

Constitutional Convention
Committee Proposal/10
December 16, 1955

ALASKA CONSTITUTIONAL CONVENTION

Report of the Committee on Executive Branch

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear Mr. President:

The Committee on the Executive Branch presents for consideration and adoption by the Convention the attached Article on the Executive Branch. A commentary explaining the provisions of this Article is also attached.

Proposals No. 14 and 15 were referred to this Committee. The Committee incorporated parts of Proposal No. 14 in its proposal. It felt that the subject matter of Proposal No. 15 was outside its terms of reference and that the Proposal should be referred to another Committee for consideration.

Respectfully submitted,
Victor Rivers, Chairman
Frank Barr
John C. Boswell
Thomas C. Harris
Maynard D. Londborg
Katherine Nordale
H. R. VanderLeest

ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 10

Report of the Committee on the Executive Branch

ARTICLE ON THE EXECUTIVE

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

Executive
Authority

1 Section 1. The executive power of the State
2 shall be vested in a governor.

Qualifica-
tions of
Governor

3 Section 2. The governor shall be not less than
4 thirty years of age, and shall have been for at
5 least twenty years a citizen of the United States,
6 and a resident of this state seven years next pre-
7 ceding his election.

Election
of Governor

8 Section 3. The governor shall be elected by the
9 qualified voters of this state. The person receiv-
10 ing the greatest number of votes shall be the gov-
11 ernor; but if two or more shall be equal and greatest
12 in votes, one of them shall be elected governor by
13 the vote of a majority of all the members of both
14 houses in joint meeting at the regular legislative
15 session next following the election for governor by
16 the people. Contested elections for the office of

1 governor shall be determined in the manner provided
2 by law.

Term of
Governor

3 Section 4. The term of office of the governor
4 shall be four years, beginning at noon on the first
5 Monday in December next following his election, and
6 ending at noon on the first Monday in December four
7 years thereafter. No person who has been elected
8 governor for two full successive terms shall be again
9 eligible to hold that office until the 1st Monday in
10 December of the fourth year following the expiration
11 of his second successive term.

Other
Offices

12 Section 5. The governor shall not hold any other
13 office or employment of profit under the state, or the
14 United States, during his term of office. Compensa-
15 tion for service in the armed forces of the state or
16 the United States is not profit as that term is here
17 used.

Secretary
of State

18 Section 6. There shall be a secretary of state,
19 who shall have the same qualifications as the gover-
20 nor. He shall be elected at the same time and for
21 the same term as the governor, and the election pro-
22 cedure prescribed by law shall provide that the
23 electors, in casting their vote for governor shall
24 also be deemed to be casting their vote for the candi-
25 date for secretary of state shown on the ballot as

1 running jointly with the respective candidate for gov-
2 ernor. The candidate for secretary of state who runs
3 jointly with the successful candidate for governor
4 shall be elected secretary of state. The secretary
5 of state shall perform such duties as may be pre-
6 scribed by law and as may be delegated to him by the
7 governor.

Succession 8 Section 7. In case the governor-elect shall die
9 before he has qualified and assumed the office of gov-
10 ernor, or in case he fails to qualify for any other
11 cause, the powers, duties, and emoluments of the office
12 of Governor shall devolve upon the person elected sec-
13 retary of state at the same election, and he shall
14 serve as governor for the term for which the governor-
15 elect was elected. In case of a vacancy in the
16 office of governor because of his death, resignation,
17 impeachment, or removal, his powers and duties shall
18 devolve upon the secretary of state. In case of the
19 temporary absence of the governor from office, the
20 powers and duties shall devolve upon the secretary of
21 state. Whenever for a period of six months a gover-
22 nor in office shall have remained continuously absent
23 from the state or shall have been unable to discharge
24 the duties of his office by reason of mental or phy-
25 sical disability, the office shall be deemed vacant.

1 The procedure for determining continuous absence and
2 disability shall be prescribed by law.

3 Section 8. If for any reason the secretary of
4 state is incapable of acting, the President of the
5 Senate and the Speaker of the House of Representatives
6 in succession shall act as governor until the vacancy
7 is filled or the disability removed. If the office
8 of governor becomes vacant and there is no secretary
9 of state, the offices of governor and secretary of state
10 shall be filled for the remainder of the terms at the
11 next succeeding general election unless the vacancy
12 occurs less than 60 days before the election; but no
13 election to fill an unexpired term shall be held in
14 any year in which a governor is to be elected for a
15 full term. No election of a secretary of state shall
16 be had in any event except at the time of electing a
17 governor.

Compensa-
tion

18 Section 9. The compensation of the governor and
19 the secretary of state shall be prescribed by law and
20 shall not be diminished during their term of office.
21 When the secretary of state or other officer succeeds
22 to the office of governor, he shall receive the com-
23 pensation for that office.

Executive
powers

24 Section 10. The governor shall be responsible
25 for the faithful execution of the laws. To this end

1 he shall have power, by appropriate action or proceed-
2 ing in the courts brought in the name of the state, to
3 enforce compliance with any constitutional or legis-
4 lative mandate, or to restrain violation of any con-
5 stitutional or legislative power or duty, by any
6 officer, department or agency of the state; but this
7 power shall not be construed to authorize any action
8 or proceeding against the Legislature. The governor
9 shall, at the beginning of each session, and may at
10 other times, give the legislature information concern-
11 ing the affairs of the state and recommend to its con-
12 sideration such measures as he deems expedient. He
13 may convene the Legislature, or the Senate alone,
14 whenever in his opinion the public interest requires.

15 The governor shall, prior to the end of his term
16 of office, prepare a written report on the conduct of
17 his administration, which shall contain such infor-
18 mation as may be useful to his successor in carrying
19 out the duties of his office.

Armed
Forces of
the State

20 Section 11. The governor shall be commander-in-
21 chief of the armed forces of the state, and may call
22 out these forces to execute the laws, suppress or pre-
23 vent insurrection or lawless violence or repel invasion.
24 The governor, as provided by law, shall nominate and
25 appoint all general and flag officers of the armed

1 forces of the state, with the advice and consent of
2 the Senate, and shall appoint and commission all other
3 officers.

Martial Law

4 Section 12. The governor may proclaim martial
5 law when the public safety requires it in case of re-
6 bellion or invasion or imminent danger thereof. Mar-
7 tial law shall not continue for a period longer than
8 20 days without the approval of a majority of both
9 houses of the legislature in joint session.

Executive
Clemency

10 Section 13. The governor may grant pardons, com-
11 mutations, and reprieves and may suspend and remit
12 fines and forfeitures. This power shall not extend to
13 impeachment. A commission or other body may be estab-
14 lished by law to aid and advise the governor in the
15 exercise of executive clemency. A system for the
16 granting of parole shall be provided by law.

Organiza-
tion

17 Section 14. All executive and administrative
18 offices, departments, and instrumentalities of the
19 state government and their respective functions,
20 powers and duties shall be allocated by law among and
21 within not more than twenty principal departments in
22 such manner as to group the same according to major
23 purposes so far as practicable. Regulatory and quasi-
24 judicial bodies and temporary agencies may be estab--
25 lished by law and need not be allocated within a prin-

1 cibal department. The governor may make such changes
2 in the administrative structure or in the assignment
3 of functions as may, in his judgment, be necessary for
4 efficient administration. These changes shall be set
5 forth in executive orders which shall become effective
6 at the close of the next regular session of the legis-
7 lature, unless disapproved by a resolution concurred in
8 by a majority of all the members of the legislature
9 meeting jointly.

10 Section 15. Each principal department shall be
11 under the supervision of the Governor. The head of
12 each principal department shall be a single executive
13 unless otherwise provided by law, and shall be nomin-
14 ated and appointed by the governor, with the advice
15 and consent of the Senate, to serve at the pleasure of
16 the Governor during his term of office and until the
17 appointment and qualification of his successor, except
18 as herein otherwise provided with respect to the Sec-
19 retary of State. The heads of all principal depart-
20 ments appointed under the provisions of this section
21 shall be citizens of this State and shall have been
22 residents of the State for at least three years next
23 preceding their appointment.

24 Section 16. The members of regulatory and quasi-
25 judicial bodies shall be nominated and appointed by the

1 Governor, with the advice and consent of the Senate,
2 and may be removed in the manner provided by law. A
3 regulatory or quasi-judicial body may appoint a prin-
4 cipal executive officer when authorized by law, but
5 the appointment shall be subject to the approval of the
6 Governor.

7 Section 17. The Governor may fill any vacancy
8 occurring in any office during a recess of the legis-
9 lature, appointment to which is made by the Governor
10 with the advice and consent of the Senate or of the
11 Legislature in joint meeting. An appointment so made
12 shall expire at the end of the next regular session of
13 the Legislature, unless a successor shall be sooner ap-
14 pointed and qualified. After the end of the session no
15 ad interim appointment to the same office shall be made
16 unless the Governor shall have submitted to the Senate
17 a nomination to the office during the session and the
18 Senate shall have adjourned without confirming or re-
19 jecting it. No person nominated for any office shall
20 be eligible for an ad interim appointment to such office
21 if the nomination shall have failed of confirmation by
22 the Senate.

ALASKA CONSTITUTIONAL CONVENTION

Commentary on the Executive Branch Article

(Section 1. Executive Authority.)

This section vests executive authority in a governor. The intention throughout the article is to centralize authority and responsibility for the administration of government and the enforcement of laws in a single elected official.

(Section 2. Qualifications of Governor.)

The age, citizenship, and residence qualifications are designed to ensure that the governor will be a mature person who is intimately familiar with the ideals and institutions of the United States and with conditions in Alaska. The residence requirement of seven years refers to legal residence and should not serve to disqualify residents of Alaska who are stationed outside Alaska while in the military service of the United States or in the service of the state.

(Section 3. Election of Governor.)

Provision is made for direct election of the Governor, but if two or more candidates get the same and highest number of votes, both houses of the legislature in joint meeting elect one of them to be governor. The legislature is called upon to provide for contested elections.

(Section 4. Term of Governor.)

The governor will hold office for four years. He can be elected for only two full successive terms. However, an official who fills a vacancy in the office of governor, can be elected for two successive terms immediately after serving the unexpired term. A governor who has served two full terms in succession is eligible for reelection again after one term out of office. The Committee believes in strong executive authority but realizes that the power granted could be used to perpetuate a governor in office. A lapse of four years after two full successive terms would, it is felt, tend to prevent such abuse of power.

(Section 5. Limit on Other Activities.)

This section would prevent the governor from resigning during his term of office for the purpose of having his successor appoint him to fill a vacancy in another state office. It would, however, allow the officers concerned to retain their active membership in the National Guard or the Military Reserve of the United States.

(Section 6. Secretary of State.)

The Committee believes that only persons who hold an elective office should succeed to the Office of Governor. However, the successor should be of the same political party as the governor to avoid unnecessary confusion or waste when a vacancy occurs. These considerations led the committee to adopt a plan of election

similar to that in effect in New York and also the same in principle as the arrangement for election of President and Vice-president of the United States. It calls for voters to cast a single vote applicable to both offices. The respective persons having the highest number of votes cast jointly for them for governor and secretary of state respectively would be elected. With respect to the duties of the Secretary of State, the Committee felt that he should have a full time job in the administration and that he should not preside over the Senate.

(Section 7 and 8. Succession.)

This section provides for succession in event the Governor-elect dies or for other reasons fails to qualify, in the event of a vacancy in the office of Governor, and in the event there is no secretary of state when a vacancy occurs in the office of governor. The order of succession is the Secretary of State, the President of the Senate and the Speaker of the House. Thus, only persons holding an elective office will succeed to the governorship. If a vacancy occurs in the office of Governor and there is no secretary of state, then an election will be held to fill the unexpired terms at the next general election unless the vacancies occur less than 60 days before a general election. No election would be held to fill an unexpired term in any year in which an election for a full term will be held.

The procedure for determining disability and continuous absence from the state is to be prescribed by law. An orderly pro-

cedure would, it is hoped, avoid the uncertainty and confusion that has prevailed elsewhere in the past when the chief executive has been incapacitated.

(Section 9. Compensation.)

This section will prevent the legislature from reducing the compensation of the Governor and Secretary of State during their respective terms of office. The Secretary of State would receive the compensation assigned to the Office of Governor when he fills a vacancy in that office, but not when he assumes the governor's duties during the temporary absence of the governor.

(Section 10. Executive Powers.)

This section makes the governor responsible for the faithful execution of the laws and gives him power to do so through the courts and by other means. It authorizes him to make recommendations to the legislature and to convene the legislature ~~or the~~ Senate alone when he deems it necessary in the public interest. Convening the Senate alone might be necessary to obtain Senate confirmation of appointments.

(Section 11. Armed Forces of the State.

The purposes ~~for~~ which the Governor may call out the armed forces of the state are the same as those contained in many state constitutions. The authority of the governor to appoint

officers of the armed forces is made subject to applicable law of the state and the United States.

(Section 12. Martial Law.)

This provision confers authority to declare martial law and at the same time limits the situations in which the authority can be exercised. In order to continue martial law for longer than 20 days, the approval of a majority of members of both houses of the legislature in attendance at a joint session would have to be obtained, and if the legislature were not in session at the time, the Governor would have to call it into special session for the purpose.

(Section 13. Executive Clemency.)

The power conferred by this section is similar to that conferred by many state constitutions on the chief executive of the state.

(Sections 14 - 17. Organization.)

A clear distinction is made between the administrative departments, such as public works, health, education, and welfare, and the regulatory, including quasi-judicial, bodies such as a rate-setting public utility commission. The head of an administrative department, whether single or multiple, can be removed at any time by the Governor. The members of regulatory bodies can be removed only in the manner provided by law. In

order to ensure maximum coordination of staff services, the appointment of an executive director for a regulatory body requires the governor's approval. The appointment and removal of an executive-director of any administrative department which is headed by a board are left to determination by law. The governor can from time to time by executive order, reorganize governmental agencies provided that any such executive order shall not become effective until a full regular session of the legislature has been held after the order is issued and has not disapproved it by a majority of both houses in joint session assembled.

Constitutional Convention
Committee Proposal/10/a
January 12, 1956

ALASKA CONSTITUTIONAL CONVENTION

Revised Report of the Committee on Executive Branch

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear Mr. President:

The Committee on the Executive Branch presents for consideration and adoption by the Convention the attached Article on the Executive Branch. A commentary explaining the provisions of this Article is also attached.

Proposals No. 14 and 15 were referred to this Committee. The Committee incorporated parts of Proposal No. 14 in its proposal. It felt that the subject matter of Proposal No. 15 was outside its terms of reference and that the Proposal should be referred to another Committee for consideration.

Respectfully submitted,

Victor Rivers, Chairman

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ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 10/a

Report of the Committee on the Executive Branch

ARTICLE ON THE EXECUTIVE

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

Executive
Authority

1 Section 1. The executive power of the State
2 shall be vested in a governor.

Qualifica-
tions of
Governor

3 Section 2. The governor shall be not less than
4 thirty years of age, and shall have been for at
5 least twenty years a citizen of the United States,
6 and a resident of this state seven years next pre-
7 ceding his election.

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of Governor

8 Section 3. The governor shall be elected by the
9 qualified voters of this state. The person receiv-
10 ing the greatest number of votes shall be the gov-
11 ernor; but if two or more shall be equal and greatest
12 in votes, one of them shall be elected governor by
13 the vote of a majority of all the members of both
14 houses in joint meeting at the regular legislative
15 session next following the election for governor by
16 the people. Contested elections for the office of

1 governor shall be determined in the manner provided
2 by law.

Term of
Governor

3 Section 4. The term of office of the governor
4 shall be four years, beginning at noon on the first
5 Monday in December next following his election, and
6 ending at noon on the first Monday in December four
7 years thereafter. No person who has been elected
8 governor for two full successive terms shall be again
9 eligible to hold that office until the 1st Monday in
10 December of the fourth year following the expiration
11 of his second successive term.

Other
Offices

12 Section 5. The governor shall not hold any other
13 office or employment of profit under the state, or the
14 United States, during his term of office. Compensa-
15 tion for service in the armed forces of the state or
16 the United States is not profit as that term is here
17 used.

Secretary
of State

18 Section 6. There shall be a secretary of state,
19 who shall have the same qualifications as the gover-
20 nor. He shall be elected at the same time and for
21 the same term as the governor, and the election pro-
22 cedure prescribed by law shall provide that the
23 electors, in casting their vote for governor shall
24 also be deemed to be casting their vote for the candi-
25 date for secretary of state shown on the ballot as

1 running jointly with the respective candidate for gov-
2 ernor. The candidate for secretary of state who runs
3 jointly with the successful candidate for governor
4 shall be elected secretary of state. The secretary
5 of state shall perform such duties as may be pre-
6 scribed by law and as may be delegated to him by the
7 governor.

Succession

8 Section 7. In case the governor-elect shall die
9 before he has qualified and assumed the office of gov-
10 ernor, or in case he fails to qualify for any other
11 cause, the powers, duties, and emoluments of the office
12 of Governor shall devolve upon the person elected sec-
13 retary of state at the same election, and he shall
14 serve as governor for the term for which the governor-
15 elect was elected. In case of a vacancy in the
16 office of governor because of his death, resignation,
17 impeachment, or removal, his powers, duties and
18 emoluments shall devolve upon the secretary of state.
19 In case of the temporary absence of the governor from
20 office, the powers and duties shall devolve upon the
21 secretary of state. Whenever for a period of six months
22 a governor in office shall have remained continuously
23 absent from the state or shall have been unable to dis-
24 charge the duties of his office by reason of mental or
25 physical disability, the office shall be deemed vacant.

1 The procedure for determining continuous absence and
2 disability shall be prescribed by law.

3 Section 8. If for any reason the secretary of
4 state is incapable of acting, the President of the
5 Senate and the Speaker of the House of Representatives
6 in succession shall act as governor until the vacancy
7 is filled or the disability removed. If the office
8 of governor becomes vacant and there is no secretary
9 of state, the offices of governor and secretary of state
10 shall be filled for the remainder of the terms at the
11 next succeeding general election unless the vacancy
12 occurs less than 60 days before the election; but no
13 election to fill an unexpired term shall be held in
14 any year in which a governor is to be elected for a
15 full term. No election of a secretary of state shall
16 be had in any event except at the time of electing a
17 governor.

Compensa-
tion

18 Section 9. The compensation of the governor and
19 the secretary of state shall be prescribed by law and
20 shall not be diminished during their term of office.
21 When the secretary of state or other officer succeeds
22 to the office of governor, he shall receive the com-
23 pensation for that office.

Executive
powers

24 Section 10. The governor shall be responsible
25 for the faithful execution of the laws. To this end

1 he shall have power, by appropriate action or proced-
2 ing in the courts brought in the name of the state, to
3 enforce compliance with any constitutional or legisla-
4 tive mandate, or to restrain violation of any consti-
5 tutional or legislative power or duty, by any officer,
6 department or agency of the state or any of its poli-
7 tical subdivisions, but this power shall not be con-
8 strued to authorize any action or proceeding against
9 the Legislature. The governor shall, at the beginning
10 of each session, and may at other times, give the legis-
11 lature information concerning the affairs of the state
12 and recommend to its consideration such measures as he
13 deems expedient. He may convene the Legislature, or
14 the Senate alone, or the two houses in joint session,
15 whenever in his opinion the public interest requires.

16 The governor shall, prior to the end of his term
17 of office, prepare a written report on the conduct of
18 his administration, which shall contain such informa-
19 tion as may be useful to his successor in carrying out
20 the duties of his office.

21 Section 11. The governor shall be commander-in-
22 chief of the armed forces of the state, and may call
23 out these forces to execute the laws, suppress or pre-
24 vent insurrection or lawless violence or repel invasion.
25 The governor, as provided by law, shall nominate and
26 appoint all general and flag officers of the armed

1 cipal department. The governor may make such changes
2 in the organization of the Executive Branch of the State
3 Government or in the assignment of functions among the
4 units thereof, as may, in his judgment, be necessary
5 for efficient administration. Where these changes require
6 the force of law, they shall be set forth in executive
7 orders which shall become effective at the close of the
8 next regular session of the Legislature, unless disap-
9 proved by a resolution concurred in by a majority of
10 all the members of the Legislature meeting jointly.

11 Section 15. Each principal department shall be
12 under the supervision of the Governor.

13 Section 16. The head of each principal depart-
14 ment shall be a single executive, unless otherwise
15 provided by law. Such single executive shall be nomi-
16 nated and appointed by the governor, with the advice
17 and consent of the Senate, and shall serve at the
18 pleasure of the Governor during his term of office
19 and until the appointment and qualification of their
20 successors, except as herein otherwise provided with
21 respect to the Secretary of State. The heads of all
22 principal departments appointed under the provisions
23 of this section shall be citizens of this State and
24 shall have been residents of the State for at least
25 three years next preceding their appointment.

1 Section 17. Wherever a board or commission is
2 at the head of a principal department or of a regula-
3 tory or quasi-judicial body, the members thereof shall
4 be nominated and appointed by the Governor, with the
5 advice and consent of the Senate, and may be removed
6 in the manner provided by law. Such a board or commis-
7 sion may appoint a principal executive officer when
8 authorized by law, but the appointment shall be sub-
9 ject to the approval of the Governor.

10 Section 18. The Governor may fill any vacancy
11 occurring in any office during a recess of the Legis-
12 lature, appointment to which is made by the Governor
13 with the advice and consent of the Senate or of the
14 Legislature in joint meeting. An appointment so made
15 shall expire at the end of the next regular session of
16 the Legislature, unless a successor shall be sooner
17 appointed and qualified. After the end of the session
18 no ad interim appointment to the same office shall be
19 made unless the Governor shall have submitted to the
20 Senate a nomination to the office during the session
21 and the Senate shall have adjourned without confirming
22 or rejecting it. No person nominated for any office
23 shall be eligible for an ad interim appointment to such
24 office if the nomination shall have failed of confirma-
25 tion by the Senate.

Constitutional Convention
Committee Proposal/11
December 15, 1955

ALASKA CONSTITUTIONAL CONVENTION
REPORT OF THE COMMITTEE ON EXECUTIVE BRANCH

Hon. William A. Egan
President, Alaska Constitutional Convention

Dear Mr. President:

The Committee on the Executive Branch presents for consideration and adoption by the Convention the attached ordinance on the First Election of the Governor and the Secretary of State. A commentary explaining the need for this Ordinance is also attached.

Respectfully submitted,

Victor Rivers, Chairman

Frank Barr

John C. Boswell

Thomas C. Harris

Maynard D. Londborg

Katherine Nordale

H. R. VanderLeest

Constitutional Convention
Committee Proposal/11
December 15, 1955

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 11

Introduced by Committee on Executive Branch

ORDINANCE ON THE FIRST ELECTION OF THE GOVERNOR
AND THE SECRETARY OF STATE

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

1 The first governor and secretary of state
2 shall hold office for a term beginning with the day
3 on which they are elected and qualified and ending
4 at noon on the first Monday in December of the even
5 year following the next Presidential election. This
6 term shall count as a full term for purposes of deter-
7 mining eligibility for reelection only if it is four
8 years or more in duration.

Constitutional Convention
Committee Proposal/11
December 15, 1955

ALASKA CONSTITUTIONAL CONVENTION

Commentary on the Ordinance on the First Election of Governor

The Committee on the Executive Branch believes that the governor and the secretary of state should be elected in the even years between the Presidential election years. This will minimize the influence of National politics in the election of the chief executive of the state and thereby make it more likely that the most qualified persons will be elected.

The proposed ordinance provides that the first elected governor and secretary of state will hold office from the day on which they are elected and qualified and ending on the first Monday in December of the first even year which follows the next Presidential election. This term could run from slightly over two years to almost six years. If the term is less than four years, the governor and secretary of state will be eligible for reelection for two full four-year terms in succession immediately following the first term.

Constitutional Convention
Committee Proposal/12
December 15, 1955

ALASKA CONSTITUTIONAL CONVENTION

Report of the Committee on Executive Branch

Honorable William A. Egan
President, Alaska Constitutional Convention

Dear Mr. President:

The Committee on the Executive Branch presents for consideration and adoption by the Convention the attached article entitled General and Miscellaneous Provisions; although these provisions are of particular interest to this committee, they were not included in the proposed Article on the Executive Branch because they have application also to the other branches of government.

A commentary is also attached which explains the purpose of each section.

Respectfully submitted,

Victor Rivers, Chairman

Frank Barr

John C. Boswell

Thomas C. Harris

Maynard D. Londborg

Katharine Nordale

H. R. VanderLeest

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:

Merit 1 Section 1. The legislature shall provide for a
Principle 2 system under which the employment of persons by the
3 State shall be governed by the merit principle.

Employees 4 Section 2. Membership in any employees' retire-
Retirement 5 ment system of the State or any political subdivision
6 thereof shall be a contractual relationship, the
7 accrued benefits of which shall not be diminished or
8 impaired.

Disquali- 9 Section 3. No person who advocates, or who
fication 10 aids or belongs to any party, organization or
for Dis- 11 association which advocates, the overthrow by force
loyalty 12 or violence of the government of this State or of
13 the United States shall be qualified to hold any
14 public office or employment.

Oath of 15 Section 4. All public officers, before entering
Office 16 upon the duties of their respective offices, shall
17 take and subscribe to the following oath or affirmation

1 "I do solemnly swear (or affirm) that I will support
2 and defend the Constitution of the United States,
3 and the Constitution of the State of Alaska, and
4 that I will faithfully discharge my duties as _____
5 _____ to the best of my ability".
6 The legislature may prescribe further oaths or
7 affirmations.

Inter-
Governmental
Relations

8 Section 5. The State and its political sub-
9 divisions may cooperate with the United States and
10 its territories and with other states and their
11 political subdivisions on matters of common interest
12 and, to the extent consistent with the laws of the
13 United States, with foreign nations. The respective
14 legislative bodies may appropriate such sums as may
15 be necessary for this purpose. In all intergovern-
16 mental relations involving the state, the Governor
17 shall act as the agent of the state.

Constitutional Convention
Committee Proposal/12
December 16, 1955

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 12

Commentary on the Article on General and Miscellaneous Provisions

Section 1. Merit Principle: Only employment in certain Federally aided programs of the Territory is now governed by the merit principle. This section would call upon the legislature to establish a system under which employment generally by the state would be governed by the merit principle. A system governed by the merit principle would be one, for example, which comprehended professional, technical, clerical, and administrative positions of the state government. The positions comprehended within the system would be classified according to duties and responsibilities. Salary ranges would be established for the various classes of positions. Appointments would be made according to merit and fitness which would be ascertained, so far as practicable, by competitive examinations.

Section 2. Employee's Retirement. This will assure state and municipal employees who are now tied into various retirement plans that their benefits under these plans will not be diminished or impaired when the Territory becomes a state.

Section 3. Disqualification for Disloyalty. This conforms with the language of the Congressional enabling bills.

Section 4. Oath of Office. The oath is self-explanatory.

Section 5. Intergovernmental Relations. This provision is recommended mainly in order to make it clear that the state can participate in cooperative programs such as the Western Interstate Compact on Higher Education even though such programs may involve the expenditure of public funds outside the state. Some states have had to amend their constitutions in order to participate in such programs.

This provision would also authorize local government units in Alaska to cooperate with Federal agencies on grant-in-aid programs such as housing and airport construction. Local government units could maintain direct relations with Federal agencies, but the Governor would serve as agent for the state in developing the intergovernmental relations of state agencies.

In view of the close relationships which Alaska will have with the neighboring Canadian provinces, explicit authority is granted to the state to cooperate with foreign nations to the extent consistent with the laws of the United States.

Constitutional Convention
Committee Proposal/14
December 17, 1955

ALASKA CONSTITUTIONAL CONVENTION
REPORT OF THE COMMITTEE ON
SUFFRAGE, ELECTIONS AND APPORTIONMENT

Hon. William A. Egan
President, Alaska Constitutional Convention

Dear Mr. President:

Your Committee on Suffrage, Elections and Apportionment submits the attached proposal for an apportionment article.

The article covers the following subjects:

1. A bicameral legislative body.
2. A House of Representatives composed of 40 members chosen from 24 Election districts determined by socio-economic principles of apportionment.
3. A Senate composed of 20 members chosen from Senate districts comprising certain election districts in socio-economic areas of Alaska.
4. A method of reapportionment based on the United States method of equal proportions, a method of redistricting as basic civilian population increases or decreases.
5. The Governor's Advisory Reapportionment and Redistricting Board with provisions for mandamus to compel action in keeping with constitutional rules should they be disregarded.
6. A method of staggering legislators' terms.

Committee Proposal No. 14

COMPARISON WITH PRIOR LEGISLATIVE BODIES

After careful study of the composition of the legislature since the first body was created in 1913 and of the composition of the present constitutional convention it was apparent that the composition of the Territorial Legislature left much to be desired from a representative standpoint. The 1955 constitutional convention plan was believed to be a basis for a truly representative Alaska legislature and hence was carefully studied and criticized from the viewpoint of population and of the composition of its units, the election-recording districts.

SOCIO-ECONOMIC BASIS FOR DISTRICTS

On the basis of the 1950 population, as shown by the 1950 decennial census, and with scientific estimates of 1955 population, based on school population, the Committee, with the assistance of economist George Rogers, determined that there should be 24 election districts in the State for the first State election. These districts are economic units of the Territory and may be compared in a sense to the Swiss cantons. Their boundaries are watersheds wherever possible; waterways and steamship routes are not used as boundaries, but are considered as highways piercing valleys.

METHOD OF EQUAL PROPORTIONS

The method of apportionment known as the method of equal proportions was next considered. This method is regarded as the fairest method of allotting representatives in accordance with population. It is used by the United States Congress in the

apportionment of the United States House of Representatives following each decennial census and was evolved after long and careful study over many years. It is used in at least two states.

ELECTION DISTRICT PLAN

From the study of the method of equal proportions and the election districts composed of the various economic areas of the Territory it became apparent that the composition of the House should be 40. This figure would assure representation of each area (election district) in the House under 1950 population figures and give fair representation to all districts in proportion to their population; this number of representatives was also believed to be wieldy and workable. It was further determined to fix and insure one representative to each election district and constitutional language was drawn to accomplish this end. However, should population decline below a fixed minimum in any district, provision was made for the consolidation of the district with its neighbor; conversely, should the population of a single-member district increase beyond a fixed number and should it consist of a separate economic area and should the remaining area meet the constitutional standards, a new district will be created by the Governor upon the advice of the reapportionment-redistricting board.

The election districts and the representation of each based on the 1950 decennial census are as follows (a schedule will be made up giving detailed boundaries, following the holiday recess), to wit:-

- | | |
|----------------------------------|--------------------------|
| 1. Prince of Wales (1) | 13. Kodiak (2) |
| 2. Ketchikan (2) | 14. Aleutian Islands (1) |
| 3. Wrangell-Petersburg (1) | 15. Bristol Bay (1) |
| 4. Sitka (1) | 16. Bethel (1) |
| 5. Juneau (3) | 17. Wade Hampton (1) |
| 6. Lynn Canal-Icy Straits (1) | 18. Nome (2) |
| 7. Cordova-McCarthy (1) | 19. Kobuk (1) |
| 8. Valdez-Chitna-Whittier (1) | 20. Noatak (1) |
| 9. Seward (1) | 21. Kuskokwim (1) |
| 10. Kenai-Cook Inlet (1) | 22. Yukon-Koyukuk (1) |
| 11. Anchorage (8) | 23. Upper Yukon (1) |
| 12. Talkeetna-Palmer-Wassila (1) | 24. Fairbanks (5) |

SENATE STUDIES AND COMPOSITION

Whereas, in the composition of the House of Representatives, stress was placed upon civilian population with minor consideration of area (in that election districts are assured of representation by at least one representative), in the composition of the Senate stress was placed upon area with minor stress upon socio-economic areas.

Four Senate Districts were chosen. They are made up of groups of election districts; their boundaries roughly parallel the present judicial divisions.

One of the guiding principles used to determine Senate composition was the principle that the non-urban areas should be assured of Senate representation. This was achieved by dividing the Senate into

two groups. First two Senators will be chosen from four economic areas of Alaska, namely the Southeastern forest-fishing sector, the Southwestern fishing-defense sector; the Great River basin sector with its mining-trapping-defense economy, and the Arctic coastal sector with its mining-trapping-defense economy.

Election districts	1 to 6, incl.	comprise	Senate District	I
"	"	17 to 20, incl.	"	II
"	"	7 to 14, incl.	"	III
"	"	15, 16 & 21 to 24 incl."	"	IV

Each Senate district has two Senators who will be elected at large in the respective districts.

In addition, districts I and IV will have 3 Senators each; Senate district III, 4 Senators and Senate district II will have 2 Senators chosen from combinations of two successively numbered election districts.

Thus the total membership of the Senate is 20.

The following schedule shows the Senate composition:

<u>No. of District</u>	<u>Number of Senators</u>	<u>Composition of Districts</u>
I	Two at large; one from election districts 1 & 2; one from election districts 3 & 4; one from election districts 5 & 6; total 5	Election districts 1 to 6, inclusive
II	Two at large; one from election districts 17 & 18; one from election districts 19 & 20; total 4	Election districts 17 to 20, inclusive
III	Two at large; one from election districts 7 & 8; one from election districts 9 & 10; one from election districts 11 & 12; one from election districts 13 & 14; total 6	Election districts 7 to 14, inclusive
IV	Two at large; one from election districts 15 & 16; one from election districts 21 & 22; one from election districts 23 & 24; total 5	Election districts 15 and 16, districts 21 to 24, inclusive

STAGGERED TERMS FOR SENATORS

As senators will undoubtedly be chosen for four-year terms at general elections held in even-numbered years, (see report of the Committee on the Legislative Branch) a method is presented for staggering terms after the first State election with further provision for staggering, if the first State election is held in an odd-numbered year. The end result is that one-half the Senators will be up for election at each general election following the first State election.

REAPPORTIONMENT AND REDISTRICTING BOARD

The committee proposes that the matter of reapportionment and redistricting be primarily an executive function. It proposes a five-man advisory and nonpartisan board, representative of the economic areas of the State, to submit a reapportionment or redistricting plan to the Governor following the release of the official United States decennial census. The Governor must, by proclamation, reapportion or redistrict within three months after the submission of the board plan. The board can engage experts. The United States census performs this task for other states through its experts, and this service will be available.

If the Governor fails to perform the assigned duty or fails to follow constitutional provisions, mandamus in the State Supreme Court will be available to force his actions.

Alaskan United States Senators and the first Alaskan Congressman must of necessity be chosen at large in accordance with the federal constitution.

CONCLUSION

The above outlines committee thought in general.

Following the holiday recess, schedules showing population of election districts and their precise boundaries and maps will be furnished the delegates with further detailed explanation. Convention necessities and time limitations have made it impossible to submit these schedules earlier.

Respectfully submitted,

John S. Hellenthal, Chairman

George D. Cooper

Douglas Gray

John B. Coghill

M. R. Marston

Frank Peratrovich

M. J. Walsh

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 14

Introduced by Committee on Suffrage, Elections and Apportionment

LEGISLATIVE APPORTIONMENT

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

Composition	1	Section 1. The House of Representatives shall
of House:	2	be composed of forty members elected by the qualified
Apportion-	3	voters of the respective election districts. Until
ment	4	the first and subsequent reapportionments, the
	5	election districts and the number of representatives
	6	to be elected from each at the first State election
	7	shall be as set forth in the schedule in Article_____.
Reapportion-	8	Section 2. Immediately following the official
ment of	9	reporting of the 1960 census of the United States, or
House	10	the first regular legislative session of the State of
	11	Alaska if it occurs thereafter, and after every
	12	subsequent census, the Governor shall reapportion the
	13	House of Representatives according to civilian
	14	population as reported by the census within each
	15	election district. Reapportionment shall be by the
	16	method known as the method of equal proportions except
	17	that each election district having the major fraction
	18	of the quotient obtained by dividing total civilian

1 population by forty shall have one representative.
2 Should the total civilian population within any
3 election district fall below one-half of the quotient,
4 such election district shall be attached to the
5 election district adjoining it having the least
6 civilian population and the reapportionment shall
7 be determined for the new district as provided above.
8 The Governor may further redistrict by the creation
9 of two or more new districts from within the larger
10 geographic socio-economic areas of the State, or by
11 otherwise changing the size and areas of districts,
12 subject to the following limitations: the new
13 election districts so created shall be formed of
14 contiguous and compact territory, shall contain a
15 population at least equal to the quotient obtained
16 by dividing the total civilian population by forty,
17 shall contain as nearly as practicable relatively
18 integrated socio-economic areas, and shall use
19 drainage and other geographic features in describing
20 boundaries wherever possible.

Composition of Senate 21 Section 3. The Senate shall be composed of twenty
22 members elected by the qualified voters of the
23 respective senatorial districts. The senatorial
24 districts shall be as set forth in the schedule in
25 Article_____.

Time of 1 Section 4. The members of the Legislature shall
Election: 2 be elected at general elections in even-numbered years.
Terms of 3 The term of office of members of the Senate shall be
Representa- 4 four years; one-half the senators shall be elected
tives and 5 every two years. The term of office of members of
Senators 6 the House of Representatives shall be two years.
 7 (See Transitory Provisions below for method of
 8 accomplishing this result in both houses.)

 9 Transitory Provision: (Senate) As to the eight
10 (8) Senators chosen, two from each senatorial
11 district:- At the first election, one from each
12 senatorial district shall be chosen for a two- (2)
13 year term and one from each said district for a four-
14 (4) year term. As to the remaining twelve (12)
15 Senators:- At the first election, one-half the
16 senators from senatorial districts whose total
17 number of senators is even (II & III) shall be chosen
18 for two-year terms, and one-half for four- (4) year
19 terms; in senatorial districts whose total number of
20 senators is odd (I & IV) one shall be chosen for a
21 two- (2) year term and two chosen for four- (4) year
22 terms. If the first State general election is held in
23 an odd-numbered year, one year must be added to the
24 first terms of all senators elected at said first
25 election.

1 Transitory Provision: (House) If the first State
2 general election is held in an odd-numbered year the
3 term of said representatives shall be three years.

Reapportion-
ment Board

4 Section 5. There shall be a nonpartisan Board
5 of Reapportionment to consist of five members of the
6 general public, but not public employees or officials,
7 to be appointed by the Governor and act in an advisory
8 capacity to him. Members of the board shall be
9 compensated. They shall elect one of their members
10 chairman, and they may employ such temporary assistants
11 as necessary. The affirmative votes of three members
12 shall be required for a ruling or determination, but
13 a lesser number may conduct hearings or otherwise
14 act for the board.

15 The Board shall, within ninety days following
16 the official report of each decennial census, submit
17 to the Governor a plan for reapportionment, or
18 redistricting in accordance with the terms of this
19 constitution, and the Governor shall, within ninety
20 days thereafter, issue a proclamation showing the
21 results of such reapportionment or redistricting,
22 which shall be effective for the election of members
23 of the legislature until after the next census
24 certification.

1 Original jurisdiction is hereby vested in the
2 Supreme Court of the State to be exercised on the
3 application of any voter, made within thirty days of
4 the expiration of either of the two ninety-day periods
5 above specified, to compel by mandamus or otherwise,
6 the Governor to perform the duties above set forth;
7 or within thirty days following his proclamation to
8 compel, by mandamus or otherwise, the correction of
9 any error made in such redistricting or reapportionment.

Constitutional Convention
Committee Proposal/14
December 17, 1955

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 14

SCHEDULE

Election Districts

Section 1. As provided in Section 1, Article___, until the first reapportionment provided for by Section 2 of said Article, the election districts and the number of members to be elected from each shall be as follows:

<u>No. of District</u>	<u>Name of District</u>	<u>No. of Members per '50 Decennial Census</u>
1	Prince of Wales	1
2	Ketchikan	2
3	Wrangell-Petersburg	1
4	Sitka	1
5	Juneau	3
6	Lynn Canal-Icy Straits	1
7	Cordova-McCarthy	1
8	Valdez-Chitna-Whittier	1
9	Seward	1
10	Kenai-Cook Inlet	1
11	Anchorage	8
12	Talkeetna-Palmer-Wassila	1
13	Kodiak	2
14	Aleutian Islands	1
15	Bristol Bay	1
16	Bethel	1
17	Wade Hampton	1
18	Nome	2
19	Kobuk	1
20	Noatak	1
21	Kuskokwim	1
22	Yukon-Koyukuk	1
23	Upper Yukon	1
24	Fairbanks	5

Section 2. As provided in Section 3, Article____, the senatorial districts and the number of senators to be elected from each shall be as follows:

<u>No. of District</u>	<u>Number of Senators</u>	<u>Composition of Districts</u>
I	Two at large; one from election districts 1 & 2; one from election districts 3 & 4; one from election districts 5 & 6; total 5	Election districts 1 to 6, inclusive
II	Two at large; one from election districts 17 & 18; one from election districts 19 & 20; total 4	Election districts 17 to 20, inclusive
III	Two at large; one from election districts 7 & 8; one from election districts 9 & 10; one from election districts 11 & 12; one from election districts 13 & 14; total 6	Election districts 7 to 14, inclusive
IV	Two at large; one from election districts 15 & 16; one from election districts 21 & 22; one from election districts 23 & 24; total 5	Election districts 15 and 16; districts 21 to 24, inclusive

Constitutional Convention
Committee Proposal/14/Supplement
January 11, 1956

ALASKA CONSTITUTIONAL CONVENTION
COMMITTEE ON SUFFRAGE, ELECTIONS AND APPORTIONMENT
Supplement to Letter of Transmittal of
Committee Proposal No. 14 - Apportionment

Hon. William A. Egan
President, Alaska Constitutional Convention

Dear Mr. President:

In the letter of transmittal of Committee Proposal No. 14, it was inadvertently overlooked that certain Delegate Proposals and other correspondence from outside the Convention were not mentioned as having been considered.

Committee Minutes show that Delegate Proposals Nos. 42, 40, 36, 23, and 8 were considered, reviewed and adopted in part in Committee Proposal No. 14 as now before the Convention.

Respectfully submitted,

John S. Hellenthal, Chairman

George D. Cooper

Douglas Gray

John B. Coghill

M. R. Marston

Frank Peratrovich

M. J. Walsh

Constitutional Convention
Committee Proposal/14
January 13, 1956

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 14

SCHEDULE

Election Districts

Section 1. As provided in Section 1, Article _____, until the first reapportionment provided for by Section 2 of said Article, the election districts and the number of members to be elected from each shall be as follows:

<u>No of District</u>	<u>Name of District</u>	<u>No of Members per '50 Decennial Census</u>
1	Prince of Wales	1
2	Ketchikan	2
3	Wrangell-Petersburg	1
4	Sitka	1
5	Juneau	3
6	Lynn Canal- Icy Straits	1
7	Cordova-McCarthy	1
8	Valdez-Chitna-Whittier	1
9	Talkeetna-Palmer-Wassila	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

DESCRIPTION OF ELECTION DISTRICTS

No. 1 Prince of Wales Election District

This district includes all of Prince of Wales, Dall, Forrester, Suemez, Baker, Lulu, Noyes, Warren, Kosciusko and the Kashevarof's Islands as well as adjacent off-shore islands.

No. 2 Ketchikan Election District

That area of the Mainland drained by streams flowing into Revillagigedo Channel, Behm Canal, Clarence Strait and Ernest Sound from the southernmost point of the Alaska-British Columbia boundary line to and including that area drained by Bradfield Canal and its tributaries, and those islands south of Ernest Sound and east of Clarence Strait, including Revillagigedo, Gravina, Annette and Duke Islands and other adjacent smaller islands.

No. 3 Wrangell-Petersburg Election District

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, 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.

No. 4 Sitka Election District

Those parts of Admiralty, Chichagof, and Baranof Islands

not included in Election Districts No.3, 5 and 6 and Krugof Island and other smaller adjacent islands.

No. 5 Juneau Election District

The Mainland north of Election District No. 3 up to and including the area drained by streams flowing into Burners 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 and Shelter Islands and other smaller adjacent islands.

No. 6 Lynn Canal-Icy Straits Election District

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 Yokobi, Lemesurier and Pleasant Islands and other smaller adjacent islands.

No. 7 Cordova - McCarthy Election District

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 including the Bremner River and the Chitna River and its tributaries above and including that area drained by the Chokosna and Gilahina Rivers.

No. 8 Valdez-Chitina-Whittier Election District

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 but not including the Bremner River and the Chitina River and its tributaries below and not including the Chokosna and Gilahina Rivers, but including the town of Chitina.

No. 9 Talkeetna-Palmer-Wassila Election District

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 Knik River to the highway bridge.

No. 10 Anchorage Election District

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, and Beluga Rivers and their tributaries including the area drained by streams and their tributaries flowing into Chakachamna Lake.

No. 11 Seward Election District

That part of Kenai Peninsula draining into the Gulf of Alaska from and including Chugach and Windy Bays on the west to Cape Junken on the east and the area draining into Turnagain Arm from and including the drainage of Ressurrection Creek on the west to but not including Placer River on the east.

No. 12 Kenai-Cook Inlet Election District

That area of Kenai Peninsula drained by streams flowing into Cook Inlet and Turnagain Arm, from but not including the area drained by Chugach Bay on the south to but not including Ressurrection River on the north; that area west of Cook Inlet drained by all streams flowing into Cook Inlet from Cape Douglas on the south to and including the Chakachatna River, Chakehamna Lake; including Elizabeth Island and adjacent islands in Cook Inlet.

No. 13 Kodiak Election District

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.

No. 14 Aleutian Islands Election District

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.

No. 15 Bristol Bay Election District

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.

No. 16 Bethel Election District

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. Mathews Island and adjacent islands.

No. 17 Kuskokwim Election District

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.

No. 18 Yukon-Koyukuk Election District

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 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.

No. 19 Fairbanks Election District

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

No. 20 Upper Yukon Election District

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 Toolik River on the west to the Alaska Boundary.

No. 21 Barrow Election District

The area drained by all streams flowing into the Chukchi Sea and Arctic Ocean from Cape Lisburne on the west to and including the area drained by the Toolik River and its tributaries on the east.

No. 22 Kobuk Election District

The area drained by all streams flowing into the Arctic Ocean and Kotzebue Sound from Cape Lisburne on the north to but not including the area drained by the Buckland River and its tributaries on the south.

No. 23 Nome Election District

All of the Seward Peninsula and adjacent areas drained by all streams flowing into the Kotzebue Sound, Bering Strait and Norton Sound from and including the area drained by the Buckland River and its tributaries on the north to and including the area drained by the Pastolic River on the south; and King, Little Diomedes, St. Lawrence, Sledge, Shamisso, and Stuart Islands, as well as adjacent offshore islands.

No. 24 Wade Hampton Election District

The area drained by the lower Yukon River and its tributaries from Tuckers Slough to the mouth at 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 but not including the Pastolic River on the north.

Section 2. As provided in Section 3, Article _____, the Senatorial districts and the number of senators to be elected from each shall be as follows:

<u>Name of District</u>	<u>Number of Senators</u>	<u>Composition of Districts</u>
Southeastern	Two at large; one from election districts 1 & 2; one from election districts 3 & 4; one from election districts 5 & 6; total 5	Election districts 1 to 6, inclusive
South Central	Two at large; one from election districts 7 & 8; one from election districts 9 & 10; one from election districts 11 & 12; one from election districts 13 & 14; total 6	Election districts 7 to 14, inclusive
Central	Two at large; one from election districts 15 & 16; one from election districts 17 & 18; one from election districts 19 & 20; total 5	Election districts 15 to 20, inclusive
Northwestern	Two at large; one from election districts 21 & 22; one from election districts 23 & 24; total 4	Election districts 21 to 24, inclusive

Constitutional Convention
Committee Proposal/15
January 19, 1956

ALASKA CONSTITUTIONAL CONVENTION

Report of the **Style** and Drafting Committee

Honorable William A. Egan
Alaska Constitutional Convention

Dear President Egan:

Your committee on Style and Drafting submits herewith a proposal for consideration by the Convention. The proposal covers the subjects which the Committee Chairmen asked this Committee to consider (see Convention/16).

It would be appropriate for the Convention to consider this proposal in conjunction with Committee Proposal No. 12 on "General and Miscellaneous Provisions".

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

CONSTITUTIONAL CONVENTION OF ALASKA

Introduced by Committee on Style and Drafting

GENERAL AND MISCELLANEOUS PROVISIONS

Rules of
Interpre-
tation

1 Section 1. Titles, subtitles, and marginal
2 titles are not to be used for purposes of inter-
3 preting this Constitution.

4 Section 2. In this Constitution the personal
5 pronoun is to be interpreted to include persons
6 of both sexes.

7 Section 3. The enumeration in this Constitution
8 of specified powers is not to be interpreted as a
9 limitation upon the powers of the state government.

10 Section 4. The provisions of this Constitution
11 are to be interpreted as self-executing whenever
12 possible.

Constitutional Convention
Committee Proposal/16
January 19, 1956

ALASKA CONSTITUTIONAL CONVENTION

Report of the Committee on Ordinances and Transitional Measures

Honorable William A. Egan
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 appropriately be considered in conjunction with Committee Proposal No. 12 on "General and Miscellaneous Provisions".

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/16
January 19, 1956

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 16

Introduced by Committee on Ordinances and Transitional Measures

GENERAL AND MISCELLANEOUS PROVISIONS

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

Disclaimer
Regarding
Native Lands

1 Section 1. The state of Alaska and its
2 people do agree that they forever disclaim all
3 right and title to any lands or other property
4 not granted or confirmed to the State or its
5 political subdivisions by or under the authority
6 of the Act of Admission of this state, the right
7 or title to which is held by the United States
8 or is subject to disposition by the United States,
9 and to any lands or other property (including
10 fishing rights) the right or title to which may
11 be held by any Indians, Eskimos, or Aleuts (here-
12 inafter called natives) or is held by the United
13 States in trust for said natives; that all such
14 lands or other property, belonging to the United
15 States or which may belong to said natives, shall
16 be and remain under the absolute jurisdiction and
17 control of the United States until disposed of

1 under its authority, except to such extent as the
2 Congress has prescribed or may hereafter prescribe
3 and except when held by individual natives in fee
4 without restrictions on alienation; and that no
5 taxes shall be imposed by the State upon any lands
6 or other property now owned or hereafter acquired
7 by the United States or which, as hereinabove set
8 forth, may belong to said natives, except to such
9 extent as the Congress has prescribed or may here-
10 after prescribe, and except when held by individual
11 natives in fee without restriction on alienation;
12 and no legislative act by the State of Alaska shall
13 be taken thereon. Nothing in this section shall
14 prevent this state from accepting any payments in
15 lieu of taxes that may be authorized by the Congress.
16 The foregoing ordinance shall be irrevocable with-
17 out the consent of the United States and the people
18 of this State.

Consent to
Enabling Act

19 Section 2. The State of Alaska and its people
20 hereby consent to all and singular the provisions
21 of the Enabling Act that is passed by Congress and
22 approved by the President for the admission of
23 Alaska into the Union of States.

University
of Alaska

24 Section 3. The University of Alaska is hereby
25 established as the state university and constituted

- 1 a body corporate to continue uninterrupted in all
- 2 respects as provided by law.

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.

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.

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 YES

25 THE ALASKA CONSTITUTIONAL CONVENTION

26 BE ADOPTED? 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/17/a
January 24, 1956

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/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
13 SENATORS AND ONE UNITED STATES
14 REPRESENTATIVE, BE ADOPTED?

YES

NO

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 and elected to these offices may also hold or
2 be nominated and elected to other offices of the
3 territory or of the United States, provided
4 that such a person shall receive the compensation
5 assigned to only one of the positions held.

Territorial
Laws to
Apply

6 (3) Except as provided herein, the laws
7 of the territory governing primary and general
8 elections applicable to the Office of Delegate
9 to Congress shall, to the extent applicable,
10 govern elections to these offices, and terri-
11 torial and other officials shall perform their
12 duties with reference to these elections
13 accordingly.

Primary
Elections

14 (4) Primary elections for these offices
15 shall be held on the 24th of April 1956. Any
16 person desiring to become a candidate for these
17 offices shall file a declaration of candidacy
18 and pay a filing fee of \$40.00 in the office
19 of the Director of Finance on or before the
20 20th of February 1956. The Director of Finance
21 shall certify all declarations of candidacy for
22 these offices to the Clerks of the Court for
23 the respective Judicial Divisions and to the
24 Secretary of the Alaska Constitutional Convention
25 within five days after the same are filed.

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 3

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(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 nomination 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 declaration 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 Alask 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

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.