appointments

Section 27. The governor may make appointments to fill vacancies occurring during a recess of the legislature, in offices requiring confirmation by the legislature. The duration of such appointments shall be prescribed by law.

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REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/2
Enrolled/Style and Drafting
January 18, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 2

ARTICLE IV

Introduced by Committee on Judiciary Branch

RESOLVED, that the following be agreed upon

~~as part of the Alaska State Constitution:~~

ARTICLE IV
THE JUDICIARY

Judicial
Power and
Jurisdiction

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Section 1. The judicial power of the State is vested in a Supreme Court, a Superior Court, and ^{the} courts established by ^{the legislature.} ~~law~~. The jurisdiction of courts shall be prescribed by law. The courts shall constitute a unified judicial system for operation and administration. Judicial districts shall be established by law.

Supreme
Court

Section 2. The Supreme Court ^{shall be} ~~is~~ the highest court of the State, with final appellate jurisdiction. ^{It shall} ~~and~~ consist of three justices, one of whom is Chief Justice. The number of justices may be increased by law upon the request of the Supreme Court.

Superior
Court

Section 3. The Superior Court ^{shall be} ~~is~~ the trial court of general jurisdiction and ^{shall} ~~consist~~ of

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Qualifications
of Justices
and Judges

1 five judges. The number of judges may be changed
2 by law.

3 Section 4. Supreme Court justices and
4 Superior Court judges shall be citizens of the
5 United States and of the Sate, licensed to
6 practice law in the State, and possessing any
7 additional qualifications prescribed by law.
8 Judges of other courts shall be selected in a
9 manner, for terms, and with qualifications pres-
10 cribed by law.

Nomination
and
Appointment

11 Section 5. The Governor shall fill any
12 vacancy in an office of Supreme Court Justice or
13 Superior Court Judge by appointing one of two or
14 more persons nominated by the Judicial Council.

Approval or
Rejection

15 Section 6. Each Supreme Court Justice and
16 Superior Court Judge shall be subject to approval
17 or rejection on a nonpartisan ballot at the first
18 general election held more than three years
19 after his appointment. Thereafter, each Supreme
20 Court Justice shall be subject to approval or
21 rejection in a like manner every tenth year, and
22 each Superior Court Judge every sixth year.

Vacancy

23 Section 7. The office of any Supreme Court
24 Justice or Superior Court Judge becomes vacant
25 ninety days after the election at which he is



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of those voting on the question,

1 rejected by a majority ~~was~~ or for which he fails
2 to file his declaration of candidacy to succeed
3 himself.

Judicial
Council

4 Section 8. The ~~Judicial~~ Council ^{shall} consist of
5 seven members. Three attorney members shall be
6 appointed for six-year terms by the governing body
7 of the organized state bar. Three non-attorney
8 members shall be appointed for six-year terms by
9 the ~~Governor~~ subject to confirmation by a majority
10 of the members of the ~~Legislature~~ in joint session.
11 Vacancies shall be filled for the unexpired term
12 in like manner. Appointments shall be made with
13 due consideration to area representation and with-
14 out regard to political affiliation. The ~~Chief~~
15 Justice of the ~~Supreme Court~~ ^{shall be} ~~is~~ ex-officio the
16 seventh member and chairman of the ~~Judicial~~
17 ~~Council~~. No member of the ~~Judicial~~ Council, ex-
18 cept the ~~Chief~~ Justice, may hold any other office
19 or position of profit under the United States or
20 the State. The ~~Judicial~~ Council shall act by
21 concurrence of four or more members ^{and} according to
22 rules which it adopts.

Additional
Duties

23 Section 9. The ~~Judicial~~ Council shall con-
24 duct studies for improvement of the administration
25 of justice, and make reports and recommendations



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Incapacity
of Judges

1 to the ~~Supreme Court~~ and to the ~~Legislature~~ at
2 intervals of not more than two years. The
3 ~~Judicial Council~~ shall perform other duties
4 assigned by law.

5 Section 10. Whenever the ~~Judicial Council~~
6 certifies to the ~~Governor~~ that a ~~Supreme Court~~
7 ~~Justice~~ appears to be so incapacitated as sub-
8 stantially to prevent him from performing his
9 judicial duties, the ~~Governor~~ shall appoint a
10 board of three persons to inquire into the
11 circumstances, and may, on the board's recommenda-
12 tion, retire the justice. Whenever a judge of
13 another court appears to be so incapacitated as
14 substantially to prevent him from performing
15 his judicial duties, the ~~Judicial Council~~ shall
16 recommend to the ~~Supreme Court~~ that the judge
17 be placed under early retirement. After notice
18 and hearing, the ~~Supreme Court~~ by majority vote
19 of its members may retire the judge.

Retirement

20 Section 11. Justices and judges shall be
21 retired at the age of seventy except as provided
22 in this ~~Article~~. The basis and amount of
23 retirement pay shall be prescribed by law. Re-
24 tired judges shall render no further service on
25 the bench except for special assignments as
26 provided by court rule.

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Impeachment

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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.

Compensation

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Section 13. Justices, judges, and members of the ~~Judicial Council~~ shall receive compensation ^{as} prescribed by law. Compensation of justices and judges shall not be diminished during their terms of office, unless by general law applying to all salaried officers of the State.

Restrictions

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Section 14. ~~Supreme Court~~ justices and ~~Superior Court~~ judges while holding office may not practice law, hold office in a political party, or hold ^{other} any office or position of profit under the United States, the State or its political subdivisions. Any ~~Supreme Court~~ justice or ~~Superior Court~~ judge filing for *another* elective public office forfeits his judicial position.

Rule-making Power

22

[Section 15. The ~~Supreme Court~~ shall **make** and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing practice and procedure in civil

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Court
Administra-
tion

1 and criminal cases in all courts. ^{These} ~~which~~ rules
2 may be changed by the Legislature by two-thirds
3 vote of the members elected to each house.

4 Section 16. The Chief Justice of the Supreme
5 Court shall be the administrative head of all
6 courts. He may assign judges from one court or
7 division thereof to another for temporary service.
8 The Chief Justice shall, with the approval of
9 the Supreme Court, appoint an administrative
10 director to serve at his pleasure and to super-
11 vise the administrative operations of the judicial
12 system.

~~Office
of
Profit~~

~~13 Section 17. Service in the armed forces of the
14 United States or of the State is not an office
15 or position of profit as the term is used in this
16 Constitution.~~

~~First
Judicial
Council
(Transi-
tional)~~

~~17 Section 18. The first members of the
18 Judicial Council shall, notwithstanding Section 8,
19 Article _____, be appointed for terms as follows:
20 three attorney members for one, three and five
21 years respectively, and three non-attorney members
22 for two, four and six years respectively. The
23 six members so appointed shall submit to the
24 Governor nominations to fill the initial vacancies
25 on the Supreme Court, including the office of~~

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ARTICLE V SUFFRAGE AND ELECTIONS

Constitutional Convention
Article 5
January 23, 1956

Qualified Voters

1 Section 1. Every citizen of the United
 2 States who is at least nineteen years of age, who
 3 meets registration requirements which may be
 4 prescribed by law, and who is qualified to
 5 vote under this Article, may vote in any state
 6 or local election. He shall have been,
 7 immediately preceding the election, for one
 8 year a resident of Alaska and for thirty days
 9 a resident of the election district in which
 10 he seeks to vote. He shall be able to read
 11 or speak the English language as prescribed
 12 by law, unless prevented by physical disability.
 13 Additional voting qualifications may be pres-
 14 cribed by law for bond issue elections of
 15 political subdivisions.

Disquali-
fications

11 Section 2. No person may vote who has been con-
 12 victed of a felony involving moral turpitude unless his
 13 civil rights have been restored. No person may vote who
 14 has been judicially determined to be of unsound mind
 15 unless the disability has been removed.

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Methods of Voting; Election Contests

Section 3. Methods of voting, including absentee voting, shall be prescribed by law. Secrecy of voting shall be preserved. The procedure for determining election contests, with right of appeal to the courts, shall be prescribed by law.

Voting Precincts; Registration

Section 4. The legislature may provide a system of permanent registration of voters, and may establish voting precincts within election districts.

General Elections

Section 5. General elections shall be held on the second Tuesday in October of every even-numbered year, but the month and day may be changed by law.

Special Voting Provision (Transitional)

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Section 6. Citizens who legally voted in the general election of November 4, 1924, and who fulfill the residence requirements for voting, shall be entitled to vote notwithstanding the provisions of Article V, Section 1 of this Constitution.

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~~REPORT OF THE STYLE & DRAFTING COMMITTEE~~

~~Constitutional Convention
Style & Drafting/Article VI
January 27, 1956~~

~~CONSTITUTIONAL CONVENTION OF ALASKA~~

~~RESOLVED, that the following be agreed upon as part
of the Alaska State Constitution.~~

ARTICLE VI

LEGISLATIVE APPORTIONMENT

Election
Districts

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Section 1. Members of the house of representatives
shall be
~~are~~ elected by the qualified voters of the respective
election districts. Until reapportionment, election
districts and the number of representatives to be elec-
ted from each district shall be as set forth in Section 1
of Article ~~II~~ XIV.

Senate
Districts

shall be
Section 2. Members of the senate ~~are~~ elected by
the qualified voters of the respective senate districts.
Senate districts shall be as set forth in Section 2 of
XIV,
Article ~~II~~ subject to changes authorized in this article.

Reapportionment of
House

Section 3. The governor shall reapportion the
house of representatives immediately following the offi-
cial reporting of each decennial census of the United
States. Reapportionment shall be based upon civilian
population within each election district as reported by
the census.

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Method

1 Section 4. Reapportionment shall be by the method
2 of equal proportions, except that each election district
3 having the major fraction of the quotient, obtained by
4 dividing total civilian population by forty, shall have
5 one representative.

Combining
Districts

6 Section 5. Should the total civilian population
7 within any election district fall below one-half of the
8 quotient, the district shall be attached to an election
9 district within its senate district, and the reapportion-
10 ment for the new district shall be determined as provided
11 ^{Section 4 of} in this article.

Redistrict-
ing

12 Section 6. The governor may further redistrict by
13 changing the size and area of election districts, subject
14 to the limitations of this ^{article} ~~section~~. Each new district
15 so created shall be formed of contiguous and compact
16 territory containing as nearly as practicable a relative-
17 ly integrated socio-economic area. Each shall contain
18 a population at least equal to the quotient obtained by
19 dividing the total civilian population by forty. Consid-
20 eration may be given to local government boundaries.
21 Drainage and other geographic features shall be used in
22 describing boundaries wherever possible.

Modifica-
tion of
Senate Dis-
tricts

23 Section 7. The ~~Southcentral, Central~~
24 ~~and Northern~~ senate districts, described in Section 2
25 of Article ~~VI~~ ^{XIV}, may be modified to reflect changes in

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1 election districts. A district, although modified, shall
2 retain its total number of senators and its approximate
3 perimeter.

Reapportionment Board

4 Section 8. The governor shall appoint a reapportionment board to act in an advisory capacity to him.
5 It shall consist of five members, none of whom may be
6 public employees or officials. At least one member each
7 shall be appointed from the Southeastern, Southcentral,
8 Central and Northwestern Senate Districts. Appointments
9 shall be made without regard to political affiliation.
10 Board members shall be compensated.

Organization

11 ✓ Section 9. The board shall elect one of its members
12 chairman and may employ temporary assistants. Concur-
13 rence of three members is required for a ruling or deter-
14 mination, but a lesser number may conduct hearings or
15 otherwise act for the board. ~~Deliberation and decision~~
16 ~~of the board shall be free from political considerations.~~

Reapportionment Plan and Proclamation

17 Section 10. Within ninety days following the
18 official reporting of each decennial census, the board
19 shall submit to the governor a plan for reapportionment
20 and redistricting as provided in this article. Within
21 ninety days after receipt of the plan, the governor shall
22 issue a proclamation of reapportionment and redistrict-
23 ing. An accompanying statement shall explain any change
24 from the plan of the board. The reapportionment and re-
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districting shall be effective for the election of members of the legislature until after the official reporting of the next decennial census.

Enforcement

Section 11. Any qualified voter may apply to the superior court to compel the governor, by mandamus or otherwise, to perform his reapportionment duties or to correct any error in redistricting or reapportionment. Application to compel the governor to perform his reapportionment duties must be filed within thirty days of the expiration of either of the two ninety-day periods specified in this article. Application to compel correction of any error in redistricting or reapportionment must be filed within thirty days following the proclamation. Original jurisdiction in these matters is hereby vested in the superior court. On appeal, the cause shall be reviewed by the supreme court upon the law and the facts.

Election of First Senators (Transitional)

~~Section 12. At the first state general election one senator shall be chosen for a two-year term from each of the following senate districts, described in Section 2 of Article XV: A, B, C, D, E, G, I, J, L, N, AND O. At the same election one senator shall be chosen for a four-year term from each of the following senate districts, described in Section 2 of Article XV: A, C, E,~~

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ARTICLE VII

HEALTH, EDUCATION AND WELFARE

Public Education

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Section 1. The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.

State University

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Section 2. The University of Alaska is hereby established as the state university and constituted a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be

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administered and disposed of according to law.

Board of Regents

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Section 3. The University of Alaska shall be governed by a board of regents. The regents shall be nominated and appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.

Public Health

Section 4. The legislature shall provide for the promotion and protection of public health.

Public Welfare

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Section 5. The ~~State~~ ^{legislature shall} may provide for public welfare for persons unable to maintain a standard of living compatible with health and human dignity.

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~~REPORT OF THE STYLE AND DRAFTING COMMITTEE~~

Constitutional Convention
X/Resources/8/a
Style and Drafting/Article VIII
January 29, 1956

~~CONSTITUTIONAL CONVENTION OF ALASKA~~

~~RESOLVED, that the following be agreed upon as part
of the Alaska State Constitution:~~

ARTICLE VIII

NATURAL RESOURCES

Statement
of Policy

1 Section 1. It is the policy of the State to en-
2 courage the settlement of its land and the development
3 of its resources by making them available for maximum
4 use consistent with the public interest.

General
Authority

5 Section 2. The legislature shall provide for the
6 utilization, development, and conservation of all natural
7 resources belonging to the State, including land and
8 waters, for the maximum benefit of its people.

Common
Use

9 Section 3. Wherever occurring in their natural
10 state, fish, wildlife, and waters are reserved to the
11 people for common use.

Sustained
Yield

12 Section 4. Fish, forests, wildlife, grasslands, and
13 all other replenishable resources belonging to the State
14 shall be utilized, developed, and ^{maintained} ~~conserved~~ on the sus-
15 tained yield principle, subject to preferences among
16 beneficial uses.

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Facilities and Improvements

1 Section 5. The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

State Public Domain

6 Section 6. Lands and interests therein, including submerged and tidal lands, possessed or acquired by the the State, and not used or intended exclusively for governmental purposes, constitute the state public domain. The legislature shall provide for the selection of lands granted to the State by the United States, and for the administration of the state public domain.

Special Purpose Sites

13 Section 7. The legislature may provide for the acquisition of sites, objects, and areas of natural beauty or of historic, cultural, recreational, ^{or} ~~of~~ scientific value. It may reserve them from the public domain and provide for their administration and preservation for the use, enjoyment, and welfare of the people.

Leases

19 Section 8. The legislature may provide for the leasing of, and the issuance of ^{permits for} exploration ^{of,} ~~permits to~~ any part of the public domain or interest therein, subject to reasonable concurrent uses. Leases and permits shall provide, among other conditions, for payment by the party at fault for damage or injury arising from non-compliance with terms governing concurrent use, and for

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Sales and Grants

1 forfeiture in the event of breach of conditions.

2 Section 9. Subject to the provisions of this section,

3 the legislature may provide for the sale or grant of state

4 lands, or interests therein, and establish sales procedures.

5 All sales or grants shall contain ^{such} reservations to the

6 State of all resources as may be required by Congress or

7 the State and shall provide for access to these resources.

8 Reservation of access shall not ^{unnecessarily} impair the owners' use,

9 prevent the control of trespass, ^{or} ~~nor~~ preclude compensation

10 for damage.

Public Notice

11 Section 10. No disposals or leases of state lands,

12 or interests therein, shall be made without prior public

13 notice and other safeguards of the public interest as

14 may be prescribed by law.

Mineral Rights

15 Section 11. Discovery and appropriation shall be

16 the basis for establishing a right in those minerals

17 reserved to the State which, upon the date of ratification

18 of this constitution by the people of Alaska, were subject

19 to location under the federal mining laws. Prior discovery,

20 location, and filing, as prescribed by law, shall establish

21 a prior right to these minerals and also a prior right to

22 permits, transferable licenses ~~and leases~~ for their

23 extraction, ~~and processing~~. Continuation of these rights

24 shall depend upon the performance of annual labor, ^{or} the

25 payment of fees, rents, or royalties, or upon other

requirements as may be prescribed by law. Surface uses of land by a mineral claimant shall be limited to those necessary for the extraction ^{or} ~~and~~ basic processing of the

mineral deposits, or for both. Discovery and appropriation shall initiate a right, subject to further requirements of law, to patents of mineral lands if authorized by the State and not

prohibited by Congress. The provisions of this section shall apply to all other minerals reserved to the State which by law are declared subject to appropriation.

Leases and Permits

Section 12. The legislature shall provide for the issuance, types and terms of leases for coal, oil, gas, oil shale, sodium, phosphate, potash, sulfur, pumice, and other minerals as may be prescribed by law. Leases and permits giving the exclusive right of exploration for these minerals for specific periods and areas, subject to reasonable concurrent exploration as to different classes of minerals, may be authorized by law. Like leases and permits giving the exclusive right of prospecting by geophysical, geochemical, and similar methods for all minerals may also be authorized by law.

Water Rights

Section 13. All surface and subsurface waters reserved to the people for common use, except mineral and medicinal waters, are subject to appropriation. Priority of appropriation shall give prior right. Except for public water supply, an appropriation of water shall be limited to stated purposes and subject to preferences

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Access to Navigable Waters

1 among beneficial uses, concurrent or otherwise, as
2 prescribed by law, *and to the general reservation of*
3 *fish and wildlife.*

4 Section 14. Free access to the navigable or public
5 *the legislatures.*
6 waters of the State, as defined by ~~law~~ shall not be
7 denied any citizen of the United States or resident of
8 the State, except that the legislature may by general law
9 regulate and limit such access for other beneficial uses
10 or public purposes.

No Exclusive Right of Fishery

11 Section 15. No exclusive right or special privilege
12 of fishery shall be created or authorized in the natural
13 waters of the State.

Protection of Rights

14 Section 16. No person shall be involuntarily divested
15 of his right to the use of waters, his interests in lands,
16 or improvements affecting either, except for a
17 superior beneficial use or public purpose and then only
18 with just compensation and by operation of law.

Uniform Application

19 Section 17. Laws and regulations governing the use
20 or disposal of natural resources shall apply equally to
21 all persons similarly situated with reference to the
22 subject matter and purpose to be served by the law or
23 regulation.

Private Ways of Necessity

24 Section 18. Proceedings in eminent domain may be
25 undertaken for private ways of necessity to permit
26 essential access for extraction or utilization of
27 resources. Just compensation shall be made for property



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resultant
taken or for damages to other property rights.

~~Residual Powers (To General Provisions) 2 Section 19. The enumeration of specified powers 3 shall not be construed as limitations on other implied 4 powers of the State in relation to the utilization, 5 development and conservation of natural resources, except 6 as specifically provided in this article.~~

~~State Boundaries (To General Provisions) 7 Section 20. The State of Alaska shall consist of 8 all the territory, together with the territorial waters 9 appurtenant thereto, included in the Territory of Alaska 10 upon the date of ratification of this constitution by 11 the people of Alaska.~~

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REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article IX
January 28, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

~~RESOLVED, that the following be agreed upon as part of
the Alaska State Constitution:~~

ARTICLE IX

FINANCE AND TAXATION

Taxing Power

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Section 1. The power of taxation shall never be surrendered. This power shall not be suspended or contracted away, except as provided in this article.

Non-discrimination

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Section 2. The lands and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to the residents of the State.

Assessment Standards

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Section 3. Standards for appraisal of all property assessed by the State or its political subdivisions shall be prescribed by law.

Exemptions

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Section 4. The real and personal property of the State or its political subdivisions ^{shall be} exempt from taxation under conditions and exceptions which may be provided by law. All, or any portion of, property used exclusively for non-profit religious, charitable, cemetery, or educational purposes, as defined by law,

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shall be

is exempt from taxation. Other exemptions of like or different kind may be granted by general law. All valid existing exemptions ^{shall be} ~~are~~ retained until otherwise provided by law.

Interests in Government Property

Section 5. Private leaseholds, contracts, or other interests in land or property owned or held by the United States, the State, or its political subdivisions, shall be taxable to the extent of the interests.

Public Purpose

Section 6. No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose.

Dedicated Funds

Section 7. The proceeds of any state tax or license shall not be dedicated to any special purpose, except when required by the federal government for state participation in federal programs. This provision shall not prohibit the continuance of any dedication for special purposes existing upon the date of ratification of this constitution by the people of Alaska.

State Debt

Section 8. No state debt shall be contracted unless authorized ^{by law} for capital improvements ~~and~~ ^{and} ~~majority vote in each house of the legislature with~~ ratification ^{by} by a majority of the qualified voters

1 of the State who vote on the question. The State may,
2 *as provided* and without ratification
3 by law contract debt for the purpose of repelling
4 invasion, suppressing insurrection, defending the
5 State in war, meeting natural ~~disasters~~ *disasters*, or re-
6 deeming indebtedness outstanding at the time this
7 constitution becomes effective.

Local Debts

7 Section 9. No debt shall be contracted by any
8 political subdivision of the State, unless authorized
9 for capital improvements by its governing body ~~with~~ *and*
10 ~~ratification~~ *ratified* by a majority vote of those qualified
11 to vote and voting on the question.

Interim
Borrowing

12 Section 10. The State and its political sub-
13 divisions may borrow money to meet appropriations
14 for any fiscal year in anticipation of the collection
15 of the revenues ~~of~~ *for* that year, but all debt so con-
16 tracted shall be paid before the end of the next
17 fiscal year.

Exceptions

18 Section 11. The restrictions on contracting
19 debt do not apply to debt incurred through the
20 issuance of revenue bonds by a public enterprise
21 or public corporation of the State or ^a political
22 subdivision, when the only security is the revenues
23 of the enterprise or corporation. The restrictions
24 do not apply to indebtedness to be paid from special
25 assessments on the benefited property, nor do they

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Budget

apply to refunding indebtedness of the State or its political subdivisions.

Section 12. The governor shall submit to the legislature, at a time fixed by law, a budget for the next fiscal year setting forth all proposed expenditures and anticipated income of all departments, offices, and agencies of the State. The governor, at the same time, shall submit a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues.

Expenditures

Section 13. No money shall be withdrawn from the treasury except in accordance with appropriations made by law. No obligation for the payment of money shall be incurred except as authorized by law. Unobligated appropriations outstanding at the end of the period of time specified by law shall be void.

Legislative Post-audit

Section 14. The legislature shall appoint an auditor to serve at its pleasure. He shall be a certified public accountant. The auditor shall conduct post-audits as prescribed by law and shall report to the legislature and to the governor.

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REPORT OF THE COMMITTEE ON STYLE AND DRAFTING.

Constitutional Convention
Committee Proposal 6/a
Style & Drafting/Article X
January 30, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following be agreed upon as
part of the Alaska State Constitution.

ARTICLE X

LOCAL GOVERNMENT

Purpose and
Construction

1 Section 1. The purpose of this article is to
2 provide for maximum local self-government with a minimum
3 of local government units, and to prevent duplication of
4 tax-levying jurisdictions. A liberal construction shall
5 be given to the powers of local government units.

Local
Government
Powers

6 Section 2. All local government powers shall be
7 vested in boroughs and cities. The State may delegate
8 taxing powers to organized boroughs and cities only.

Boroughs

9 Section 3. The entire State shall be divided into
10 boroughs, organized or unorganized. They shall be estab-
11 lished in a manner and according to standards provided
12 by law. The standards shall include ^{population,} geography, economy,
13 transportation, and other factors. Each borough shall
14 embrace an area and population with common interests to
15 the maximum degree possible. The legislature shall

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4 classify boroughs and prescribe their powers and func-
5 tions. Methods by which boroughs may be organized, in-
6 corporated, merged, consolidated, ^{reclassified, or} dissolved ~~or reclassi-~~
7 ~~fyed~~ shall be prescribed by law.

Assembly

8 Section 4. The governing body of the organized
9 borough shall be the assembly, and its composition shall
10 be established by law or charter. Each city of the first
11 class, and each city of any other class designated by
12 law, shall be represented on the assembly by one or more
13 members of its council. The other members of the assem-
14 bly shall be elected from and by the qualified voters
15 resident outside such cities.

Service Areas

16 Section 5. Service areas to provide special ser-
17 vices within an organized borough may be established,
18 altered, or abolished by the assembly, subject to the
19 provisions of law or charter. A new service area shall
20 not be established if, consistent with the purposes of
21 this article, the new service can be provided by an
22 existing service area, by incorporation as a city, or
23 by annexation to a city. The assembly may authorize the
24 levying of taxes, charges, or assessments within a service
25 area to finance the special services.

Unorganized Boroughs

26 Section 6. The legislature shall provide for the
27 performance of services, ^{it deems necessary or advisable} in unorganized boroughs, allow-
28 ing for maximum local participation and responsibility.

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It may exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough.

Cities

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Section 7. Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, ^{reclassified,} classified, or dissolved in the manner provided by law.

Council

Section 8. The governing body of a city shall be the council.

Charters

Section 9. The qualified voters of any borough of the first class or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city, and shall become effective if approved by a majority of those who vote on the specific question.

Extended Home Rule

Section 10. The legislature may extend home rule to other boroughs and cities.

Home Rule Powers

Section 11. A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

Boundaries

Section 12. A local boundary commission or board

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shall be established by law in the executive branch of the state government. The commission or board may consider any proposed local government boundary change. It may present proposed changes to the legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house. The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action.

Agreements;
Transfer of
Powers

Section 13. Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State, or with the United States unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

Local
Government
Agency

Section 14. An agency shall be established by law in the executive branch of the state government. ~~It shall~~ ^{to} advise and assist local governments, ^{It shall} review their activities, collect and publish local government information, and perform other duties prescribed by law.

46

Section 15. Special service districts existing at

Special
Service
Districts

Amended

~~Section 15.~~ At the time a borough is organized

~~special service districts performing local functions~~

shall be integrated with the government of the borough
as provided by law.

SA

SECTION 15. SPECIAL SERVICE DISTRICTS EXISTING AT THE TIME A BOROUGH IS ORGANIZED
SHALL BE INTEGRATED WITH THE GOVERNMENT OF THE BOROUGH AS PROVIDED BY LAW.
DRAFTED BY SHYK AND SHYK ON FEB. 21, 1968

Insert after article XIII

ARTICLE XIV

~~SCHEDULE I~~, APPORTIONMENT SCHEDULE

~~REPORT OF THE COMMITTEE ON STYLE AND DRAFTING~~

Constitutional Convention
Elections and Apportionment
January 30, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following be agreed upon as part of the
Alaska State Constitution:

ARTICLE XV

~~APPORTIONMENT SCHEDULE~~

Election
Districts

Section 1. Members of the house of representatives
shall, until reapportionment, be elected from the elec-
tion districts and in the numbers shown below:

<u>Number of District</u>	<u>Name of District</u>	<u>Number of Representatives</u>
1	Prince of Wales	1
2	Ketchikan	2
3	Wrangell-Petersburg	1
4	Sitka	2
5	Juneau	2
6	Lynn Canal-Icy Straits	1
7	Cordova-McCarthy	1
8	Valdez-Chitina-Whittier	1
9	Palmer-Wasilla-Talkeetna	1
10	Anchorage	8
11	Seward	1
12	Kenai-Cook Inlet	1
13	Kodiak	2
14	Aleutian Islands	1
15	Bristol Bay	1
16	Bethel	1
17	Kuskokwim	1
18	Yukon-Koyukuk	1
19	Fairbanks	5
20	Upper Yukon	1
21	Barrow	1
22	Kobuk	1
23	Nome	2
24	Wade Hampton	1

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Senate
Districts

Section 2. Members of the Senate shall be elected
from the Senate districts and in the number shown below:

<u>Name of District</u>	<u>Composed of Election Districts</u>	<u>Number of Senators</u>
A. Southeastern	1, 2, 3, 4, 5, and 6	2
B. Ketchikan-Prince of Wales	1 and 2	1
C. Wrangell-Petersburg-Sitka	3 and 4	1
D. Juneau-Yakutat	5 and 6	1
E. Southcentral	7, 8, 9, 10, 11, 12 13, and 14	2
F. Cordova-Valdez	7 and 8	1
G. Anchorage-Palmer	9 and 10	1
H. Seward-Kenai	11 and 12	1
I. Kodiak-Aleutians	13 and 14	1
J. Central	15, 16, 17, 18, 19, and 20	2
K. Bristol Bay-Bethel	15 and 16	1
L. Yukon-Kuskokwim	17 and 18	1
M. Fairbanks-Fort Yukon	19 and 20	1
N. Northwestern	21, 22, 23, and 24	2
O. Barrow-Kobuk	21 and 22	1
P. Nome-Wade Hampton	23 and 24	1

Description
of Election
Districts

Section 3. The election districts set forth in
Section 1 shall include the following territory:

1. Prince of Wales: All of Prince of Wales, Dall, Forrester, Suemez, Baker, Lulu, Noyes, Warren, Kosciusko and the Kashevarof Islands as well as adjacent off-shore islands.

2. Ketchikan: That area of the mainland drained by streams flowing into Revillagigedo Channel, Behm Canal, Burroughs Bay and east side of Clarence Strait from the southernmost point of the Alaska-British Columbia boundary line to and including Lemesurier Point, and those islands south of Ernest Sound and east of Clarence Strait including Revillagigedo, Gravina, Annette and Duke Islands and other adjacent smaller islands.

3. Wrangell-Petersburg: That area of the mainland north of Election District No. 2 and south of and including the area draining into Frederick Sound to Cape Fanshaw on the north and partly bounded on the north by a line drawn between Cape Fanshaw and the north side of Pybus Bay, that area of Admiralty Island drained by streams flowing into Frederick Sound, that area of Baranof Island drained by streams flowing into Chatham Strait to but not including that area drained by streams flowing into Peril Strait, and including Kupreanof, Mitkof, Kuiu and Coronation Islands and other smaller adjacent islands.

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4. Sitka: Those parts of Admiralty, Chichagof, and Baranof Islands not included in Election Districts No. 3, 5 and 6 and Kruzof Island and other smaller adjacent islands.

5. Juneau: The mainland north of Election District No. 3 up to and including the area drained by streams flowing into Berners Bay on the north, and that area of Admiralty Island north of Election District No. 3 and drained by streams flowing into Stephens Passage, Seymour Canal, Lynn Canal and their tributaries and including Douglas, Shelter and Benjamin Islands, and other smaller adjacent islands.

6. Lynn Canal-Icy Straits: That part of the mainland not included in Election District No. 5 drained by streams flowing into Lynn Canal, Glacier Bay, Icy Strait, Cross Sound and their tributaries and the Pacific Ocean to and including the area drained into Icy Bay to the west, those parts of Admiralty and Chichagof Islands drained by streams flowing into Icy Strait, Cross Sound and their tributaries, and Yakobi, Lomesurier and Pleasant Islands and other smaller adjacent islands.

7. Cordova-McCarthy: That area draining into the Gulf of Alaska and Prince William Sound from but not including that area draining into the south side of Icy Bay on the east to Knowles Head on the west including Hawkins, Hinchinbrook, Kayak and Middleton Islands and other smaller adjacent islands, and that area drained by the Copper River and its tributaries up to and not including the Tielke River on the west; and up to and including the Chitina River on the east.

8. Valdez-Chitina-Whittier: That area drained by all streams flowing into Prince William Sound from Cape Junken on the west to Knowles Head on the east including Montague, Latouche, and Knight Islands and adjacent smaller islands and all of the area drained by the Copper River and its tributaries above and including the Tiekol River on the west, and above but not including the Chitina River on the east.

9. Palmer-Wasilla-Talkeetna: That area from and including Susitna on the south, drained by the Susitna River and its tributaries and that area drained by the Little Susitna River from and including Flat Lake on the south; and that area draining into Knik Arm from and including Fish Creek and its tributaries on the west side of Knik Arm to and including the area draining into the Knik River from the north and from the south to the highway bridge.

10. Anchorage: That area around Turnagain Arm and east of Knik Arm drained by streams flowing into Turnagain Arm and Knik Arm from and including Placer River on the south to and including the Knik River highway bridge on the north; that area east of Knik Arm and north of Cook Inlet drained by Goose Creek and its tributaries on the east and the Little Susitna River south of Flat Lake and the Susitna River south of but not including Susitna; the area west of Cook Inlet drained by Ivan, Lewis, Theodore Rivers and their tributaries to but not including Beluga River on the south.

11. Seward: That part of Kenai Peninsula draining into the Gulf of Alaska from Gora Point on the west to Cape Junken on

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the east and the area draining into Turnagain Arm from and including the drainage of Resurrection Creek on the west to but not including Placer River on the east; and to and including the confluence of the Kenai and Russian Rivers on the west.

12. Kenai-Cook Inlet: That area of Kenai Peninsula drained by streams flowing into the Gulf of Alaska, Cook Inlet and Turnagain Arm, from and including the area drained into Port Dick on the south to Gore Point to but not including Resurrection Creek on the north and the area east of the confluence of the Kenai and Russian Rivers; and that area west of Cook Inlet drained by all streams flowing into Cook Inlet from Cape Douglas on the south to and including the Beluga River, including Elizabeth Island and adjacent islands in Cook Inlet.

13. Kodiak: The part of the Alaska Peninsula drained by all streams flowing into the Pacific Ocean from Cape Douglas on the east to but not including Kujulik Bay on the west and all adjacent off-shore islands, including the Semidi Islands and Kodiak, Afognak, Trinity, Chirikof Islands, and other smaller islands in the immediate vicinity such as the Barren Islands and the Chugach Islands.

14. Aleutian Islands: The part of the Alaska Peninsula west of and including the drainage of Meshik River and Kujulik Bay and all of the Aleutian and Pribilof Islands and adjacent off-shore islands west of and excluding the Semidi Islands and Sutwik Island.

15. Bristol Bay: The area drained by all streams flowing into Bristol Bay from Cape Newenham on the west to but not including the Meshik River on the south.

16. Bethel: The area drained by all streams flowing into Baird Inlet, Etolin Strait and Kuskokwim Bay, that area drained by the Kuskokwim River and its tributaries up to and including the area drained by the Tuluksak River on the east bank of the Kuskokwim River and the area drained by tributaries up to the opposite point on the west bank of the Kuskokwim River and including Nunivak Island and ^{St.}~~Saint~~ Matthew Island and adjacent islands.

17. Kuskokwim: The area drained by the Kuskokwim River and its tributaries above and not including the area drained by the Tuluksak River on the east bank and the area drained by tributaries above the opposite point on the west bank of the Kuskokwim River; and the area drained by the Yukon River from Tuckers Slough to but not including the area drained by the Khotol River.

18. Yukon-Koyukuk: The area drained by all streams and their tributaries flowing into the Yukon River from and including Khotol River on the west to and including Hess Creek on the east and that area drained by the Tanana River and its tributaries up to but not including Clear Creek ^{, near Blair Lakes,} on the east and that part of Goldstream Creek up to but not including Nugget Creek and Spinach Creek and that portion drained by the Chatanika River up to but not including Vault Creek.

19. Fairbanks: That area drained by the Tanana River and its tributaries from and including Clear Creek, near Blair Lakes, on the west to the Alaska-Canada boundary on the east, and also that area drained by Goldstream Creek and its tributaries up stream from and

and including Nugget Creek and Spinach Creek and that portion drained by the Chatanika River and its tributaries up stream from and including Vault Creek.

20. Upper Yukon: That area drained by the Yukon River and its tributaries from but not including Hess Creek on the west to the Alaska-Canada boundary and that area drained by streams flowing into the Arctic Ocean from but not including Kuparuk River on the west to the Alaska boundary.

21. Barrow: The area drained by all streams flowing into the Arctic Ocean from Cape Lisburne on the west to and including the area drained by the Kuparuk River and its tributaries on the east.

22. Kobuk: The area drained by all streams flowing into the Arctic Ocean and Kotzebue Sound from Cape Lisburne on the north to and including the area drained by the Good Hope River and its tributaries on the south.

23. Nome: ^{That part} ~~of~~ of the Seward Peninsula and adjacent areas drained by all streams flowing into the Kotzebue Sound, Bering Strait and Norton Sound from but not including the area drained by the Good Hope River and its tributaries on the north to but not including the area drained by the Pastolik River on the south; and King, Little Diomedé, ^{St.} ~~St.~~ Lawrence, Sledge, ~~Chenik~~ and Stuart Islands, as well as adjacent offshore islands.

24. Wade Hampton: The area drained by the lower Yukon River and its tributaries from Tuckers Slough to the mouth ^{at} ~~of~~ the Bering Sea, and the area drained by all streams flowing into the Bering Sea and Norton Sound from and including Hazen Bay on the south to and including the Pastolik River on the north.

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~~REPORT OF COMMITTEE ON STYLE AND DRAFTING~~

~~Constitutional Convention
Committee Proposal/3
Enrolled/Style and Drafting
January 23, 1956~~

~~CONSTITUTIONAL CONVENTION OF ALASKA~~

~~RESOLVED, that the following be agreed upon
as part of the Alaska State Constitution:~~

ARTICLE XI

INITIATIVE, REFERENDUM AND RECALL

Initiative
and
Referendum

1 Section 1. The people may propose and enact laws
2 by the initiative, and approve or reject acts of the
3 legislature by the referendum.

Application

4 Section 2. An initiative or referendum is proposed
5 by an application containing the bill to be initiated
6 or the act to be referred. The application shall be
7 signed by not less than one hundred qualified voters
8 as sponsors, ^{shall} and be filed with the secretary of state.
9 If he finds it in proper form he shall so certify.

Petition

10 Denial of certification ^{shall be} subject to judicial review.
11 Section 3. After certification of the application,
12 a petition containing a summary of the subject matter
13 shall be prepared by the secretary of state for circu-
14 lation by the sponsors. If signed by qualified voters,
15 equal in number to ten per cent of those who voted in
16 the preceding general election and resident in at least
17 two-thirds of the election districts of the State, it
18 may be filed with the secretary of state.

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Initiative Election

1 Section 4. An initiative petition may be filed at
 2 any time. The secretary of state shall prepare a ^{ballot} title
 3 and ~~summary~~ ^{proposition summarizing} of the proposed law, and shall place them on
 4 the ballot for the first statewide election held more
 5 than one hundred twenty days after adjournment of the
 6 legislative session following the filing. If, before the
 7 election, substantially the same measure has been enacted,
 8 the petition is void.

Referendum Election

9 Section 5. A referendum petition may be filed only
 10 within ninety days after adjournment of the legislative
 11 session at which the act was passed. The secretary of
 12 state shall prepare a ^{ballot} title and ~~summary~~ ^{proposition summarizing} of the act and
 13 shall place them on the ballot for the first statewide
 14 election held more than one hundred ~~twenty~~ ^{eighty} days after
 15 adjournment of that session.

Enactment

16 Section 6. If a majority of the votes cast on the proposition
 17 favor its adoption, the initiated measure is enacted. If a majority
 18 of the votes cast on the proposition favor the rejection of an act
 19 referred, it is rejected. The secretary
 20 of state shall certify the election returns. An initi-
 21 ated law ^{becomes} effective ninety days after certification,
 22 is not subject to veto, and may not be repealed by the
 23 legislature within two years of its effective date. It
 24 may be amended at any time. An act rejected by referen-
 25 dum is void thirty days after certification. Additional
 26 procedures for the initiative and referendum may be
 prescribed by law.

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Create courts, define the jurisdiction of courts or prescribe their rules,

Restrictions

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Section 7. The initiative ~~may~~ ^{shall} not be used to dedicate revenues, make or repeal appropriations, 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.

Recall

Section 8. All elected public officials in the State, except judicial officers, are subject to recall by the voters of the State or political subdivision from which elected. Procedures and grounds for recall shall be prescribed by the legislature.

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~~REPORT OF THE COMMITTEE ON STYLE AND DRAFTING~~

~~Constitutional Convention
Committee Proposal/12
Style and Drafting/Article XII
January 30, 1956~~

~~ALASKA CONSTITUTIONAL CONVENTION~~

~~RESOLVED, that the following be agreed
upon as part of the Alaska State Constitution:~~

ARTICLE XII
PROVISIONS
GENERAL AND MISCELLANEOUS

State
Boundaries
~~(To General
Provisions)~~

~~SEC 12
XII~~
1 Section 21. The State of Alaska shall consist of
2 all the territory, together with the territorial waters
3 appurtenant thereto, included in the Territory of Alaska
4 upon the date of ratification of this constitution by
5 the people of Alaska.

Inter-
governmental
Relations

10 Section 22. The State and its political sub-
11 divisions may cooperate with the United States and
12 its territories, and with other states and their
13 political subdivisions on matters of common interest.
14 The respective legislative bodies may make appro-
15 priations for this purpose. The governor shall act
16 as the agent of the State in all intergovernmental
17 relations involving the State.

Office of
Profit

11 Section 23. Service in the armed forces of
12 the United States or of the State is not an office
13 or position of profit as the term is used in this
14 constitution.

Disqualifi-
cation for
Disloyalty

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Section ~~4~~ 4. No person who advocates, or who aids or belongs to any party or organization or association which advocates, the overthrow by force or violence of the government of the United States or of the State shall be qualified to hold any public office of trust or profit under this constitution.

Oath of
Office

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Section ~~4~~ 5. All public officers, before entering upon the duties of their offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as _____ to the best of my ability". The legislature may prescribe further oaths or affirmations.

~~Merit
Civil Service
System~~

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Section ~~4~~ 6. The legislature shall establish a system under which the merit principle will govern the employment of persons by the State.

Retirement
Systems

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Section ~~4~~ 7. Membership in employee retirement systems of the State or its political subdivisions shall constitute a contractual relationship. Accrued benefits of these systems shall not be diminished or impaired.

~~Residual~~

~~Power~~

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Section 8. The enumeration of specified powers in this constitution shall not be construed as limiting the powers of the State.

~~Qualification for any office for any reason, the person~~

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Provisions
Self-executing

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~~Section 9.~~ Section 9. The provisions of this constitution shall be construed to be self-executing whenever possible.

Interpretation

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Section 10. Titles and subtitles shall not be used in construing this constitution. Personal pronouns used in this constitution shall be construed as including ~~persons of both sexes.~~ *either sex.*

Law-Making Power

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Section 11. As used in this constitution, the terms "by law" and "by the legislature", or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI.

Disclaimer and Agreement

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Section 12. The State of Alaska and its people forever disclaim all right and title in or to any property belonging to the United States, or subject to its disposition, and not granted or confirmed to the State or its political subdivisions, by or under the act admitting Alaska to the Union. The State and its people further disclaim all right or title in or to any property, *including fishing rights,* the right or title to which may be held by or for any Indian, Eskimo, or Aleut, or com-

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10 munity thereof, as that right or title is defined in
11 the act of admission. The State and its people agree
12 that, unless otherwise provided by Congress, the
13 property, as described in this section, shall remain
14 subject to the absolute disposition of the United
15 States. They further agree that no taxes will be
16 imposed upon any such property, until otherwise pro-
17 vided by the Congress. This tax exemption shall not
18 apply to property held by individuals in fee without
19 restrictions on alienation.

Consent to
~~Enabling Act~~
act of
admission

20 Section 13. All provisions of the act admitting
16 Alaska to the Union which reserve rights or powers
17 to the United States, as well as those prescribing
18 the terms or conditions of the grants of lands or
19 other property, are consented to fully by the State
20 and its people.

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REPORT OF THE COMMITTEE ON STYLE & DRAFTING

Constitutional Convention
Style & Drafting/Article XIII
January 27, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following be agreed upon

~~as part of the Alaska State Constitution.~~

ARTICLE XIII

AMENDMENT AND REVISION

~~Constitutional~~
Amendments

1 Section 1. Amendments to this constitution
 2 may be ~~approved~~ ^{proposed} by a two-thirds vote of each house
 3 of the legislature. The secretary of state shall
 4 prepare a ballot title and proposition summarizing
 5 each proposed amendment, and shall place them on the
 6 ballot for the next general election. If a majority
 7 of the votes cast on the proposition favor the
 8 amendment, it ~~is~~ ^{shall be} adopted. Unless otherwise provided
 9 in the amendment, it becomes effective thirty days
 10 after the certification of the election returns by
 11 the secretary of state.

~~Constitutional~~
Convention

12 Section 2. The legislature may ~~provide for~~ ^{call}
 13 constitutional conventions *at any time.*

Call by Refer-
endum

14 Section 3. If during any ten-year period a
 15 constitutional convention has not been held, the

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If a majority of the votes cast on the question are in the negative, the question need not be placed on the ballot until the end of the next ten-year period.

1 secretary of state shall place on the ballot for
2 the next general election the question: "Shall
3 there be a constitutional convention?" If a maj-
4 ority of the votes cast on the question are in the
5 affirmative, delegates to the convention shall be
6 chosen at the next regular statewide election, unless
7 the legislature provides for the election of the
8 delegates at a special election. The secretary of
9 state shall issue the call for the convention.
10 Unless other provisions have been made by law, the
11 call shall conform as nearly as possible to the act
12 calling the Alaska Constitutional Convention of
13 1955, including, but not limited to, number of mem-
14 bers, districts, election and certification of
15 delegates, and submission and ratification of re-
16 visions and ordinances. The appropriation provi-
17 sions of the call shall be self-executing and shall
18 constitute a first claim on the state treasury.

~~_____~~
Powers

19 Section 4. Constitutional conventions shall
20 have plenary power to amend or revise the consti-
21 tution, subject only to ratification by the people.
22 No call for a constitutional convention shall limit
23 these powers of the convention.

follow with Article XIV
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ARTICLE XV SCHEDULE OF TRANSITIONAL MEASURES

Italic

To provide an orderly transition from a territorial to a state form of government, it is declared and ordained:

Continuance of Laws

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Section 1. All laws in force in the Territory of Alaska on the effective date of this constitution and consistent therewith shall continue in force until they expire by their own limitation, are amended, or repealed.

Saving of Existing Rights and Liabilities

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Section 2. Except as otherwise provided in this constitution, all rights, titles, actions, suits, contracts, ^{and} liabilities and ^{all} civil, criminal, or administrative proceedings shall continue unaffected by the change from territorial to state government, and the State shall be the legal successor to the Territory in these matters.

Local Government

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Section 3. Cities, school districts, health districts, public utility districts, and other local subdivisions of government existing on the effective date of this constitution shall continue to exercise their powers and functions under existing law, pending enactment of ~~law~~ *legislation* to carry out the provisions of this constitution. New local subdivisions of government shall be created only in accordance with this constitution.

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~~Section 4~~

Continuance of Office

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Section ~~4~~ 4. All officers of the Territory, or under its laws, on the effective date of this constitution shall continue to perform the duties of their offices in a manner consistent with this constitution until they are superseded by officers of the State.

Corresponding Qualifications

Section 5. Residence, citizenship, or other qualifications under the Territory may be used toward the fulfillment of corresponding qualifications required by this constitution.

Governor to Proclaim Election

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Section ~~6~~ 6. When the people of the Territory ratify this constitution and it is approved by the duly constituted authority of the United States, the governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue a proclamation and take necessary measures to hold primary and general elections for all state elective offices provided for by this constitution.

First State Elections

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Section ~~7~~ 7. The primary election shall take place not less than forty nor more than ninety days after the proclamation by the governor of the Territory. The general election shall take place not less than ninety days after the primary election. The elections shall be governed by this constitution and by applicable territorial laws.

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United States
Senators and
Representative

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Section ~~8~~ 8. The officers to be elected at the first general election shall include two senators and one representative to serve in the Congress of the United States, unless senators and a representative have been previously elected and seated. One senator shall be elected for the long term and one senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States. The term of the representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first representative is elected in an even-numbered year to take office in that year, a representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms.

First
Governor and
Secretary of
State: Terms

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Section ~~9~~ 9. The first governor and secretary of state shall hold office for a term beginning with the day on which they qualify and ending at noon on the first Monday in December of the even-numbered year following the next presidential election. This term shall count as a full term for purposes of determining eligibility for reelection only if it is four years or more in duration.

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Election of
First Sen-
ators

~~(Section 10)~~
~~(Section 11)~~

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Section 10. At the first state general election,
one senator shall be chosen for a two-year term from each
of the following senate districts, described in Section
2 of Article ~~XIV~~ ^{XIV:} A, B, ~~C~~ D, E, G, I, J, L, N, ~~and~~ ^{and} O.

At the same election, one senator shall be chosen for a
four-year term from each of the following senate dis-
tricts, described in Section 2 of Article ~~XIV~~ ^{XIV:} A, C, E,
F, H, J, K, M, N, and P. If the first state general
election is held in an odd numbered year, the terms
set forth in this section shall be increased by one year.

Election of
First Repre-
sentatives

~~(Section 11)~~
~~(Section 12)~~

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Section 11. If the first state general election
is held in an odd-numbered year, the term of members
chosen for the house of representatives at this election
shall be three years.

Election
Returns

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Section ~~12~~ 12. The returns of the first
general election shall be made, canvassed,
and certified in the manner prescribed by
law. The governor of the Territory shall
certify the results to the President of the
United States.

Assumption
of Office

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Section ~~13~~ 13. When the President of the
United States issues a proclamation announc-
ing the results of the election, and the
State has been admitted into the Union, the
officers elected and qualified shall assume
office.

First Session
of Legisla-
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Section ~~14~~ 14. The governor shall call a
special session of the first state legislature
within thirty days after the presidential
proclamation unless a regular session of the
legislature falls within that period. The
special session shall not be limited as to
duration.

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First
Legislators:
Office
Holding

Section ~~13~~ 15. The provisions of Section 5 of Article II shall not prohibit any member of the first state legislature from holding any office or position created during his first term.

First
Judicial
Council

Section ~~16~~ 16 The first members of the judicial council shall, notwithstanding Section 8 of Article IV, be appointed for terms as follows: three attorney members for one, three, and five years respectively, and three non-attorney members for two, four, and six years respectively. The six members so appointed shall, in accordance with Section 5 of Article IV, submit to the governor nominations to fill the initial ^{superior court and the} vacancies on the supreme court, including the office of chief justice. ~~Once~~ the chief justice is appointed, he shall assume his seat on the judicial council.

After the initial vacancies on the superior and supreme courts are filled and

Transfer of
Court
Jurisdiction

Section ~~17~~ 17. Until the courts provided for in Article IV are organized, the courts, their jurisdiction, and the judicial system shall remain as constituted on the date of admission unless otherwise provided by law. When the state courts are organized, new actions shall be commenced and filed therein, and all causes, other than those under the jurisdiction of the United States, pending in the courts existing on the date of admission, shall be transferred to the proper state court as though commenced, filed, or lodged in those courts in the first instance, ^{except as} ~~subject~~ ^{otherwise provided by law.} ~~to applicable acts of congress.~~

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RESOLVED, that the following be agreed upon as part of the schedule appended to the Alaska State Constitution:

Separability and Amendment of Schedule

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Section ~~18~~¹⁸. If the Congress of the United States rejects any provision in the schedule of this constitution, the constitution and the remainder of the schedule shall not be impaired, ~~thereby~~. If any change in the schedule is required by the Congress, the territorial legislature may, by a two-thirds vote of each house, make such change.

Orderly Transition

Section ~~19~~¹⁹. The territorial legislature and the appropriate officials, federal and territorial, shall take necessary action to insure the orderly transition from territorial to state government.

Territorial Assets and Liabilities

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Section ~~20~~²⁰. The debts and liabilities of the Territory of Alaska shall be assumed and paid by the State, and debts owed to the Territory shall be collected by the State. ^{and records} Assets of the Territory shall ^(the property) become ~~assets~~ of the State.

First Reapportionment

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Section ~~21~~²¹. The first reapportionment of the house of representatives shall be made immediately following the official reporting of the 1960 decennial census, or after the first regular legislative session if the session occurs thereafter, notwithstanding the provision ^{contained} as to time in Section 3 of Article VI. All other provisions of Article VI shall apply in the first reapportionment.

State Capital

Section 22. The capital of the State of Alaska shall be at Juneau.

(62)

Seal

Section ~~23~~²³. The seal of the Territory, substituting the word "State" for "Territory", shall be the seal of the State.

Flag

Section ~~24~~²⁴. The flag of the Territory shall be the flag of the State.

Special Voting Provision

Section ~~25~~²⁵. Citizens who legally voted in the general election of November 4, 1924, and who meet the residence requirements for voting, shall be entitled to vote notwithstanding the provisions of Section 1 of Article V.

Insert

Effective Date

Section ~~27~~²⁷. This constitution shall take effect immediately upon the admission of Alaska into the Union as a State.

Note to Printer:
In newspaper, and in 39 copies of constitution on parchment, facsimile signatures follow here.
In 61 copies on parchment, leave space for ~~the~~ handwritten signatures at this point

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~~Handwritten scribble~~

ORDINANCE NO. 1
RATIFICATION OF CONSTITUTION

Election

Section 1. The constitution for the State of Alaska agreed upon by the delegates to the Alaska Constitutional Convention on February 5, 1956, shall be

submitted to the voters of Alaska for ratification or rejection at the territorial primary election to be held on April 24, 1956. The election shall be conducted according to existing laws regulating primary elections so far as applicable.

Ballot

Section ~~1~~ 2. Each elector who offers to vote upon this constitution shall be given a ballot by the election judges which ~~is substance~~

~~The 15, and insert~~ will be separate from the ballot on which candidates in the primary election are listed. Each of the propositions offered by the Alaska Constitutional Convention shall be set forth separately, but on the same ballot form. The first proposition shall be as follows:

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"Shall the Constitution for the State of Alaska prepared and agreed upon by the Alaska Constitutional Convention be adopted?"

Yes
No

Canvass

Section ~~2~~ 3. The returns of this election shall be made to the governor of the Territory of Alaska, and shall be canvassed in substantially the ~~same~~ manner provided by law for territorial elections.

(64)

Acceptance and Approval

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Section ~~4~~ 4. If a majority of the votes cast on the proposition favor the constitution, then the constitution shall be deemed to be *(to become effective as provided in the constitution)*, ratified by the people of Alaska. ~~The governor~~ Section 5. Upon ratification of the constitution, the governor of the Territory shall forthwith ~~submit a~~ *transmit a* certified copy of the constitution ~~through~~ *to* the President of the United States *for submission* to the Congress, ~~for approval~~, together with a statement of the votes cast ~~thereon~~ *for and against ratification*.

Submission of Constitution

~~ORDINANCE NO. 1~~
ORDINANCE NO. 2
~~ARTICLE 2~~
ALASKA-TENNESSEE PLAN
~~SECTION 1~~

~~Alaska-Tennessee Plan~~
Statement of Purpose

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Section ~~1~~ 1. The election of senators and a representative to serve in the Congress of the United States being necessary and proper to prepare for the admission of Alaska as a State of the Union, the following ~~is~~ *sections are* hereby ordained, pursuant to Chapter 46, SLA 1955.

Referendum
Ballot

Section 2. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a second proposition, which shall be as follows:

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"Shall ordinance ~~1~~ *Number Two* (Alaska-Tennessee Plan) of the Alaska Constitutional Convention, calling for the immediate election of two

Spyle and ~~Drake~~ *Article IV*

65.

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United State Senators and one United States Representative, be adopted?"

Yes
~~Yes~~
No
~~No~~

Approval

Section 3.

~~It~~ Upon ratification of the constitution by the people of Alaska and separate approval of this ordinance by a majority of all votes cast for and against it, the remainder of this ordinance shall become effective.

Election of Senators and Representative

Section 4. Two United States senators

~~Two persons to serve as members of the senate of the United States and one person to serve as a member of the house of representatives of the United States shall be chosen at the 1956 general election.~~

Terms

Section 5.

~~It~~ One senator shall be chosen for the regular term expiring on January 3, 1963, and the other for an initial short term expiring on January 3, 1961, unless when they are seated the Senate prescribes other expiration dates. The representative shall be chosen for the regular term of two years expiring January 3, 1959.

Qualifications

Section 6.

~~It~~ Candidates for senators and representative shall have the qualifications prescribed in the Constitution of the United States and shall be qualified voters of Alaska.

Other Office Holding

Section 7.

~~It~~ Until the admission of Alaska as a state, the senators and representative may also hold or be

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nominated and elected to other offices of the United States or of the Territory of Alaska, provided that no person may receive compensation for more than one office.

Section 8-

Except as provided herein, the laws of the Territory governing elections to the office of Delegate to Congress shall, to the extent applicable, govern the election of the senators and representative. Territorial and other officials shall perform their duties with reference to this election accordingly.

Section 9-

Persons not representing any political party may become independent candidates for the offices of senator or representative by filing applications in the manner provided in Section 38-5-10, ACLA 1949, insofar as applicable. Applications must be filed in the office of the director of finance of the Territory on or before June 30, 1956.

Section 10-

Party nominations for senators and representative shall, for this election only, be made by party conventions in the manner prescribed in Section 38-4-11, ACLA 1949, for filling a vacancy in a party nomination occurring ^{after} a primary election. The names of the candidates

Election Procedure

Independent Candidates

Party Nominations



Section 26. Ordinance No. 1 on Ratification of the Constitution,
Ordinance No. 2 on the Alaska-Tennessee Plan, and Ordinance No. 3 on
the Abolition of Fish Traps, adopted by the Alaska Constitutional
Convention and appended to this constitution, ~~if ratified by the voters,~~ shall be submitted to the voters,
and if ratified by the voters shall become effective as provided in each ordinance.

(remember following sections)

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nominated shall be certified by the chairman and secretary of the central committee of each political party to the director of finance of the Territory on or before June 30, 1956.

Certification

Section 11-

~~1107~~ The director of finance shall certify the names of all candidates for senators and representative to the clerks of court by July 15, 1956. The clerks of court shall cause the names to be printed on the official ballot for the general election. Independent candidates shall be identified as provided in Section 38-5-10, ACLA 1949. Candidates nominated at party conventions shall be identified with appropriate party designations as is provided by law for nominations at primary elections.

Ballot Form;
Who Elected

Section 12-

~~1107~~ The ballot form shall group separately the candidates seeking the regular senate term, those seeking the short senate term, and candidates for representative. The candidate for each office receiving the largest number of votes cast for that office shall be elected.

Duties and
Emoluments

Section 13-

~~1107~~ The duties and emoluments of the offices of senator and representative shall be as prescribed by law.



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Convention Assistance

Alternate Effective Dates

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Section 14.

~~(1)~~ The president of the Alaska Constitutional Convention, or ^a person designated by him, may assist in carrying out the purposes of this ordinance. The unexpended and unobligated funds appropriated to the Alaska Constitutional Convention by Chapter 46, SLA 1955, may be used to defray expenses attributable to the referendum and the election required by this ordinance.

Section 15.

~~(1)~~ If the Congress of the United States seats the senators and representative elected pursuant to this ordinance and approves the constitution before the first election of state officers, then Section ²⁷ of Article ~~XV~~ shall be void and shall be replaced by the following:

"The provisions of the constitution applicable to the first election of state officers shall take effect immediately upon the admission of Alaska into the Union as a State. The remainder of the constitution shall take effect when the elected governor takes office."

(69)

ORDINANCE NO. 3
ABOLITION OF FISH TRAPS

Ballot

1 Section ~~25~~¹. Each elector who offers to vote
2 upon the ratification of the constitution may,
3 upon the same ballot, vote on a third proposition,
4 which shall be as follows:

5 "Shall Ordinance Number Three of the
6 Alaska Constitutional Convention, pro-
7 hibiting the use of fish traps for the
8 taking of salmon for commercial purposes
9 in the coastal waters of the State, be
10 adopted?"

~~Yes~~
~~No~~

Effect of
Referendum

11 Section 2.
12 If the constitution shall be adopted by the electors
13 and if a majority of all the votes cast for and
14 against this ordinance favor its adoption, then the
15 following shall become operative upon the effective
date of the constitution:

1 "As a matter of immediate public necessity,
2 to relieve economic distress among individual
3 fishermen and those dependent upon them for a
4 livelihood, to conserve the rapidly dwindling
5 supply of salmon in Alaska, to insure fair
6 competition among those engaged in commercial
7 fishing, and to make manifest the will of the
8 people of Alaska, the use of fish traps for
9 the taking of salmon for commercial purposes
10 is hereby prohibited in all the coastal waters
11 of the State."

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