

**FOLDER NO.**

**203.04**

Constitutional Convention  
Committee Proposals/12/15 & 16  
Style and Drafting/Article XII  
January 30, 1956

ALASKA CONSTITUTIONAL CONVENTION  
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President  
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on General and Miscellaneous for consideration by the Convention.

Respectfully submitted,

George Sundborg, Chairman  
R. Rolland Armstrong  
Edward V. Davis  
Victor Fischer  
Mildred R. Hermann  
James J. Hurley  
Maurice T. Johnson  
George M. McLaughlin  
Katherine D. Nordale

Box files - Art. XII

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

GENERAL AND MISCELLANEOUS

Civil Service 1           Section 1. The legislature shall establish a  
2 system under which the merit principle will govern  
3 the employment of persons by the State.

Retirement 4           Section 2. Membership in employee retirement  
Systems 5 systems of the State or its political subdivisions  
6 shall constitute a contractual relationship. Accrued  
7 benefits of these systems shall not be diminished or  
8 impaired.

Disqualifi- 9           Section 3. No person who advocates, or who aids  
cation for 10 or belongs to any party or organization or associa-  
Disloyalty 11 tion which advocates, the overthrow by force or  
12 violence of the government of the United States or  
13 of the State shall be qualified to hold any public  
14 office of trust or profit under this constitution.

Style and Drafting/Article XII

files - Art. XII

Oath of  
Office

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

Inter-  
governmental  
Relations

10 Section 5. 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.

Interpreta-  
tion

18 Section 6. Titles and subtitles shall not be  
19 used in construing this constitution. Personal  
20 pronouns used in this constitution shall be con-  
21 strued as including persons of both sexes.

General  
Power

22 Section 7. The enumeration of specified powers  
23 in this constitution shall not be construed as  
24 limiting the powers of the State.

Provisions

25 Section 8. The provisions of this constitution

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Self-executing 1 shall be construed to be self-executing whenever  
2 possible.

Law-Making 3 Section 9. As used in this constitution, the  
Powers 4 terms "by law" and "by the legislature", or varia-  
5 tions of these terms, are used interchangeably  
6 when related to law-making powers. Unless clearly  
7 inapplicable, the law-making powers assigned to  
8 the legislature may be exercised by the people  
9 through the initiative, subject to the limitations  
10 of Article XI.

Office of 11 Section 10. Service in the armed forces of  
Profit 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.

Consent to 15 Section 11. All provisions of the act admitting  
Enabling Act 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.

State 21 Section 12. The University of Alaska is hereby  
University 22 established as the state university and constituted  
23 a body corporate. It shall have title to all real  
24 and personal property now or hereafter set aside  
25 for or conveyed to it. Its property shall be

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Board of  
Regents

1 administered and disposed of according to law.  
2 Section 13. The University of Alaska shall  
3 be governed by a board of regents. The regents  
4 shall be nominated and appointed by the governor,  
5 subject to confirmation by a majority of the mem-  
6 bers of the legislature in joint session. The  
7 board shall, in accordance with law, formulate  
8 policy and appoint the president of the university.  
9 He shall be the executive officer of the board.

*Mr. Smedley, 511*

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention  
Committee Proposal/12/Enrolled  
Style and Drafting/Article XII  
January 29, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

Civil Service 1 Section 1. The legislature shall establish a system  
2 under which the merit principle will govern the employ-  
3 ment of persons by the State.

Retirement 4 Section 2. Membership in employee retirement systems  
Systems 5 of the State or its political subdivisions shall consti-  
6 tute a contractual relationship. Accrued benefits of  
7 these systems shall not be diminished or impaired.

Disqualifi- 8 Section 3. No person who advocates, or who aids or  
cation for 9 belongs to any party<sup>or</sup> organization or association which  
loyalty 10 advocates, the overthrow by force or violence of the  
11 government of the United States or of the State shall be  
12 qualified to hold any public office of trust or profit  
13 under this constitution.

*Art. XII  
Work files -*

Oath of Office

1 Section 4. All public officers, before entering  
2 upon the duties of their offices, shall take and sub-  
3 scribe to the following oath or affirmation: "I do  
4 solemnly swear, or affirm, that I will support and de-  
5 fend the Constitution of the United States and the Con-  
6 stitution of the State of Alaska, and that I will faith-  
7 fully discharge my duties as \_\_\_\_\_ to  
8 the best of my ability". The legislature may prescribe  
9 further oaths or affirmations.

Inter-Governmental Relations

10 Section 5. The State and its political subdivisions  
11 may cooperate with the United States and its territories  
12 and with other states and their political subdivisions  
13 on matters of common interest. The respective legisla-  
14 tive bodies may make appropriations for this purpose.  
15 The governor shall act as the agent of the State in all  
16 intergovernmental relations involving the State.

Interpretation

17 Section 6. Titles and subtitles shall not be used  
18 in construing this constitution. Personal pronouns used  
19 in this constitution shall be construed as including  
20 persons of both sexes.

General Power

21 Section 7. The enumeration of specified powers  
22 in this constitution shall not be construed as limiting  
23 the powers of the State.

Provisions Self-executing

24 Section 8. The provisions of this constitution shall  
25 be construed to be self-executing whenever possible.

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Law-Making  
Powers

1           Section 9. As used in this constitution, the terms  
2 "by law" and "by the legislature", or variations of these  
3 terms, are used interchangeably when related to law-making  
4 powers. Unless clearly inapplicable, the law-making pow-  
5 ers assigned to the legislature may be exercised by the  
6 people through the initiative, subject to the limitations  
7 of Article XI.

Office of Profit

8           Section 10. Service in the armed forces of the  
9 United States or of the State is not an office or position  
10 of profit as the term is used in this constitution.

Consent to  
Enabling Act

11           Section 11. All provisions of the act admitting  
12 Alaska to the Union which reserve rights or powers to the  
13 the United States, as well as those prescribing the terms  
14 or conditions of the grants of lands or other property,  
15 are consented to fully by the State and its people.

Working files - Art. XII

State  
University

1 Section 12. The University of Alaska is hereby  
2 established as the state university and constituted  
3 ~~as~~ a body corporate. It shall have title to all real  
4 and personal property now or hereafter set aside for  
5 or conveyed to it. Its property shall be administered  
6 and disposed of according to law.

Board of Regents

7 Section 13. The University of Alaska shall be  
8 governed by a board of regents. The regents shall be  
9 nominated and appointed by the governor, subject to  
10 confirmation by a majority of the members of the Legis-  
11 lature in joint session. The board <sup>shall,</sup> ~~may,~~ in accordance  
12 with law, formulate policy and appoint the president of  
13 the university, <sup>he</sup> ~~who~~ shall be <sup>the</sup> ~~its~~ executive officer <sup>of the</sup>  
*board.*

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REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

12

~~FIRST ENROLLED COPY~~

SYD/ART XII Constitutional Convention  
Committee Proposal/12/Enrolled  
January 23, 1956

ALASKA CONSTITUTIONAL CONVENTION

~~COMMITTEE PROPOSAL NO. 12~~

~~Introduced by Committee on Executive Branch~~

~~Article Containing General and Miscellaneous Provisions~~

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

ARTICLE XII

GENERAL AND MISCELLANEOUS PROVISIONS

Civil Service

~~Merit~~

~~Principle~~

~~Employees~~

Retirement  
Systems

Disqualifi-  
cation for  
Disloyalty

Oath of  
Office

1 Section 1. The legislature shall ~~provide~~ <sup>establish</sup> for a  
2 system under which the <sup>merit principle will govern the</sup> employment of persons by the State.  
3 ~~shall be governed by the merit principle.~~

4 Section 2. Membership in ~~any~~ <sup>employee</sup> retirement  
5 systems of the State or ~~any~~ <sup>its</sup> political subdivision<sup>s</sup> ~~thereof~~  
6 shall <sup>constitute</sup> be a contractual relationship. ~~The~~ Accrued benefits  
7 <sup>of these systems</sup> of which shall not be diminished or impaired.

8 Section 3. No person who advocates, or who aids or  
9 belongs to any party, organization or association which  
10 advocates, the overthrow by force or violence of the gov-  
11 ernment ~~of this State or~~ <sup>or of the State</sup> of the United States shall be  
12 qualified to hold any public office of trust or profit  
13 under this constitution.

14 Section 4. All public officers, before entering  
15 upon the duties of their ~~respective~~ offices, shall take

1 and subscribe to the following oath or affirmation: "I  
2 do solemnly swear, ~~or affirm,~~ that I will support and  
3 defend the Constitution of the United States, and the  
4 Constitution of the State of Alaska, and that I will  
5 faithfully discharge my duties as \_\_\_\_\_  
6 to the best of my ability". The legislature may pre-  
7 scribe further oaths or affirmations.

Inter- 8 Section 5. The State and its political subdivi-  
Governmental 9 sions may cooperate with the United States and its  
Relations 10 territories and with other states and their political  
11 subdivisions on matters of common interest. The res-  
12 pective legislative bodies may <sup>make</sup> appropriate <sup>ions</sup> ~~such sums~~  
13 ~~as may be necessary~~ for this purpose. In all inter-  
14 governmental relations involving the State, The Govern-  
15 nor shall act as the agent of the State.

*State*  
~~University~~  
~~City of~~  
~~Alaska~~

13.  
16 Section 6. The University of Alaska is hereby  
17 established as the state university and constituted  
18 as a body corporate. It shall have title to all ~~the~~  
19 real and personal property now or hereafter set aside  
20 for or conveyed to it. <sup>Its property shall</sup> be administered and disposed  
21 of according to law. <sup>Section 14.)</sup> <sup>governed by</sup> There shall be a board of regents.  
*Board of Regents*  
22 ~~of~~ The University of Alaska, <sup>The regents</sup> ~~the~~ <sup>subject to confirmation</sup> ~~Members of which~~ shall  
23 be nominated and appointed by the Governor, ~~by and with~~  
24 ~~the advice and consent of~~ <sup>by</sup> a majority of the members of  
25 ~~both houses of~~ the Legislature in joint session. The

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1 Board <sup>may,</sup> ~~shall have power~~ in accordance with law, ~~to~~  
2 formulate policy, and ~~to~~ appoint the President of the  
3 University, who shall be its executive officer.

~~Rule of~~ 4 Section <sup>6p</sup> 7. Titles <sup>and</sup> subtitles ~~and original titles~~  
Interpre- 5 ~~shall~~ <sup>shall</sup> not ~~to~~ be used for purposes <sup>in construing</sup> of interpreting this  
tation 6 Constitution. *Personal pronouns used*

7 ~~Section 12~~ In this Constitution the ~~personal pronoun~~  
8 ~~shall be interpreted to~~ <sup>shall be construed as</sup> include persons of both sexes.

*General Power* 9 Section <sup>7</sup> 4. The enumeration in this Constitution <sup>shall</sup> of  
10 specified powers ~~is~~ not ~~to~~ be <sup>construed</sup> interpreted as <sup>ing</sup> a limitation  
11 upon the powers of the State, ~~government.~~

*Provision self-executing* 12 Section <sup>8</sup> 5. The provisions of this Constitution <sup>shall</sup>  
13 ~~shall~~ be <sup>continued to be</sup> interpreted as self-executing whenever possible.

*Section 9 to be provided later* 14 Section 10. Service in the armed forces of the  
Profit 15 United States or of the State is not an office or position  
16 of profit as the term is used in this Constitution.

Disclaim- 17 Section 13. The State of Alaska and its people do  
er Regard 18 agree <sup>(1)</sup> that they forever disclaim all right and title to  
ing 19 any lands or other property not granted or confirmed to  
Native 20 the State or its political subdivisions by or under the  
Lands 21 authority of the Act of Admission of this State, the  
*omit* 22 right or title to which is held by the United States or  
23 is subject to disposition by the United States, and to  
24 any lands or other property, ~~including fishing rights,~~ the  
25 right or title to which may be held by any Indians,

1 Eskimos, or Aleuts, hereinafter called natives, or is  
2 held by the United States in trust for said natives; that  
3 all such lands or other property, belonging to the United  
4 States or which may belong to said natives, shall be and  
5 remain under the absolute jurisdiction and control of the  
6 United States until disposed of under its authority, ex-  
7 cept to such extent as the Congress has prescribed or may  
8 hereafter prescribe and except when held by individual  
9 natives in fee without restrictions on alienation; and  
10 <sup>3</sup> that no taxes shall be imposed by the State upon any lands  
11 or other property now owned or hereafter acquired by the  
12 United States or which, as hereinabove set forth, may  
13 belong to said natives, except to such extent as the Con-  
14 gress has prescribed or may hereafter prescribe, and ex-  
15 cept when held by individual natives in fee without re-  
16 striction on alienation.

Consent  
to  
Enabling  
Act

17 Section 11. All provisions of the Act admitting  
18 Alaska to the Union which reserve rights or powers to  
19 the United States, as well as those prescribing the terms  
20 or conditions of the grants of lands or other property,  
21 ~~made in Alaska~~, are consented to fully by the State of  
22 ~~Alaska~~ and its people.

*Section 12 to be provided*

*Back to page 2 for Sections 13 and 14*

Files - Art. VII

Section 9.

Law-Making Powers

As used in this constitution, the terms "by law" and "by the ~~the~~ legislature", or variations of these terms, are used interchangeably when related to the law-making ~~power~~ powers. ~~Unless action of the law~~ ~~by the legislature is clearly inapplicable~~ ~~or~~

→ 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 II

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