

CONSTITUTIONAL CONVENTION 320.16
Chief Clerks File - Com Proposal No 17

FIRST ENROLLED COPY

Constitutional Convention
Committee Proposal/17b/Enrolled
January 28, 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/17a.)
Former Laws in Force	5	Section 3. All laws in force in the
	6	Territory of Alaska when this constitution
	7	takes effect and consistent therewith shall be
	8	and remain in force until they expire by their
	9	own limitation, are altered or are repealed.
Saving of Exist- ing Rights and Liabilities	10	Section 4. Except as otherwise provided
	11	in this constitution, all rights, titles, actions,
	12	suits, contracts, liabilities and civil, criminal

Committee Proposal No. 17b/First Enrolled

1 or administrative proceedings shall continue
2 notwithstanding the change from territorial
3 to state government, and the State shall be
4 the legal successor to the Territory with
5 respect 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, health districts, public
10 utility districts and other local subdivisions
11 of government in Alaska shall continue to
12 exercise their powers and functions under
13 existing law but new cities, districts or
14 subdivisions shall be created only in accordance
15 with this constitution.

Officers to
Continue

16 Section 6. All officers of the Territory,
17 or under its laws, on the date this constitution
18 takes effect shall continue to perform their
19 functions in a manner consistent with this
20 constitution until their offices or functions
21 are abolished or otherwise provided for in
22 accordance with this constitution or any laws
23 enacted pursuant thereto.

Corresponding
Qualifications

24 Section 7. Residence or other qualifica-
25 tions prescribed by this constitution shall be

1 satisfied by corresponding qualifications
2 under the Territory.

Seal

3 Section 8. The seal of the Territory,
4 substituting the word "state" for "territory",
5 shall be the seal of the state.

Flag

6 Section 9. The flag of the territory shall
7 be the flag of the State.

Ratification

8 Section 10. This constitution shall be
9 submitted to the voters of Alaska for ratifi-
10 cation or rejection at the territorial primary
11 election to be held on the 24th day of April,
12 1956, to be conducted according to existing
13 laws regulating primary elections so far as
14 applicable.

Questions
Returns

15 Section 11. Each elector who offers to
16 vote upon this constitution shall be given a
17 ballot by the election judges which in sub-
18 stance shall contain the following proposition:

19 SHALL THE CONSTITUTION FOR THE STATE

20 OF ALASKA DRAWN UP AND AGREED UPON BY

NO

21 THE ALASKA CONSTITUTIONAL CONVENTION

YES

22 BE ADOPTED?

23 The returns of this election shall be made to
24 the Governor of Alaska and shall be canvassed
25 substantially in the manner provided by law

Steps Upon
Acceptance

1 for territorial elections.

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

Governor to
Proclaim
Election

11 Section 13. When the people of the
12 Territory ratify this constitution and the
13 same is approved by the duly constituted
14 authority of the United States, the governor
15 of the Territory shall, within 30 days after
16 receipt of the official notification of such
17 approval, issue a proclamation and take other
18 steps required to hold a primary and general
19 election, at which officers for all state
20 elective offices provided for by this constitu-
21 tion shall be nominated and elected.

First
Elections

22 Section 14. The primary election shall
23 take place not less than 40 nor more than 90
24 days after the proclamation of the Governor
25 and the general election shall take place

U.S. Senators
and a
Representative

1 within 90 days after the primary election.
2 The elections provided for herein shall be
3 governed by this constitution and, to the
4 extent applicable, by territorial laws.

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

1 the same person may be elected to both
2 terms.

Terms of
First State
Legislators

3 Section 16. The first state legislators
4 shall hold office for a term beginning with
5 the day on which they are elected and quali-
6 fied and ending at noon on the fourth Monday
7 in January after the next general election,
8 with senators elected for "four year" terms
9 serving an additional two years, provided that
10 if the first election occurs at any time
11 during an even-numbered year, that election
12 shall be deemed to be the general election
13 for that year.

Terms of
Governor and
Secretary

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

Election
Returns

24 Section 18. The returns of the first
25 general election shall be made, canvassed and

Please see stencil for page #7.

Transfer of
Court
Jurisdiction

1 on the Supreme Court, including the office
2 of Chief Justice. Once the Chief Justice
3 is appointed, he shall assume his seat on
4 the Judicial Council.

5 Section 22. Until Alaska is admitted
6 as a state and the courts provided for in
7 the Judicial Article _____ are organized, the
8 courts, jurisdiction and judicial system in
9 the territory shall remain as constituted on
10 date of admission until otherwise provided
11 by law or this constitution. When the state
12 courts are organized, new actions shall be
13 commenced and filed therein, and all pending
14 causes in the constituted courts on date of
15 admission brought under or by virtue of
16 territorial law shall be transferred to the
17 proper state court, or agency, as though
18 commenced, filed or lodged therein at the
19 first instance, subject to applicable Acts
20 of Congress.

Questions
Returns

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

F I R S T E N R O L L E D C O P Y

Constitutional Convention
Committee Proposal/17b/Enrolled
January 28, 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

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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/17a.)
Former Laws in Force	5	Section 3. All laws in force in the
	6	Territory of Alaska when this constitution
	7	takes effect and consistent therewith shall be
	8	and remain in force until they expire by their
	9	own limitation, are altered or are repealed.
Saving of Existing Rights and Liabilities	10	Section 4. Except as otherwise provided
	11	in this constitution, all rights, titles, actions,
	12	suits, contracts, liabilities and civil, criminal

1 or administrative proceedings shall continue
2 notwithstanding the change from territorial
3 to state government, and the State shall be
4 the legal successor to the Territory with
5 respect 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, health districts, public
10 utility districts and other local subdivisions
11 of government in Alaska shall continue to
12 exercise their powers and functions under
13 existing law but new cities, districts or
14 subdivisions shall be created only in accordance
15 with this constitution.

Officers to
Continue

16 Section 6. All officers of the Territory,
17 or under its laws, on the date this constitution
18 takes effect shall continue to perform their
19 functions in a manner consistent with this
20 constitution until their offices or functions
21 are abolished or otherwise provided for in
22 accordance with this constitution or any laws
23 enacted pursuant thereto.

Corresponding
Qualifications

24 Section 7. Residence or other qualifica-
25 tions prescribed by this constitution shall be

1 satisfied by corresponding qualifications
2 under the Territory.

Seal

3 Section 8. The seal of the territory,
4 substituting the word "state" for "territory",
5 shall be the seal of the state.

Flag

6 Section 9. The flag of the territory shall
7 be the flag of the State.

Ratification

8 Section 10. This constitution shall be
9 submitted to the voters of Alaska for ratifi-
10 cation or rejection at the territorial primary
11 election to be held on the 24th day of April,
12 1956, to be conducted according to existing
13 laws regulating primary elections so far as
14 applicable.

Questions
Returns

15 Section 11. Each elector who offers to
16 vote upon this constitution shall be given a
17 ballot by the election judges which in sub-
18 stance shall contain the following proposition:

19 SHALL THE CONSTITUTION FOR THE STATE

20 OF ALASKA DRAWN UP AND AGREED UPON BY

YES

21 THE ALASKA CONSTITUTIONAL CONVENTION

NO

22 BE ADOPTED?

23 The returns of this election shall be made to
24 the Governor of Alaska and shall be canvassed
25 substantially in the manner provided by law

Steps Upon
Acceptance

1 for territorial elections.

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

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11 Section 13. When the people of the
12 Territory ratify this constitution and the
13 same is approved by the duly constituted
14 authority of the United States, the governor
15 of the Territory shall, within 30 days after
16 receipt of the official notification of such
17 approval, issue a proclamation and take other
18 steps required to hold a primary and general
19 election, at which officers for all state
20 elective offices provided for by this constitu-
21 tion shall be nominated and elected.

First
Elections

22 Section 14. The primary election shall
23 take place not less than 40 nor more than 90
24 days after the proclamation of the Governor
25 and the general election shall take place

U.S. Senators
and a
Representative

1 within 90 days after the primary election.
2 The elections provided for herein shall be
3 governed by this constitution and, to the
4 extent applicable, by territorial laws.
5 Section 15. The officers to be elected
6 at the first general election shall include
7 two senators and one representative to the
8 Congress, unless senators and a representative
9 have been previously elected and seated in
10 the Congress of the United States. With
11 respect to Congressional elections held in
12 accordance with this section, one senator
13 shall be elected for the "long term" and one
14 senator for the "short term", each term to
15 expire on the third day of January in an odd-
16 numbered year to be determined by authority
17 of the United States; the term of the
18 representative shall expire on the third day
19 of January in the odd-numbered year immediately
20 following the taking of his seat, but if the
21 first representative is elected in an even-
22 numbered year to take office before the third
23 day of January next, a representative to fill
24 the full term commencing on said third day of
25 January shall be elected simultaneously, and

1 the same person may be elected to both
2 terms.

Terms of
First State
Legislators

3 Section 16. The first state legislators
4 shall hold office for a term beginning with
5 the day on which they are elected and quali-
6 fied and ending at noon on the fourth Monday
7 in January after the next general election,
8 with senators elected for "four year" terms
9 serving an additional two years, provided that
10 if the first election occurs at any time
11 during an even-numbered year, that election
12 shall be deemed to be the general election
13 for that year.

Term. of
Governor and
Secretary

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

Election
Returns

24 Section 18. The returns of the first
25 general election shall be made, canvassed and

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

Officers to
Take Office

4 Section 19. Upon the issuance by the
5 President of a proclamation announcing the
6 results of said election, and the State
7 having been admitted into the Union, the
8 officers elected and qualified shall proceed
9 to discharge their duties.

First Session
of the
Legislature

10 Section 20. The governor shall convene
11 a special session of the first state legisla-
12 ture, without limit as to duration, within
13 30 days after the President's proclamation
14 announcing the results of the elections, if a
15 regular session of the legislature would not
16 normally fall within that period.

First Judicial
Council

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

1 on the Supreme Court, including the office
2 of Chief Justice. Once the Chief Justice
3 is appointed, he shall assume his seat on
4 the Judicial Council.

Transfer of
Court
Jurisdiction

5 Section 22. Until Alaska is admitted
6 as a state and the courts provided for in
7 the Judicial Article _____ are organized, the
8 courts, jurisdiction and judicial system in
9 the territory shall remain as constituted on
10 date of admission until otherwise provided
11 by law or this constitution. When the state
12 courts are organized, new actions shall be
13 commenced and filed therein, and all pending
14 causes in the constituted courts on date of
15 admission brought under or by virtue of
16 territorial law shall be transferred to the
17 proper state court, or agency, as though
18 commenced, filed or lodged therein at the
19 first instance, subject to applicable Acts
20 of Congress.

Questions
Returns

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

Constitutional Convention
By Committee IV
January 28, 1956

Amendment No. _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 17/b

MR. PRESIDENT:

I move that (Committee) Proposal No. 17/b be amended
as follows:

Delete section 23, page 8, and insert:

"Until Alaska is admitted as a state and the courts
provided for in the Judicial Article _____ are organ-
ized, the courts, jurisdiction and judicial system in
the territory shall remain as ~~at present~~ constituted *on date of*
admission until otherwise provided by law or this constitution.

When the state courts are organized, new actions shall
be commenced and filed therein, and all pending causes
in the ~~present~~ constituted courts, *on date of admission* brought under or by
virtue of territorial law shall be transferred to the
proper state court, or agency, as though commenced,
filed or lodged therein at the first instance, subject
to applicable Acts of Congress."

ENGROSSED COPY

Constitutional Convention
Committee Proposal/17b/Engrossed
January 28, 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 force
	2	immediately upon the admission of Alaska into the Union
	3	as a State.
State Capital	4	Section 2. (See Committee Proposal/17a.)
Former Laws in Force	5	Section 3. All laws in force in the Territory of
	6	Alaska when this constitution takes effect and <u>NOT</u>
	7	INCONSISTENT <u>]</u> <u>consistent</u> therewith shall be and remain
	8	in force until they expire by their own limitation, are
	9	altered or are repealed.
Saving of Exist- ing Rights and Liabilities	10	Section 4. Except as otherwise provided in this
	11	constitution, all rights, titles, actions, suits, con-
	12	tracts, liabilities and civil, criminal or administra-
	13	tive proceedings shall continue notwithstanding the
	14	change from territorial to state government, and the

1 State shall be the legal successor to the Territory with
2 respect thereto.

Local Govern-
ment

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

Officers to
Continue

11 Section 6. All officers PERFORMING FUNCTIONS
12 VESTED BY THIS CONSTITUTION IN THE STATE of the Terri-
13 tory, or under its laws, on the date this constitution
14 takes effect shall continue to perform THESE their
15 functions in a manner consistent with this constitution
16 until their offices or functions are abolished or other-
17 wise provided for in accordance with this constitution
18 or any laws enacted pursuant thereto.

Debts Due and
Owed

19 SECTION 7. THE DEBTS AND LIABILITIES OF THE TERRI-
20 TORY SHALL BE ASSUMED AND PAID BY THE STATE, AND ALL
21 DEBTS OWED TO THE TERRITORY SHALL BE COLLECTED BY THE
22 STATE. THE STATE SHALL SUCCEED TO ALL PROPERTY AND
23 RECORDS OWNED OR HELD BY THE TERRITORY, OR ANY AGENCY
24 THEREOF.

Corresponding

25 Section [8] 7. Residence or other qualifications

Qualifications 1 prescribed by this constitution shall be satisfied by
2 corresponding qualifications under the Territory.

Seal 3 Section [9] 8. The seal of the territory, sub-
4 stituting the word "state" for "territory", shall be
5 the seal of the state.

Flag 6 Section [10] 9. The flag of the territory shall
7 be the flag of the State.

Ratification 8 Section [11] 10. This constitution shall be sub-
9 mitted to the voters of Alaska for ratification or re-
10 jection at the territorial primary election to be held
11 on the 24th day of April, 1956, to be conducted accord-
12 ing to existing laws regulating primary elections so far
13 as applicable.

Questions 14 Section [12] 11. Each elector who offers to vote
Returns 15 upon this constitution shall be given a ballot by the
16 election judges which in substance shall contain the
17 following proposition:
18 SHALL THE CONSTITUTION FOR THE STATE OF
19 ALASKA DRAWN UP AND AGREED UPON BY THE
20 ALASKA CONSTITUTIONAL CONVENTION BE ADOPTED?
21 The returns of this election shall be made to the
22 Governor of Alaska and shall be canvassed substan-
23 tially in the manner provided by law for territorial
24 elections.

Steps Upon 25 Section [13] 12. If a majority of all the votes

No	
Yes	

Acceptance

1 cast for and against the constitution shall be given
2 for the constitution, then this document shall be
3 deemed to be approved and accepted by the people of
4 Alaska. The governor of Alaska shall forthwith submit a
5 certified copy of the constitution through the Presi-
6 dent to the Congress for approval, together with a
7 statement of the votes cast thereon.

Governor to
Proclaim
Election

8 Section [14] 13. When the people of the Terri-
9 tory ratify this constitution and the same is approved
10 by the duly constituted authority of the United States,
11 the governor of the Territory shall, within 30 days
12 after receipt of the official notification of such ap-
13 proval, issue a proclamation and take other steps
14 required to hold a primary and general election, at
15 which officers for all state elective offices provided
16 for by this constitution shall be nominated and elected.

First
Elections

17 Section [15] 14. The primary election shall
18 take place not less than 40 nor more than 90 days after
19 the proclamation of the Governor and the general election
20 shall take place within 90 days after the primary elec-
21 tion. The elections provided for herein shall be
22 governed by this constitution and, to the extent appli-
23 cable, by territorial laws.

U. S. Senators
and a Represen-
tative

24 Section [16] 15. The officers to be elected at
25 the first general election shall include two senators

1 and one representative to the Congress, unless senators
2 and a representative have been previously elected and
3 seated in the Congress of the United States. With re-
4 spect to Congressional elections held in accordance
5 with this section, one senator shall be elected for the
6 "long term" and one senator for the "short term", each
7 term to expire on the third day of January in an odd-
8 numbered year to be determined by authority of the
9 United States; the term of the representative shall
10 expire on the third day of January in the odd-numbered
11 year immediately following the taking of his seat, but
12 if the first representative is elected in an even-
13 numbered year to take office before the third day of
14 January next, a representative to fill the full term
15 commencing on said third day of January shall be
16 elected simultaneously, and the same person may be
17 elected to both terms.

Terms of First
State Legis-
lators

18 Section [17] 16. The first state legislators
19 shall hold office for a term beginning with the day on
20 which they are elected and qualified and ending at noon
21 on the fourth Monday in January after the next general
22 election, with senators elected for "four year" terms
23 serving an additional two years, provided that if the
24 first election occurs at any time during an even-num-
25 bered year, that election shall be deemed to be the

1 general election for that year.

Term of Governor
and Secretary

2 Section [18] 17. The first governor and secretary
3 of state shall hold office for a term beginning with the
4 day on which they are elected and qualified and ending
5 at noon on the first Monday in December of the even year
6 following the next Presidential election. This term
7 shall count as a full term for purposes of determining
8 eligibility for reelection only if it is four years or
9 more in duration.

Election Returns

10 Section [19] 18. The returns of the first general
11 election shall be made, canvassed and certified in the
12 manner prescribed by law. The governor shall thereupon
13 certify the results to the President.

Officers to
Take Office

14 Section [20] 19. Upon the issuance by the President
15 of a proclamation announcing the results of said election,
16 and the State having been admitted into the Union, the
17 officers elected and qualified shall proceed to discharge
18 their duties.

First Session
of the Legis-
lature

19 Section [21] 20. The governor shall convene a
20 special session of the first state legislature, without
21 limit as to duration, within 30 days after [THE LEGIS-
22 LATORS ARE ELECTED,] the President's proclamation announc-
23 ing the results of the elections, if a regular session
24 of the legislature would not normally fall within that
25 period.

First Judicial
Council

1 Section [22] 21. The first members of the Judicial
2 Council shall, notwithstanding Section 8, Article _____,
3 be appointed for terms as follows: three attorney mem-
4 bers for one, three and five years respectively, and
5 three non-attorney members for two, four, and six years
6 respectively. The six members so appointed shall submit
7 to the governor nominations to fill the initial vacancies
8 on the Supreme Court, including the office of Chief
9 Justice. Once the Chief Justice is appointed, he shall
10 assume his seat on the Judicial Council.

Transfer of-
Court Juris-
diction

11 Section [23] 22. [WHEN THIS CONSTITUTION TAKES
12 EFFECT, THE JUDICIAL ARTICLE _____ SHALL BECOME EFFECTIVE
13 ONLY TO THE EXTENT NECESSARY TO BRING ABOUT THE ORGANI-
14 ZATION OF THE COURTS AND THE PROMULGATION OF RULES PRO-
15 VIDED FOR THEREIN. UPON THE ADVICE OF THE CHIEF JUSTICE,
16 THE GOVERNOR SHALL BY PROCLAMATION NAME THE DATE WHEN
17 THE TRANSFER OF JURISDICTION FROM TERRITORIAL AND UNITED
18 STATES COURTS SHALL COMMENCE. PRIOR TO THAT DATE, THE
19 TERRITORIAL AND UNITED STATES COURTS SHALL CONTINUE, SUB-
20 JECT TO THE LAWS OF THE UNITED STATES AND OF THE STATE,
21 TO EXERCISE THE NECESSARY JUDICIAL FUNCTIONS FOR THE STATE.
22 AFTER THE DATE SET FOR THE TRANSFER OF JURISDICTION, THE
23 STATE COURTS SHALL ASSUME JURISDICTION OF ALL NEW CAUSES
24 PROPERLY COMING UNDER THE JUDICIAL POWER OF THE STATE AND
25 SHALL BEGIN TO TAKE JURISDICTION OF PENDING CAUSES IN

1 ACCORDANCE WITH APPLICABLE LAWS AND RULES.] Until
2 Alaska is admitted as a state and the courts provided
3 for in the Judicial Article _____ are organized, the
4 courts, jurisdiction and judicial system in the terri-
5 tory shall remain as constituted on date of admission
6 until otherwise provided by law or this constitution.
7 When the state courts are organized, new actions shall
8 be commenced and filed therein, and all pending causes
9 in the constituted courts on date of admission brought
10 under or by virtue of territorial law shall be transferred
11 to the proper state court, or agency, as though commenced,
12 filed or lodged therein at the first instance, subject
13 to applicable Acts of Congress.

Questions

14 Sections 24 and 25. (See Committee Proposal/17a,

Returns

15 Sections 20 and 21.)

Supplementary

16 [SECTION 26. THE TERRITORIAL LEGISLATURE SHALL

Measures

17 ENACT MEASURES DESIGNED TO GIVE EFFECT TO THE PROVISIONS
18 OF THIS ARTICLE AND TO ENSURE AN ORDERLY TRANSFER OF THE
19 GOVERNMENT.]

Amendment No. 6

Constitutional Convention
By Committee IV
January 28, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 17/b

MR. PRESIDENT:

I move that (Committee) Proposal No. 17/b be amended
as follows:

Delete section 23, page 8, and insert:

"Until Alaska is admitted as a state and the courts
provided for in the Judicial Article _____ are organ-
ized, the courts, jurisdiction and judicial system in
the territory shall remain as ~~at present~~ constituted
until otherwise provided by law or this constitution.

*on date of
admission*

When the state courts are organized, new actions shall
be commenced and filed therein, and all pending causes
in the ~~present~~ constituted courts, brought under or by
virtue of territorial law shall be transferred to the
proper state court, or agency, as though commenced,
filed or lodged therein at the first instance, subject
to applicable Acts of Congress."

on date of admission

*adopted
unanimous vote*

Amendment No. _____

Constitutional Convention

By Wellerthal

Date Jan. 27, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 17b

MR. PRESIDENT:

I move that (Committee) Proposal No. 17b be amended
as follows:

Page 2, Section 5, line 9, insert
"health districts," after "school districts,".

adopted
u/c

Amendment No. _____

Constitutional Convention

By Committee

Date Jan. 28, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. _____

MR. PRESIDENT:

I move that (Committee) Proposal No. _____ be amended
as follows:

strike section 26

*adopted
voice vote*

Amendment No. _____

Constitutional Convention

By R. Rivers

Date Jun. 28, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 17b

MR. PRESIDENT:

I move that (Committee) Proposal No. 17b be amended
as follows: Sec. 21

line 13 - page 7

insert "certified to have been"
after word "are"

adopted
at a
voice vote

Amendment No. 8

Constitutional Convention

By _____

Date _____

Committee

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 176

MR. PRESIDENT:

I move that (Committee) Proposal No. _____ be amended
as follows:

Sec. 21

Page 7 - line 13

*strikes words "the legislators are certified
to have been elected" and insert*

*The President's PROCLAMATION ANNOUNCING
The RESULTS OF The elections*

*adopted
voice vote*

Amendment No. _____

Constitutional Convention

By R. Rivers

Date _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. _____

MR. PRESIDENT:

I move that (Committee) Proposal No. _____ be amended
as follows:

*strike 7 and renumber the
Sections*

*accepted
voice vote*

Amendment No. _____

Constitutional Convention

By Committee No IV

Date _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 176

MR. PRESIDENT:

~~we~~ move that (Committee) Proposal No. 176 be amended
as follows:

Page 1 - Sec. 3 - line 8:

strike words ~~not in~~ NOT INCONSISTENT
and insert word CONSISTENT

Page 2 - Sec. 6. - lines 15-16-~~17~~

on line 15 after word OFFICERS strike words
"PERFORMING FUNCTIONS VESTED BY THIS CONSTITUTION
IN THE STATE" and insert:

OF THE TERRITORY, OR UNDER ITS LAWS,

and on line 18

delete word "These" and insert Their

A. ylc

Amendment No. _____

Constitutional Convention
Committee on Ordinances
By and Transitional Measures

Date January 27, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 17/b Schedule

MR. PRESIDENT:

I move that (Committee) Proposal No. 17/b be amended
as follows:

Section 3, line 8, strike the words "not inconsistent" and insert
the word "consistent".

Section 5, line 9, insert "health districts," after "school districts,".

Section 6, page 2, lines 15 and 16, strike the words "performing
functions vested by this constitution in the State" and insert "of
the Territory, or under its laws," and on line 18, delete the word
"these" and insert "their".

~~XX~~

January 28, 1956

Section 21, line 13, page 7, insert "certified to have been" after the
word "are".

Delete Section 23, page 8, and insert:

"Until Alaska is admitted as a state and the courts provided for
in the Judicial Article _____ are organized, the courts, jurisdiction
and judicial system in the territory shall remain as at present consti-
tuted until otherwise provided by law or this constitution.

"When the state courts are organized, new actions shall be
commenced and filed therein, and all pending causes in the present
constituted courts brought under or by virtue of territorial law
shall be transferred to the proper state court, or agency, as though
commenced, filed or lodged therein at the first instance, subject to
applicable Acts of Congress."

Section 23;

Strike "at present" on line 4 and add after "constituted" the following
language "on date of admission".

Section 23:

Strike the word "present" in line 8 and insert after "courts" on
line 8, "on date of admission".

~~Section 10, line 11, after "flag" add comma and words "official song
and official bird"; line 12, after "flag" add comma and words "official~~

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 ^{consistent} [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, ^{health 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 ^{of the Territory,} [performing functions
16 ^{or under its laws,} vested by this constitution in the state] on the
17 date this constitution takes effect shall continue
18 to perform ^{their} [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

proclamation announcing the results of the election,

the President

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

insert amended sect

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

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.