

Committee Proposal 17/c/Revised, dated January 29, 1956, after consideration in second reading, was referred to the two committees (Ordinances etc. and Style and Drafting). A new version was prepared, Committee Proposal 17/c/Second Revision, which formed the basis for the Style and Drafting Report dated January 31, and the final Style and Drafting Report dated February 1, 1956. This accounts for the designation on the Style and Drafting Report, 17/c/S.R.

The Second Revision was never duplicated. A copy is in the folder of the Style and Drafting Committee Work Files, designated Article XV, Schedule.

Constitutional Convention
Committee Proposal/17
January 20, 1956

ALASKA CONSTITUTIONAL CONVENTION

REPORT OF COMMITTEE ON ORDINANCES
AND TRANSITIONAL MEASURES

Hon. William A. Egan
President, Constitutional Convention

Dear Mr. President:

Your Committee on Ordinances submits herewith its proposed Schedule to the Constitution consisting of 17 sections.

Delegate proposals have been fully considered. Portions of Proposal No. 39 were adopted.

Delegate Proposal No. 46 was considered legislative.

Delegate Proposal No. 33 on fish traps was augmented and is submitted on a favorable vote 5 for and 4 against.

Delegate Proposal 28 on the State Capital was adopted in part. Delegate Proposals No. 11 and No. 24 were considered.

Committee Proposal No. 4 was considered and rejected in favor of other handling of the Capital in the Schedule.

Both as to fish traps and the capital, members of the Committee reserve the right to speak as they see fit when the matter comes to the convention floor.

The term of office for the first Governor and Secretary was adopted as proposed by the Executive Committee.

Committee Proposal/17.

The TENNESSEE PLAN ORDINANCE will be submitted
separately.

Respectfully submitted,

Robert J. McNealy, Chairman

James Hurley, Vice-Chairman

Herb Hilscher

Seaborn J. Buckalew

Yule F. Kilcher

William W. Knight

W. W. Laws

B. D. Stewart

H. R. VanderLeest

Constitutional Convention
Committee Proposal/17
January 20, 1956

Alaska Constitutional Convention

COMMITTEE PROPOSAL NO. 17

Introduced by Committee on Ordinances and Transitional Measures

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

SCHEDULE

That no inconvenience may result because of change from a
territorial to a state form of government, it is declared
and ordained:

Effective Date	1	Section 1. This Constitution shall be in force
	2	immediately upon the admission of Alaska into the
	3	Union as a State.
State Capital	4	Section 2. The capital of the State of Alaska
	5	shall be at Juneau.
Former Laws in Force	6	Section 3. All laws of the Territory of Alaska
	7	in force at the time this Constitution takes effect
	8	and not inconsistent therewith shall be and remain in
	9	force as the laws of the State until they expire by
	10	their own limitation, are altered or repealed.
Saving of Existing Rights and Liabilities	11	Section 4. Except as otherwise provided in this
	12	Constitution, all civil, criminal and administrative
	13	proceedings, rights, contracts, taxing powers, liabilities,

1 and property of whatsoever nature shall continue un-
2 affected notwithstanding the taking effect of this
3 Constitution, except that the State, or subdivision
4 thereof, shall be the legal successor to the
5 Territory, or subdivision thereof, in respect thereof
6 and all pending causes brought under or by virtue of
7 territorial law shall be transferred in their entirety
8 to the proper State Court or body when organized as
9 though commenced, filed or lodged therein at the first
10 instance.

Officers
to
Continue

11 Section 5. All officers of the Territory and any
12 subdivision thereof who are in office by election
13 or appointment on the date this Constitution takes
14 effect shall continue to hold their offices and to
15 perform the functions thereof in a manner not in-
16 consistent with this Constitution, unless the functions
17 of their offices are abolished or until their
18 successors shall have qualified in accordance with this
19 Constitution or any laws enacted pursuant thereto.

Debts Due
and
Owed

20 Section 6. The debts and liabilities of the
21 Territory shall be assumed and paid by the State, and
22 all debts owed to the Territory shall be collected by
23 the State; all property and records of whatsoever nature
24 owned or held by the territory, or any agency thereof,
25 shall inure to the State.

Citizens
of
State

1 Section 7. When this Constitution takes effect,
2 all persons domiciled in Alaska, citizens of the
3 United States, shall be citizens of the state for all
4 purposes.

5 Requirements as to residence citizenship or other
6 status or qualifications prescribed by this
7 Constitution shall be satisfied by corresponding
8 residence, citizenship or other status or qualifications
9 under the Territory.

Seal; Flag

10 Section 8. Until otherwise provided by law, the
11 seal of the territory shall be the seal of the state and
12 the legislature shall prescribe seals for courts,
13 officers or boards created by this Constitution, or by
14 law.

15 The flag of the territory shall be the flag of the
16 State.

Ratifica-
tion

17 Section 9. This Constitution shall be submitted to
18 the voters of Alaska for ratification or rejection at the
19 territorial primary election to be held on the 24th day
20 of April, 1956, to be conducted according to existing
21 laws regulating primary elections, so far as applicable,
22 except as herein provided.

Questions
Returns

23 Section 10. Each elector who offers to vote upon
24 this Constitution shall be given a ballot by the election
25 judges which in substance shall contain the following:

1 FOR THE CONSTITUTION /

2 AGAINST THE CONSTITUTION /

3 The returns of this election shall be made to the
4 Governor of Alaska and shall be canvassed substantially
5 in the manner provided by law for territorial elections.

Accepted
Governor
to Act

6 Section 11. If a majority of all the votes cast
7 for and against the Constitution shall be given for
8 the Constitution, then this document shall be deemed
9 to be approved and accepted by the people of Alaska,
10 and shall take effect accordingly. The Governor of
11 Alaska shall forthwith submit a certified copy of the
12 Constitution through the President to the Congress
13 for approval, together with a statement of the votes
14 cast thereon.

Governor to
Proclaim
Election

15 Section 12. When the people of the Territory ratify
16 this Constitution and the same is approved by the duly
17 constituted authority of the United States admitting
18 Alaska into the Union, the governor of the Territory
19 shall, within 30 days after receipt of the official
20 notification of such approval, issue a proclamation for
21 a primary and general election, at which officers for
22 all state elective offices provided for by this
23 Constitution shall be nominated and elected; provided
24 that the officers to be elected shall include two
25 senators, and one representative to the Congress to be

1 elected at large, unless otherwise elected by virtue
2 of a separate ordinance to this Constitution.

First
Elections

3 Section 13. Said primary election shall take place
4 not less than 40 nor more than 90 days after said
5 proclamation and the general election shall take place
6 within 50 days after the primary election. All elections
7 provided for in these ordinances shall be conducted,
8 insofar as possible, under territorial laws relating
9 to elections of members of the legislature and the returns
10 thereof shall be made, canvassed and certified in the
11 manner prescribed by law. The Governor shall thereupon
12 certify the results thereof to the President.

Officers
to Take
Office

13 Section 14. Upon the issuance by the President of
14 a proclamation announcing the results of said election
15 and the admission of this State to the Union, the officers
16 elected and qualified shall proceed to exercise and dis-
17 charge the duties of their respective offices.

Term of
Governor
and
Secretary

18 Section 15. The first Governor and secretary of
19 state shall hold office for a term beginning with the
20 day on which they are elected and qualified and ending
21 at noon on the first Monday in December of the even
22 year following the next Presidential election. This
23 term shall count as a full term for purposes of deter-
24 mining eligibility for reelection only if it is four
25 years or more in duration.

1 (Proposal 14, Page 3-4 contains provision to elect state
2 senators and representatives.)

Certifica-
tion of
Senators
and
Representa-
tives

3 Section 16. The Governor of the State and
4 secretary of state shall certify the election of the
5 senators and a representative to the Congress in the
6 manner prescribed by law unless said senators and
7 representatives have been otherwise seated by the
8 Congress.

Supplemental
Provision

9 Section 17. The Territorial Legislature may enact
10 laws necessary to supplement and make effective these
11 ordinances in order to assure the functioning and orderly
12 transfer of the Government until the officers provided
13 for by this Constitution are elected and qualified,
14 and until this Constitution takes effect.

Ordinance
to
Abolish
Fish Traps

15 Section 18. If this Constitution shall be accepted
16 by the electors and a majority of all the votes cast for
17 and against the ordinance to abolish fish traps shall be
18 cast for adoption of the ordinance, then the following
19 section shall be added to the Article entitled "General
20 and Miscellaneous Provisions", and shall be part of this
21 Constitution.

22 "Section _____ As a matter of urgency, to
23 relieve economic distress among individual
24 fishermen and those dependent upon them for
25 a livelihood, to conserve the rapidly dwindling

1 supply of salmon in Alaska, to make manifest the
2 will of the people of Alaska at the earliest
3 possible date, the use of fish traps for the
4 taking of salmon for commercial purposes is
5 hereby prohibited in all the waters of the state.
6 Violations of this section shall be punishable by
7 a fine not to exceed \$5,000.00 and by confiscation
8 of the fish traps. The police power of the state
9 shall be used to the extent necessary to enforce
10 this section."

Questions
Returns

11 Section 19. Each qualified voter who offers to
12 vote upon this Constitution shall be given a ballot by
13 the election judges which in substance shall contain the
14 following proposition:

15 FOR ABOLISHING FISH TRAPS

16 AGAINST ABOLISHING FISH TRAPS

First
Judicial
Council
(Transi-
tional)

17 Section 20. The first members of the Judicial
18 Council shall, notwithstanding Section 8, Article____,
19 be appointed for terms as follows: three attorney
20 members for one, three and five years respectively,
21 and three non-attorney members for two, four, and
22 six years respectively. The six members so appointed
23 shall submit to the Governor nominations to fill the
24 initial vacancies on the Supreme Court, including the
25 office of Chief Justice. Once the Chief Justice is
26 appointed, he shall assume his seat on the Judicial Council.'

Alaska Constitutional Convention

COMMITTEE PROPOSAL NO. 17/a

Introduced by Committee on Ordinances and Transitional Measures

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

SCHEDULE

* * * * *

State
Capital

1 Section 2. The capital of the State of Alaska
2 shall be at Juneau.

* * * * *

Ordinance
to Abolish
Fish Traps

3 Section 20. If this constitution shall be accepted
4 by the electors and a majority of all the votes cast for
5 and against the ordinance to abolish fish traps shall
6 be cast for adoption of the ordinance, then the follow-
7 ing section shall become effective:

8 "As a matter of immediate public necessity, to
9 relieve economic distress among individual fishermen
10 and those dependent upon them for a livelihood, to
11 conserve the rapidly dwindling supply of salmon in
12 in the public domain of Alaska, to ensure fair
13 competition among those engaged in commercial fish-
14 ing, and to make manifest the will of the people of

1 Alaska pending the establishment of the first
2 state legislature, the use of fish traps for
3 the taking of salmon for commercial purposes
4 is hereby prohibited in all the waters of the
5 State until otherwise provided by law. Viola-
6 tions of this section shall be punishable by a
7 fine not to exceed \$5,000.00 and by confiscation
8 of the fish traps. The police power of the
9 State shall be used to the extent necessary to
10 enforce this section."

Questions
Returns

11 Section 21. Each qualified voter who offers to
12 vote upon this Constitution shall be given a ballot
13 by the election judges which in substance shall con-
14 tain the following proposition:

15 FOR ORDINANCE ABOLISHING FISH TRAPS
16 AGAINST ORDINANCE ABOLISHING FISH TRAPS

* * * * *

Constitutional Convention
Committee Proposal/17b
January 25, 1956

Alaska Constitutional Convention

COMMITTEE PROPOSAL NO. 17b

Introduced by Committee on Ordinances and Transitional Measures

RESOLVED, that the following be agreed upon as part of the

Alaska State Constitution:

SCHEDULE

That no inconvenience may result because of change from a territorial to a state form of government, it is declared and ordained:

Effective Date	1	Section 1. This constitution shall be in
	2	force immediately upon the admission of Alaska
	3	into the Union as a State.
State Capital	4	Section 2. (See Committee Proposal/
	5	17a.)
Former Laws in Force	6	Section 3. All laws in force in the Terri-
	7	tory of Alaska when this constitution takes
	8	effect and not inconsistent therewith shall be
	9	and remain in force until they expire by their
	10	own limitation, are altered or are repealed.
Saving of Existing Rights and Liabilities	11	Section 4. Except as otherwise provided
	12	in this constitution, all rights, titles, actions,
	13	suits, contracts, liabilities and civil, criminal

1 or administrative proceedings shall continue
2 notwithstanding the change from territorial to
3 state government, and the State shall be the
4 legal successor to the Territory with respect
5 thereto.

Local
Government

6 Section 5. Pending adoption of measures
7 to carry out the provisions of the local govern-
8 ment article of this constitution, cities,
9 school districts, public utility districts and
10 other local subdivisions of government in
11 Alaska shall continue to exercise their powers
12 and functions under existing law but new cities,
13 districts or subdivisions shall be created only
14 in accordance with this constitution.

Officers to
Continue

15 Section 6. All officers performing functions
16 vested by this constitution in the state on the
17 date this constitution takes effect shall continue
18 to perform these functions in a manner consistent
19 with this constitution until their offices or
20 functions are abolished or otherwise provided
21 for in accordance with this constitution or any
22 laws enacted pursuant thereto.

Debts Due
and Owed

23 Section 7. The debts and liabilities of
24 the Territory shall be assumed and paid by the
25 State, and all debts owed to the Territory shall

1 be collected by the State. The state shall
2 succeed to all property and records owned or
3 held by the Territory, or any agency thereof.

Correspond-
ing Qualifi-
cations

4 Section 8. Residence or other qualifications
5 prescribed by this constitution shall be satisfied
6 by corresponding qualifications under the
7 Territory.

Seal

8 Section 9. The seal of the territory, sub-
9 stituting the word "state" for "territory", shall
10 be the seal of the state.

Flag

11 Section 10. The flag of the territory shall
12 be the flag of the State.

Ratifica-
tion

13 Section 11. This constitution shall be sub-
14 mitted to the voters of Alaska for ratification
15 or rejection at the territorial primary election
16 to be held on the 24th day of April, 1956, to be
17 conducted according to existing laws regulating
18 primary elections so far as applicable.

Questions
Returns

19 Section 12. Each elector who offers to vote
20 upon this constitution shall be given a ballot
21 by the election judges which in substance shall
22 contain the following proposition:

23 SHALL THE CONSTITUTION FOR THE STATE
24 OF ALASKA DRAWN UP AND AGREED UPON BY
25 THE ALASKA CONSTITUTIONAL CONVENTION
26 BE ADOPTED?

YES

NO

1 The returns of this election shall be made to the
2 Governor of Alaska and shall be canvassed sub-
3 stantially in the manner provided by law for
4 territorial elections.

Steps Upon
Acceptance

5 Section 13. If a majority of all the votes
6 cast for and against the constitution shall be
7 given for the constitution, then this document
8 shall be deemed to be approved and accepted by
9 the people of Alaska. The governor of Alaska
10 shall forthwith submit a certified copy of the
11 constitution through the President to the
12 Congress for approval, together with a statement
13 of the votes cast thereon.

Governor to
Proclaim
Election

14 Section 14. When the people of the Terri-
15 tory ratify this constitution and the same is
16 approved by the duly constituted authority of
17 the United States, the governor of the Territory
18 shall, within 30 days after receipt of the
19 official notification of such approval, issue
20 a proclamation and take other steps required
21 to hold a primary and general election, at which
22 officers for all state elective offices provided
23 for by this constitution shall be nominated and
24 elected.

First
Elections

1 Section 15. The primary election shall take
2 place not less than 40 nor more than 90 days
3 after the proclamation of the Governor and the
4 general election shall take place within 90
5 days after the primary election. The elections
6 provided for herein shall be governed by this
7 constitution and, to the extent applicable,
8 by territorial laws.

U. S.
Senators
and a
Representative

9 Section 16. The officers to be elected at
10 the first general election shall include two
11 senators and one representative to the Congress,
12 unless senators and a representative have been
13 previously elected and seated in the Congress
14 of the United States. With respect to Con-
15 gressional elections held in accordance with this
16 section, one senator shall be elected for the
17 "long term" and one senator for the "short term",
18 each term to expire on the third day of January
19 in an odd-numbered year to be determined by
20 authority of the United States; the term of
21 the representative shall expire on the third day
22 of January in the odd-numbered year immediately
23 following the taking of his seat, but if the
24 first representative is elected in an even-
25 numbered year to take office before the third

1 day of January next, a representative to fill
2 the full term commencing on said third day of
3 January shall be elected simultaneously, and the
4 same person may be elected to both terms.

Terms of
First State
Legislators

5 Section 17. The first state legislators
6 shall hold office for a term beginning with the
7 day on which they are elected and qualified and
8 ending at noon on the fourth Monday in January
9 after the next general election, with senators
10 elected for "four year" terms serving an addi-
11 tional two years, provided that if the first
12 election occurs at any time during an even-
13 numbered year, that election shall be deemed
14 to be the general election for that year.

Term of
Governor
and
Secretary

15 Section 18. The first governor and secretary
16 of state shall hold office for a term beginning
17 with the day on which they are elected and
18 qualified and ending at noon on the first Monday
19 in December of the even year following the
20 next Presidential election. This term shall
21 count as a full term for purposes of determining
22 eligibility for reelection only if it is four
23 years or more in duration.

Election
Returns

24 Section 19. The returns of the first
25 general election shall be made, canvassed and

1 certified in the manner prescribed by law. The
2 governor shall thereupon certify the results to
3 the President.

Officers
to Take
Office

4 Section 20. Upon the issuance by the
5 President of a proclamation announcing the
6 results of said election, and the State having
7 been admitted into the Union, the officers
8 elected and qualified shall proceed to discharge
9 their duties.

First
Session
of the
Legislature

10 Section 21. The governor shall convene a
11 special session of the first state legislature,
12 without limit as to duration, within 30 days
13 after the legislators are elected, if a regular
14 session of the legislature would not normally
15 fall within that period.

First
Judicial
Council

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

1 appointed, he shall assume his seat on the
2 Judicial Council.

Transfer of
Court Juris-
diction

3 Section 23. When this constitution takes
4 effect, the Judicial Article _____ shall become
5 effective only to the extent necessary to bring
6 about the organization of the courts and the
7 promulgation of rules provided for therein.
8 Upon the advice of the chief justice, the
9 governor shall by proclamation name the date
10 when the transfer of jurisdiction from Terri-
11 torial and United States courts shall commence.
12 Prior to that date, the Territorial and United
13 States courts shall continue, subject to the
14 laws of the United States and of the State, to
15 exercise the necessary judicial functions for
16 the State. After the date set for the transfer
17 of jurisdiction, the state courts shall assume
18 jurisdiction of all new causes properly coming
19 under the judicial power of the State and shall
20 begin to take jurisdiction of pending causes
21 in accordance with applicable laws and rules.

Questions
Returns

22 Sections 24 and 25. (See Committee Proposal/
23 17a, Sections 20 and 21.)

Supple-
mentary
Measures

24 Section 26. The Territorial legislature
25 shall enact measures designed to give effect

- 1 to the provisions of this Article and to
- 2 ensure an orderly transfer of the government.

Constitutional Convention
Committee Proposal/17c
January 26, 1956

Alaska Constitutional Convention
Committee Proposal No. 17/c

Introduced by Committee on Ordinances and Transitional Measures
RESOLVED, that the following sections be adopted as part of the
schedule of the Alaska State Constitution:

SCHEDULE

* * * * *

Appointment
of First
Legislators

1 Section 27. The provisions of Section 5 of
2 Article II of this constitution shall not prohibit
3 the appointment of any member of the legislature
4 first organized under this constitution to any
5 state civil office or position created by this
6 constitution or created during his first term.

Tennessee
Plan

7 Section 28. Ordinance II. Since the election
8 of two United States Senators and a Representative
9 to the Congress of the United States is a necessary
10 and proper measure in preparation for the admission
11 of Alaska as a State of the Union, it is hereby
12 ordered as follows:

Election of
U. S.
Senators and
Representative

13 (1) Upon ratification of this constitution
14 by the people of Alaska, and separate approval
15 of this ordinance by a majority of all the

1 votes cast for and against this ordinance,
2 there shall be chosen at the general election
3 immediately following such ratification two
4 persons to serve as members of the Senate of
5 the United States, one for the regular term,
6 expiring on January 3, 1963, and the other for
7 an initial short term, expiring on January 3,
8 1961, unless when they are seated the Senate
9 prescribes earlier expiration dates for one
10 or both of them, and one person to serve as a
11 member of the House of Representatives of the
12 United States for the regular term of two years,
13 expiring January 3, 1959.

14 (2) Until the admission of Alaska into
15 the Union as a State, the persons nominated
16 and elected to these offices may also hold or
17 be nominated and elected to other offices of the
18 territory or of the United States.

19 (3) The applicable laws of the territory
20 shall govern nominations and elections to these
21 offices, provided that the Director of Finance
22 shall place on the ballot for the primary
23 election to be held on the 24th of April, 1956
24 the names of qualifying candidates for party
25 nomination therefor who file their declaration

1 of candidacy on or before February 20, 1956.
2 The Director of Finance shall place on the
3 ballot for the general election the name of
4 the candidate of each political party receiving
5 the largest number of votes for the respective
6 office at the primary election, and also the
7 names of qualifying independent candidates
8 who file a declaration of their candidacy prior
9 to February 20, 1956.

10 (4) If for any reason primary elections
11 do not serve as a basis for party nominations
12 to these offices for the general election,
13 then one nomination to each office may be made
14 at a party convention convened by each of the
15 political parties of Alaska. Each such party
16 shall certify its candidates to the Director
17 of Finance of the territory on or before
18 July 1, 1956, who shall place the names of the
19 candidates on the ballot for the next general
20 election. The names of qualified independent
21 candidates for these offices shall also be
22 placed on the ballot for the next general
23 election provided that the filing shall be
24 accomplished on or before July 1, 1956.

25 (5) The applications for filing and the

1 ballot form shall clearly indicate whether the
2 candidates for United States Senator are running
3 for the office carrying the regular or the short
4 term. The candidate receiving the largest
5 number of the votes cast for the office shall
6 be elected. The duties and emoluments of these
7 offices shall be as provided by law. The
8 unexpended and unobligated funds appropriated
9 to the Alaska Constitutional Convention by
10 Chapter 46, Session Laws of Alaska, 1945, may
11 be used to defray expenses attributable to
12 elections under this ordinance.

13 (6) Should the Senators and the Representa-
14 tive be elected and seated in the Congress of
15 the United States after the Congress approves
16 this constitution but before the first elections
17 are held for elective state offices under this
18 constitution, then the following section shall
19 be substituted for Article _____, Section _____
20 of the constitution.

21 "This constitution shall take effect upon
22 admission of Alaska into the Union as a
23 state in the following manner:

24 Section _____ (re. first election of state
25 officers) shall take effect immediately

Ballot Form

1 and the rest of the constitution shall
2 take effect on the date that the elected
3 Governor of the state takes office."
4 (7) Each qualified voter who offers to
5 vote upon this constitution shall be given a
6 ballot by the election judges which in substance
7 shall contain the following proposition:
8 SHALL ORDINANCE NO.____(TENNESSEE
9 PLAN) SET FORTH IN THE PROPOSED
10 CONSTITUTION FOR THE STATE OF
11 ALASKA, CALLING FOR THE IMMEDIATE _____
12 ELECTION OF TWO UNITED STATES YES
13 SENATORS AND ONE UNITED STATES _____
14 REPRESENTATIVE, BE ADOPTED? NO

Constitutional Convention
Committee Proposal/17c/Revised
January 29, 1956

Alaska Constitutional Convention

Committee Proposal No. 17/c/Revised

Introduced by Committee on Ordinances and Transitional Measures

RESOLVED, that the following sections be adopted as part of the
schedule of the Alaska State Constitution:

SCHEDULE

* * * * *

Appointment
of First
Legislators

1 Section 27. The provisions of Section 5 of
2 Article II of this constitution shall not prohibit
3 the appointment of any member of the legislature
4 first organized under this constitution to any
5 state civil office or position created by this
6 constitution or created during his first term.

Special
Voting
Provision

7 Section 28. Citizens who legally voted in the
8 general election of November 4, 1924, and who fulfill
9 the residence requirements for voting, shall be
10 entitled to vote notwithstanding the provisions of
11 Article V, Section 1 of this Constitution.

Tennessee
Plan

12 Section 29. Ordinance II. Since the election
13 of two United States Senators and a Representative to
14 the Congress of the United States is a necessary
15 and proper measure in preparation for the admission

1 of Alaska as a State of the Union, it is hereby
2 ordered, pursuant to Chapter 46, Sessions Laws of
3 Alaska, 1945, and in order to carry out the purposes
4 of this Convention, as follows:

Election of
U. S.
Senators and
Representative

5 (1) Upon ratification of this constitution
6 by the people of Alaska, and separate approval
7 of this ordinance by a majority of all the
8 votes cast for and against this ordinance,
9 there shall be chosen at the general election
10 immediately following such ratification two
11 persons to serve as members of the Senate of
12 the United States, one for the regular term,
13 expiring on January 3, 1963, and the other for
14 an initial short term, expiring on January 3,
15 1961, unless when they are seated the Senate
16 prescribes earlier expiration dates for one
17 or both of them, and one person to serve as a
18 member of the House of Representatives of the
19 United States for the regular term of two years,
20 expiring January 3, 1959. Such persons shall
21 meet the qualifications for these offices as
22 set forth in the Constitution of the United
23 States and shall be qualified voters of Alaska.

Can Hold Other
Offices

24 (2) Until the admission of Alaska into
25 the Union as a State, the persons nominated

1 The Secretary of the Convention shall arrange
2 for the preparation of ballots bearing the
3 names of all candidates for these offices in
4 general conformity with the provisions of law
5 for the preparation of primary ballots as
6 prescribed in Section 38-4-4, ACLA 1949, and
7 for the distribution of Official and Sample
8 ballots to the Clerks of the Court for the
9 respective Judicial Divisions. Across the head
10 of each ballot shall be printed in large type
11 the words "Official (or Sample) Primary Ballot",
12 and in smaller type, "Candidates for U. S.
13 Senate and House of Representatives". The
14 ballot shall include a statement referring to
15 this ordinance and the purpose thereof. The
16 Secretary may supply the Clerks of the Court
17 with such additional election supplies as may
18 be necessary. The Director of Finance shall,
19 on or before June 15, 1956, certify to the
20 Clerks of the Court of each Division the names
21 of all candidates who have been nominated
22 for these offices, including the names of
23 qualifying independent candidates who file a
24 declaration of their candidacy on or before
25 February 20, 1956.

Party Conventions 1
and Filing by 2
Independents 2

(5) If primary elections for these offices
are not held in all Divisions of the Territory
of if, for any other reason, the Director of
Finance has not, by June 25, 1956, certified to the
Clerks of the Court of the respective Divisions,
the names of the party nominees for these offices,
then party nominations for each of these offices
may be made by party conventions in the same
manner as set forth in Section 38-4-11, ACLA
1949, for filling a vacancy in a party nomina-
tion occurring in a primary election. The
Chairman and Secretary of the Central
Committee of each major political party shall
immediately upon such nominations being made
and in no event later than July 15, 1956,
certify by telegraph or otherwise the names of
the candidates nominated to the Clerk of the
Court in each Division, who shall place the
names of the candidates on the ballot for the
general election. The names of qualifying
independent candidates for these offices shall
also be placed on the ballot for the next
general election if they have filed a declara-
tion of their candidacy with the Director of
Finance on or before July 15, 1956.

General
Elections

1 (6) The applications for filing and the
2 ballot form shall clearly indicate whether the
3 candidates for United States Senator are
4 running for the office carrying the regular or
5 the short term. The candidate receiving the
6 largest number of the votes cast for the office
7 shall be elected. The unexpended and unobligated
8 funds appropriated to the Alaska Constitutional
9 Convention by Chapter 46, Session Laws of
10 Alaska, 1945, may be used to defray expenses
11 attributable to elections under this ordinance.

Entry into
Force of
Constitution

12 (7) Should the Senators and the Representa-
13 tive be elected and seated in the Congress of
14 the United States after the Congress approves
15 this constitution but before the first elections
16 are held for elective state offices under this
17 constitution, then the following section shall
18 be substituted for Article_____, Section_____
19 of the constitution.

20 "This constitution shall take effect upon
21 admission of Alaska into the Union as a
22 state in the following manner:

23 Section_____(re. first election of state
24 officers) shall take effect immediately
25 and the rest of the constitution shall

Ballot Form

1	take effect on the date that the elected	
2	Governor of the state takes office."	
3	(8) Each qualified voter who offers to	
4	vote upon this constitution shall be given a	
5	ballot by the election judges which in	
6	substance shall contain the following proposition:	
7	SHALL ORDINANCE NO. II (TENNESSEE	
8	PLAN) SET FORTH IN THE PROPOSED	
9	CONSTITUTION FOR THE STATE OF	
10	ALASKA, CALLING FOR THE IMMEDIATE	
11	ELECTION OF TWO UNITED STATES	<hr/>
12	SENATORS AND ONE UNITED STATES	YES
13	REPRESENTATIVE, BE ADOPTED?	<hr/>
		NO

Constitutional Convention
Ordinances/4
December 17, 1955

ALASKA CONSTITUTIONAL CONVENTION
INTERIM REPORT OF COMMITTEE ON
ORDINANCES AND TRANSITIONAL MEASURES

Hon. Willaim A. Egan, President
Alaska Constitutional Convention

Dear Mr. President:

Your Committee on Ordinances submits the attached interim report of ordinances to be proposed, progress made and a brief commentary, especially as to the TENNESSEE PLAN.

Respectfully submitted,

Robert J. McNealy, Chairman

James J. Hurley, Vice Chairman

Herb Hilscher, Secretary

W. W. Laws

B. D. Stewart

Tule F. Kilcher

H. R. VanderLeest

Seaborn J. Buckalew

William W. Knight

Constitutional Convention
Ordinances/4
December 17, 1955

INTERIM REPORT OF COMMITTEE IV
ORDINANCES AND TRANSITIONAL MEASURES

The Committee has prepared a number of transitional ordinances which are being held in Committee for three purposes:

1. Some change may be necessary in the wording due to adoption of certain proposals in the main body of the Constitution.
2. For further study, during recess, as to legality and phrasing.
3. For consideration of Reports of Public Hearings held during recess.

Of the many hundreds of reported cases attacking new constitutions, fully 90% have been directed against the transitional measures. For this reason your committee has caused legal research to be done that we may have court decisions supporting ordinances offered.

For the use of the Delegates during recess, materials on the TENNESSEE PLAN have been prepared for distribution. An ordinance submitting this plan to the voters will be proposed by the Committee after recess. At Public Hearings the TENNESSEE PLAN should be discussed before the public.

The following ordinances to be proposed are held in Committee during recess. Other Ordinances required are in the drafting stage.

SCHEDULE

That no inconvenience may result because of change from a territorial to a state form of government, it is declared and ordained:

TRANSITIONAL PROVISIONS

Section 1. (Constitution to take effect) This constitution shall be in force immediately upon the admission of Alaska into the Union as a State.

Section 2. (Former laws in force) All laws of the Territory of Alaska in force at the time this constitution takes effect and not inconsistent therewith shall be and remain in force as the laws of the State until they expire by their own limitation, are altered or repealed.

Section 3. (Saving of existing rights and liabilities) Except as otherwise provided in this Constitution, all civil, criminal and administrative proceedings, rights, contracts and liabilities of whatsoever nature shall continue unaffected notwithstanding the taking effect of this Constitution, except that the State shall be the legal successor to the Territory in respect thereof and all pending causes brought under or by virtue of territorial law shall be transferred in their entirety to the proper State Court or body when organized as though commenced, filed or lodged therein at the first instance.

Section 4. (Officers to continue in office) All officers of the Territory and any subdivision thereof who are in office by election or appointment on the date this constitution takes effect shall continue to hold their offices and to perform the functions thereof in a manner not inconsistent with this constitution, unless the functions of their offices are abolished or

until their successors shall have qualified in accordance with this constitution or any laws enacted pursuant thereto.

Section 5. (Debts due or owed) The debts and liabilities of the Territory shall be assumed and paid by the State, and all debts owed to the Territory shall be collected by the State; all property and records of whatsoever nature owned or held by the territory, or any agency thereof, shall inure to the State.

Section _____ (Seals) Until otherwise provided by law, the seal of the territory shall be the seal of the state and the legislature shall prescribe seals for courts, officers or boards created by this constitution, or by law.

Section _____ (Ratification) This constitution shall be submitted to the voters of Alaska for ratification or rejection at the territorial primary election to be held on the _____ day of April, 1956, to be conducted according to existing laws regulating primary elections, so far as applicable, except as herein provided.

Section _____ (Questions - Returns) Each elector who offers to vote upon this constitution shall be given a ballot by the election judges which in substance shall contain the following:

FOR THE CONSTITUTION

AGAINST THE CONSTITUTION

The returns of this election shall be made to the Governor of Alaska and shall be canvassed substantially in the manner provided by law for territorial elections.

Section _____ (If accepted, Governor to act) If a majority of all the the votes cast for and against the constitution shall be given for

the constitution, then this document shall be deemed to be approved and accepted by the people of Alaska, and shall take effect accordingly. The Governor of Alaska shall forthwith submit a certified copy of the constitution through the President to the Congress for approval, together with a statement of the votes cast thereon.

Section ____ (Amend or Supplement) It shall be the duty of the governor and the territorial legislature to supplement and make effective the ordinances herein contained.

After ratification the legislature of the territory may, by a two-thirds majority vote of the full membership of both houses in joint session assembled, amend or supplement these transitional provisions to meet the requirement of the enabling act of Congress admitting Alaska as a state.

Section ____ (Election of Senators and Representatives) Upon the ratification of this Constitution and the separate approval of this ordinance by the people, there shall be chosen at the general election next following such ratification and approval 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. Such persons shall meet the qualifications for membership in the Senate and House of Representatives of the United States as set out in the Federal Constitution and shall be qualified electors of the Territory of Alaska. At the said general election, the persons receiving the largest number of votes for each office shall be declared elected.

The political parties of Alaska, in Convention assembled, shall nominate their candidates for these offices. Each political party

shall certify to the Director of Finance of the Territory of Alaska, on or before July 1, 1956, its candidates for these offices. The Director of Finance of the Territory of Alaska shall certify the names of all nominees to the clerks of court for the respective judicial divisions of the Territory for placement on the ballot within 10 days after the same have been certified.

The provisions of Alaska Compiled Laws Annotated, 1949, section 38-5-10 as amended, shall be applicable for the purpose of placing on the ballot for the general election next following the ratification of this Constitution and the approval of this ordinance the names of independent candidates for the offices included in this ordinance, except that for the purpose of this ordinance the filing shall be July 1, 1956.

This ordinance shall require a separate, majority and affirmative vote of the people to make it effective. This ordinance shall appear separately and on the same ballot as that used in voting on the ratification of this Constitution. The following language shall be used:

Shall Convention Ordinance No. _____ (known as the "Tennessee Plan") of the Constitutional Convention, calling for the election of two United States Senators and one United States Representative, be adopted?

Yes

No

Any additional cost involved in electing two United States Senators and one United States Representative at the general

election next following the ratification of this Constitution and the approval of this ordinance shall be paid out of the unexpended funds appropriated to the Alaska Constitutional Convention by chapter 46, Session Laws of Alaska, 1955.

COMMENTARY

A commentary supported by decisions of the courts will be furnished at the time the committee proposal is brought to the floor. For the purposes of this interim report, only two sections are mentioned.

1. The Tennessee Plan Ordinance.

The committee would have preferred to provide for a primary election for two senators and a representative. There will be no convention funds to provide for a special primary election, it appears.

We cannot provide for a primary election when the Tennessee Plan and the Constitution is submitted to the voters at the regular primary. The reason for this is that the filing date for candidates for office ends on February 1, 1956 and it is manifestly impossible to have candidates file for the offices of Senators and Representative by that time.

The only alternative was to provide for these first candidates by party convention and independent candidates.

2. An ordinance providing for a referendum vote on the location of the State Capital was referred to this committee just prior to recess. The ordinance will be considered and reported out after the recess.

Constitutional Convention
Committee Proposal/17/z
February 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

Report of the Committee on Ordinances and Transitional Measures

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your committee on Ordinances and Transitional Measures
submits herewith a proposal for consideration of the Convention.

These are additional miscellaneous matters that can appro-
priately be considered in conjunction with Committee Proposal
No. 17 on Schedule.

Respectfully submitted,
Robert J. McNealy, Chairman
James Hurley
Herb Hilscher
Seaborn J. Buckalew
Yule F. Kilcher
William W. Knight
W. W. Laws
B. D. Stewart
H. R. VanderLeest

Constitutional Convention
Committee Proposal/17/z
February 2, 1956

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 17/z

Introduced by Committee on Ordinances and Transitional Measures

SCHEDULE

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

Separability
and Amendment
of Schedule

1 Section 30. If the Congress of the United States
2 rejects any provision in the schedule of this consti-
3 tution the constitution and the remainder of the
4 schedule shall not be impaired thereby. If any
5 change in the schedule is required by the Congress,
6 the territorial legislature may, by a two-thirds vote
7 of each house, make such change.

Orderly
Transition

8 Section 31. The territorial legislature and the
9 appropriate officials, federal and territorial, shall
10 take necessary action to insure the orderly transition
11 from territorial to state government.

Action by
Legislature

12 Section 32. If, after the people of Alaska,
13 ratify this constitution, Alaska has not been admitted
14 as a state before the fourth Monday in January, 1959,
15 the territorial legislature shall provide for the
16 election of officers under this constitution and for
17 proclaiming the date on which the constitution shall
18 become effective.

Ordinances/2 was assigned to "Draft Transitional Provisions"
of which there is no copy on file.

Progress

REPORT OF COMMITTEE NO. IV
ORDINANCES AND TRANSITIONAL MEASURES

Robert J. McNealy, Chairman,	Fairbanks	
Seaborn J. Buckalew, Member,	Anchorage	
Herb Hilscher,	"	, Anchorage - <i>SECRETARY</i>
James Hurley,	"	, Palmer - <i>VICE CHAIRMAN</i>
Yule F. Kilcher,	"	, Homer
William W. Knight,	"	, Sitka
W. W. Laws,	"	, Nome
B. D. Stewart,	"	, Juneau
H. R. Vanderleest	"	, Juneau

The committee has had the advise and assistance of Dr. Donald Moberg of the University of Alaska, Dr. *Ernest R.* Bartley, Constitutional Law expert from Florida, Tom Stewart, Secretary of the Convention, and legal research from the Federal Law Library with the permission of Honorable Vernon D. Forbes, United States District Judge for the Fourth Division, District of Alaska, with briefs of legal decisions being furnished by Lazar Dworkin, researcher.

I

The committee has considered proposals, letters and materials introduced, concerning transitory measures.

II

The committee has drawn, amended and holds in second reading the following necessary transitory measures:

Sec. 1 - Constitution to take Effect

Sec. 2 - Former laws in Force

Sec. 3 - Saving of Existing Rights and Liabilities

Sec. 4 - Officers to continue in Office

Sec. 5 - Debts due and Owed

Sec. 6 - Interim Method of Amendment

Sec. 7 - Election of First Officers

Other necessary subjects for schedule and transitory measures are in the drafting stage or being compared with Court decisions to assure legality.

Since there are literally hundreds of cases reported attacking every phase of state constitutions, and in view of the fact that the majority of these attacks have been made by way of injunction or mandamus against the transitory ordinances, this committee has and is spending a great deal of its time comparing and wording its ordinances to withstand every forceable Court action.

III

THE TENNESSEE PLAN

One of the important matters under consideration by this committee, and certainly the affair of greatest reading interest to the People of Alaska, is the TENNESSEE PLAN.

So far as the Constitutional Convention is concerned, this plan arose in the Ordinance Committee. Credit to bringing this plan for consideration rightfully goes to George H. Lehleitner, a ~~wealthy~~ New Orleans, La. businessman, advocate of immediate statehood for Alaska and Hawaii. Nearly all members of the committee have at one time or another in the past year talked with Mr. Lehleitner on the subject and the committee has secured much of its historical material from or through him. Of especial note is the research of the Library of Congress by William R. Tansill of the Legislature Reference Service compiled for Senator Long of Louisiana and given by him to Mr. Lehleitner.

Russell
The Committee has also studied early Court decisions and other materials in this connection and because of the future historical value, as advanced by one of the expert consultants, the interest to delegates and the People of Alaska, a brief summary of the plan is incorporated in this report, as follows:

Fifteen States entered the Union without prior enabling acts. Of these only Tennessee, Michigan, California and Oregon will be considered for the purposes of this report.

The Tennessee Plan is briefly the calling of a Constitutional Convention as we have done, writing a Constitution as we are doing, having it ratified by the people as it will be, and electing at least two Senators and a Representative to Congress as we

hope to do; all without the prior consent of Congress in an enabling act.

1. Tennessee. - Sentiment for statehood arose shortly after Tennessee became a territory in 1790. The people forced the governor to call an election for delegates to a Constitutional Convention, with consent of Congress. The elected delegates met January 11, 1796, and completed their Constitution on February 6, 1796. The document was not submitted to the people for ratification but the delegates decreed it to be in effect.

Three days later Governor Blount, also President of the Convention sent a copy of the Constitution to the U. S. Secretary of State. The legislature assembly formed by the Constitution met on March 28, 1796, and chose two Senators and provided for election of two Representatives. Less than two weeks later President Washington submitted the new Tennessee Constitution to Congress for approval.

A battle arose in the House between the Jeffersonians and Federalists as it appeared that the Tennessee elect were all Jeffersonians. The two Senators elect appeared on May 23rd and asked to be seated. This request was refused but the Senate provided seats for them as "spectators". On June 1, 1796, the statehood bill was approved. By a vote of 11 to 10 the Senators were required to be re-elected as well as the Representatives. It is of interest to note that ANDREW JACKSON was elected the sole representative seat granted Tennessee.

2. Michigan. - Without consent of Congress, the territorial legislature provided for election of delegates to a Constitutional Convention. The delegates assembled in May 11, 1835 and concluded their labors on June 24, 1835. The Constitution was ratified by the people, and a Governor, State Legislature and Representative to Congress were elected at the same time.

6,299 to

1,395,

November 2, 1835, the State Legislature elected two Senators. December 7, 1835, Michigans Senators and Representation appeared in Washington with requests for recognition. On December 10th a Motion that the courtesy of the Senate be accorded the newly elect was tabled.

June 15, 1836, an act of Congress admitting Michigan was approved provided that she redefine her boundaries to Ohio's advantage. It required two further conventions before Michigan would agree to surrender certain lands to Ohio but it was done at last and Michigan was admitted to the Union January 26, 1837.

3. California. - California did not even have territorial status in 1849. The military governor issued a proclamation

calling a Constitutional Convention, delegates were elected August 1, 1849, and met September 1, 1849, and concluded drawing the Constitution October 13, 1849.

12,061
to 811

On November 13th an election was held, the Constitution ~~was~~ ratified and a Governor, Lieutenant Governor, two Congressmen and members of the State Legislature were elected. A month later the legislature chose two U. S. Senators.

In February 1850 the elected delegation appeared in Washington and presented their credentials together with a memorial which said in part:

"They did not present themselves as supplicants, nor with arrogance or presumption. They came as free American Citizens - citizens by treaty, by adoption and by birth--and asked for a common share in the common benefits and common ills, and for the opportunity to promote the general welfare as one of the United States"

Due to the slavery question an eight months debate was set off. ~~with~~ California ~~being~~ admitted ~~in~~ September 9, 1850, and her elected officials seated in the Senate and the House.

4. Oregon. - The last state to enter the Union in this unique fashion, Oregon assembled its Constitutional Convention August 17, 1857, and adjourned September 18, 1857. The Constitution provided that a special election be held in June 1858 to elect state officers, legislature and a representative. The following month the legislature elected two Senators, one of them being Joseph Lane, Delegate to Congress.

The elected presented themselves for seats. Since Oregon was Democratic the Republicans objected to admission and Congress adjourned for the summer. More opposition was encountered from the Oregon newspapers than was found in the Capital.

"Extensive lobbying was done by the Senators and Representative elect as they were anxious to start drawing their pay." Finally on February 14, 1859, President Buchanan signed the bill admitting Oregon to Statehood.


CONCLUSION

The foregoing touches only a part of the material supporting the Tennessee Plan. The committee has consulted with Senator Knowland and other Senators have been contacted, none of whom are adverse to the plan. They believe it a matter to be decided by Alaskans.

The committee has further considered the points in opposition to the plan which will also be submitted to the Convention and the People of Alaska.

The committee has unanimously approved that an ordinance be submitted to the Convention providing for the election of two Senators and one Representative, and if approved by the Convention this ordinance will be submitted to the people for ratification on the same ballot with that calling for the ratification of the Constitution.

Submitted for filing this 13th day of December, 1955, at Constitutional Convention Hall, College, Alaska.



Robert J. McNealy, Chairman
Committee No. IV

ATTEST:

Herb Hilscher, Secretary

REPORT OF COMMITTEE NO. IV
ORDINANCES AND TRANSITIONAL MEASURES

Robert J. McNealy, Chairman, Fairbanks
Seaborn J. Buckalew, Member, Anchorage
Herb Hilscher, " , Anchorage - SECRETARY
James Hurley, " , Palmer - VICE CHAIRMAN
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William W. Knight, " , Sitka
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B. D. Stewart, " , Juneau
H. R. Vanderleest " , Juneau

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CONCLUSION

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The committee has further considered the points in opposition to the plan which will also be submitted to the Convention and the People of Alaska.

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Submitted for filing this 13th day of December, 1955, at Constitutional Convention Hall, College, Alaska.

Robert J. McNealy, Chairman
Committee No. IV

ATTEST:

Herb Hilscher, Secretary

R E S O L U T I O N

ORDERLY TRANSITION FROM TERRITORIAL TO STATEHOOD STATUS

TO: House of Representatives, Congress of the United States

Senate, Congress of the United States

Committee on Territories and Insular Possessions, House
of Representatives, United States Congress

Committee on Territories and Insular Possessions, Senate,
United States Congress

Honorable E. L. Bartlett, Delegate in Congress from Alaska

WHEREAS, the pending bills for admission of Alaska as a state of the Union, i.e. H.R. 2535 and S.B. 50, presently under consideration by Congress, provide assistance for the long range transition from Territorial status to statehood, and

WHEREAS, an orderly transition will require provision of adequate means for continuance of many functions of government, under longtime Federal jurisdiction, during the shorter transition period immediately following the advent of statehood, and

WHEREAS, no specified period of time is established for full assumption by the new state of such functions and payment of the operating costs involved,

NOW THEREFORE; Be it resolved that, we the people of Alaska, through our Delegates in Constitutional Convention Assembled respectfully request and urge:

That the Congressional Act admitting Alaska as a State of the Union provide and allow for the continued use of Federal **appropriations** for payment of the costs of these normal functions of government during the Federal fiscal year in which admission of Alaska as a State of the Union is granted, or until the operation of such functions is earlier assumed by the State.

CONSTITUTIONAL CONVENTION OF ALASKA

DELEGATE PROPOSAL NO. 46

Introduced by Victor C. Rivers

ORDINANCE

TITLE: The legislature shall establish one or more agencies of State government to regulate public utilities in the public interest.

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

1 Section 1. The legislature shall provide for the
2 establishment of one or more agencies as may be required
3 for the regulation, in the public interest, of public
4 utilities and privately owned utilities serving the public.
5 Such agency, or agencies shall be authorized and empowered
6 to issue permits as may be required by the public conven-
7 ience and necessity, determine and establish fair and
8 just service rates or approve or disapprove service rate
9 schedules of such utilities, determine limits of service
10 areas and establish service or system boundaries from
11 time to time as circumstances may require and to exercise
12 such additional powers and duties as may be prescribed by
13 law. Decisions of such an agency or agencies shall be con-
14 ditioned upon adequate studies of the circumstances involved
15 and upon public hearings which shall provide and allow for
16 intervention by all parties in interest in the case or cases
17 under consideration.

Constitutional Convention
Delegate Proposal No. 39
Referred to Committee on
Ordinances and Transitional
Measures
December 7, 1955

Constitutional Convention of Alaska

DELEGATE PROPOSAL NO. 39

Introduced by Maurice T. Johnson

TRANSITORY PROVISIONS

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

1 Section 1. When this Constitution goes into effect all laws
2 not inconsistent therewith shall continue in full force until
3 amended or repealed, or until they expire by their own terms.

4 Unless otherwise provided by this Constitution, civil and
5 criminal liabilities, rights, franchises, concessions, privileges,
6 claims, actions, causes of action, contracts, and civil, criminal
7 and administrative proceedings shall continue unaffected.

8 Section 2. All officers who are in office by election or
9 appointment on the date this Constitution takes effect shall
10 continue to hold their offices and to perform the functions
11 thereof in a manner not inconsistent with this Constitution,
12 unless the functions of their offices are abolished or until
13 their successors are selected and qualify in accordance with
14 this Constitution and laws enacted pursuant thereto.

15 Section 3. Notwithstanding the age limit fixed by this Con-
16 stitution for compulsory retirement, all the judges of the courts

1 of Alaska who are holding office on the date this Constitution
2 takes effect shall continue to hold their judicial offices until
3 the expiration of the terms for which they were appointed.

4 Section 4. The State of Alaska shall be the successor of the
5 Territory of Alaska for all purposes, including without limita-
6 tion the collection and payment of debts and liabilities in
7 accordance with their terms.

8 Section 5. When this Constitution goes into effect, the term
9 "citizen of the State of Alaska" shall replace the term "citizen
10 of Alaska" as previously used.

11 Section 6. Political parties shall continue to enjoy all
12 rights recognized by the election law.

13 Section 7. The Legislative Assembly may enact the laws neces-
14 sary to supplement and make effective these transitory provisions
15 in order to assure the functioning of the government until the
16 officers provided for by this Constitution are elected or appointed
17 and qualify, and until this Constitution takes effect in all
18 respects.

19 Section 8. Requirements as to residence citizenship or other.
20 status or qualifications in or under the State prescribed by this
21 constitution shall be satisfied by corresponding residence, citi-
22 zenship or other status or qualifications under the Territory.
23 Compensation for service in the State Militia or the armed forces
24 of the United States is not "profit" as that term is used in this
25 constitution.

1 Section 9. In case the people of the Territory ratify this
2 constitution and the same is approved by the duly constituted
3 authority of the United States whose approval thereto may be
4 required, the governor of the Territory shall, within thirty
5 days after receipt of the official notification of such approval,
6 issue a proclamation for primary and final elections, as herein-
7 after provided, at which officers for all state elective offices
8 provided for by this constitution shall be nominated and elected.

9 Section 10. Upon the issuance by the President of a proclama-
10 tion announcing the results of said election and the admission
11 of this State to the Union, the officers elected and qualified
12 shall proceed to exercise and discharge the powers and duties
13 pertaining to their respective offices.

14 Section 11. This constitution shall take effect and be in full
15 force immediately upon the admission of Alaska into the Union as
16 a State.

17 Done in Convention, at the University of Alaska, on
18 the _____ day of _____, in the year one thousand
19 nine hundred fifty-six, and of the Independence of the
20 United States of America the one hundred and eightieth.

*Delayed to the
Committee on
Ordinances*

RESOLUTION NO. _____

RESOLVED that the Committee on Resolutions and Recommendations be charged with the responsibility of making certain that proposals covering the 7 requirements of H.R. 2535 are submitted to this Convention.

W. O. Smith
Nov. 30, 1955