

CONSTITUTIONAL CONVENTION 320.3  
Chief Clerks File - Com. Proposal No 3

FIRST ENROLLED COPY

Constitutional Convention  
Committee Proposal/3/Enrolled  
January 9, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 3

Introduced by Committee on Direct Legislation

INITIATIVE, REFERENDUM AND RECALL  
AMENDMENT AND REVISION

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

ARTICLE ON DIRECT LEGISLATION

Initiative 1 Section 1. The people reserve the power by petition  
2 to propose laws and to enact or reject such laws at the  
3 polls.

Referendum 4 Section 2. The people reserve the power to require,  
5 by petition, that laws enacted by the legislature be  
6 submitted to the voters for approval or rejection.

Procedure 7 Section 3. The legislature shall prescribe the  
8 procedures to be followed in the exercise of the powers  
9 of initiative and referendum, except as herein provided.

Petitions, 10 Section 4. Prior to general circulation, an initiative  
ballot  
title, 11 petition containing a draft of the proposed law in bill  
election, 12 form shall be signed by 100 qualified electors as sponsors  
vote re- 13 and have its sufficiency as to form certified by the attor-  
quired 14 ney general. The same procedure, so far as applicable,  
15 shall apply to referendum petitions. Denial of certification

1 shall be reviewable by the court. If certified to be suf-  
2 ficient the initiative or referendum petition containing a  
3 summary of the subject matter prepared by the attorney  
4 general may then be circulated and must be signed by qual-  
5 ified electors equal to 10% of the number of voters who  
6 voted in the preceding general election. The petition  
7 shall contain signatures of qualified electors resident in  
8 at least two-thirds of the election districts of the State.  
9 The petition may be filed with the attorney general who  
10 shall prepare a ballot title or proposition designating  
11 and summarizing the substance of the proposed law which  
12 proposition shall go upon the ballot as hereinafter pro-  
13 vided. Initiative petitions may be filed at any time.  
14 Referendum petitions shall be filed within 90 days after  
15 adjournment of the legislative session at which the measure  
16 was passed. Laws proposed by the initiative shall be sub-  
17 mitted to the voters by ballot title at the first statewide  
18 election which occurs more than one hundred twenty (120)  
19 days after adjournment of the legislative session following  
20 the filing of the initiative petition, unless the legisla-  
21 ture at said session shall have enacted substantially the  
22 same measure. Questions on referendum shall also be sub-  
23 mitted to the voters by ballot title at the first statewide  
24 election occurring more than one hundred twenty (120) days  
25 after adjournment of the legislature which passed the law

1 being referred. A majority of the votes cast is necessary  
2 for the adoption of an initiated law, or the defeat of a  
3 measure referred. No law passed by the initiative may be  
4 vetoed by the Governor nor may it be repealed by the legis-  
5 lature for a period of two years, but may be amended at  
6 any time.

Restrictions

7 Section 5. The initiative and referendum may not be  
8 used as a means of earmarking revenues, for making or de-  
9 feating appropriations of public funds, or for local or  
10 special legislation. The referendum shall not be applic-  
11 able to such laws as are necessary for the immediate pre-  
12 servation of the public peace, health or safety, and laws  
13 making appropriations for the current expenses of the  
14 State government and for the maintenance of public  
15 institutions.

Recall

16 Section 6. Every elected public official in the State,  
17 except judicial officers, is subject to recall by the  
18 voters of the State or subdivision from which elected.  
19 The legislature shall prescribe the recall procedures and  
20 grounds for recall.

FIRST ENROLLED COPY

ARTICLE ON REVISION AND AMENDMENT

Methods

1 Section 1. Revisions of or amendments to this Con-  
2 stitution may be adopted by the Legislature or by consti-  
3 tutional convention as hereinafter authorized subject to  
4 ratification by the people.

Proposals by  
Legislature

5 Section 2. Any legislature may by a two-thirds vote  
6 of each house propose amendments to the Constitution. Pro-  
7 posed amendments shall be submitted by ballot title prepared  
8 by the Attorney General to the voters at the next general  
9 election. If a majority of the votes tallied on the ques-  
10 tion favor the ratification of the amendment, the amend-  
11 ment is ratified.

Constitutional  
Convention

12 Section 3. The legislature may provide for Consti-  
13 tutional Conventions. If any ten-year period elapses dur-  
14 ing which the legislature has not called a convention,  
15 the Governor shall certify the question, "Shall there be a  
16 Constitutional Convention?" The question shall be sub-  
17 mitted at the first general election following the expir-  
18 ation of such period. If a majority of the ballots cast  
19 upon the question are in the affirmative, delegates to the  
20 convention shall be chosen at the next regular election  
21 unless the legislature provides for the election of  
22 delegates at a special election.

23 Unless the legislature provides otherwise, the law  
24 providing for the Alaska Constitutional Convention of 1955  
25 shall be followed insofar as possible relating to number

1 of members, districts, convention powers, election and  
2 certification of delegates, submission and ratification  
3 of revisions and ordinances, and other applicable pro-  
4 visions. The appropriation provisions of the law shall  
5 be self-executing and shall constitute a first claim on  
6 the general fund of the State Treasury. The legislature  
7 may provide additional appropriations.

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Constitutional Convention  
Committee Proposal/3/Engrossed  
January 6, 1956

CONSTITUTIONAL CONVENTION OF ALASKA  
COMMITTEE PROPOSAL NO. 3

Introduced by Committee on Direct Legislation

INITIATIVE, REFERENDUM AND RECALL  
AMENDMENT AND REVISION

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

ARTICLE ON DIRECT LEGISLATION

Initiative 1 Section 1. The people reserve the power by petition  
2 to propose laws and to enact or reject such laws at the polls.

Referendum 3 Section 2. The people reserve the power to require,  
4 by petition, that laws enacted by the legislature be  
5 submitted to the voters for approval or rejection.

Procedure 6 Section 3. The legislature shall prescribe the  
7 procedures to be followed in the exercise of the powers  
8 of initiative and referendum, except as herein provided.  
9 [/]SUBJECT TO THE SPECIFIC AUTHORITY RESERVED HEREIN. NO  
10 LAW SHALL BE ENACTED TO HAMPER, RESTRICT OR IMPAIR THE  
11 EXERCISE OF POWERS RESERVED HEREIN BY THE PEOPLE. ]

Petitions, 12 [/]SECTION 4. PRIOR TO GENERAL CIRCULATION, AN INITIA-  
ballot  
title, 13 TIVE PETITION SHALL BE SIGNED BY TEN QUALIFIED ELECTORS  
election, 14 AS SPONSORS AND HAVE THE CONSTITUTIONALITY CERTIFIED BY  
vote re- 15 THE ATTORNEY GENERAL. CERTIFICATION SHALL BE REVIEWABLE  
quired

1 BY THE COURTS. A VALID INITIATIVE OR REFERENDUM PETITION  
2 SHALL BE SIGNED BY QUALIFIED ELECTORS EQUAL TO EIGHT PERCENT  
3 OF THE NUMBER OF VOTES CAST FOR GOVERNOR IN THE PRECEDING  
4 GENERAL ELECTION AT WHICH THE GOVERNOR WAS CHOSEN. PETITIONS  
5 SHALL BE FILED WITH THE ATTORNEY GENERAL, WHO SHALL PRE-  
6 PARE A BALLOT TITLE, AND THE ADEQUACY OF THE BALLOT TITLE  
7 SHALL BE REVIEWABLE BY THE COURTS.]

8       Section 4. Prior to general circulation, an initiative  
9 petition containing a draft of the proposed law in bill form  
10 shall be signed by 100 qualified electors as sponsors and  
11 have its sufficiency as to form certified by the attorney  
12 general. The same procedure, so far as applicable, shall  
13 apply to referendum petitions. Denial of certification  
14 shall be reviewable by the court. If certified to be suf-  
15 ficient the initiative or referendum petition containing a  
16 summary of the subject matter prepared by the attorney  
17 general may then be circulated and must be signed by qualified  
18 electors equal to 10% of the number of voters who voted in  
19 the preceding general election. The petition shall contain  
20 signatures of qualified electors resident in at least two-  
21 thirds of the election districts of the State. The petition  
22 may be filed with the attorney general who shall prepare a  
23 ballot title or proposition designating and summarizing the  
24 substance of the proposed law which proposition shall go  
25 upon the ballot as hereinafter provided. Initiative petitions



1 may be filed at any time. Referendum petitions shall be  
2 filed within 90 days after adjournment of the legislative  
3 session at which the measure was passed. [ LAWS PROPOSED  
4 BY THE INITIATIVE SHALL BE SUBMITTED TO THE VOTERS BY  
5 BALLOT TITLE AT AN ELECTION NOT LATER THAN 180 DAYS AFTER  
6 THE ADJOURNMENT OF THE LEGISLATIVE SESSION FOLLOWING THE  
7 FILING OF THE PETITION, UNLESS THE LEGISLATURE ENACTS THE  
8 MEASURE INITIATED DURING THE SESSION. THE QUESTION ON  
9 REFERENDUM SHALL BE SUBMITTED TO THE VOTERS BY BALLOT TITLE  
10 NOT LATER THAN 120 DAYS AFTER THE FILING OF A PETITION  
11 AGAINST THE MEASURE.] Laws proposed by the initiative shall  
12 be submitted to the voters by ballot title at the first  
13 statewide election which occurs more than one hundred  
14 twenty (120) days after adjournment of the legislative  
15 session following the filing of the initiative petition,  
16 unless the legislature at said session shall have enacted  
17 substantially the same measure. Questions on referendum  
18 shall also be submitted to the voters by ballot title at  
19 the first statewide election occurring more than one hun-  
20 dred twenty (120) days after adjournment of the  
21 legislature which passed the law being referred. A major-  
22 ity of the votes cast is necessary for the adoption of an  
23 initiated law, or the defeat of a measure referred. No law  
24 passed by the initiative may be vetoed by the Governor nor  
25 may it be [ AMENDED OR ] repealed by the legislature for a

1 period of [THREE] two years, but may be amended at any  
2 time.

Restrictions

3 Section 5. [ NEITHER THE INITIATIVE NOR REFERENDUM  
4 MAY BE USED AS A MEANS OF MAKING OR DEFEATING APPROPRIA-  
5 TIONS OF PUBLIC FUNDS OR EARMARKING OF REVENUES NOR FOR  
6 LOCAL OR SPECIAL LEGISLATION.] The initiative and refer-  
7 endum may not be used as a means of earmarking revenues,  
8 for making or defeating appropriations of public funds, or  
9 for local or special legislation. [ EMERGENCY ACTS ARE  
10 NOT SUBJECT TO REFERENDUM.] The referendum shall not be  
11 applicable to such laws as are necessary for the immediate  
12 preservation of the public peace, health or safety, and  
13 laws making appropriations for the current expenses of  
14 the State government and for the maintenance of public  
15 institutions.

Recall

16 Section 6. Every elected public official in the State,  
17 except judicial officers, is subject to recall by the voters  
18 of the State or subdivision from which elected. [ GROUNDS  
19 FOR RECALL ARE MALFEASANCE, MISFEASANCE, NONFEASANCE, OR  
20 CONVICTION OF A CRIME INVOLVING MORAL TURPITUDE.] The  
21 legislature shall prescribe the recall procedures and  
22 grounds for recall.

ENGROSSED COPY

ARTICLE ON REVISION AND AMENDMENT

Methods

1        [SECTION 1. REVISIONS OF OR AMENDMENTS TO THIS  
2 CONSTITUTION MAY BE ADOPTED BY TWO SUCCEEDING LEGISLA-  
3 TURES, OR BE PROPOSED BY CONSTITUTIONAL CONVENTION OR  
4 BY THE LEGISLATURE.] Section 1. Revisions of or amend-  
5 ments to this Constitution may be adopted by the Legis-  
6 lature or by constitutional convention as hereinafter  
7 authorized subject to ratification by the people.

Proposals by  
Legislature

8        Section s. Any legislature may by a two-thirds vote  
9 of each house propose amendments to the Constitution.  
10 Proposed amendments [MAY] shall be submitted by ballot  
11 title prepared by the Attorney General to the voters at  
12 the next general election. If a majority of the votes  
13 tallied on the question favor the [ADOPTION] ratification  
14 of the amendment, the amendment is [ADOPTED] ratified.

15        [PROPOSED AMENDMENTS MAY BE SUBMITTED TO THE NEXT  
16 LEGISLATURE NOT LESS THAN TWO YEARS AFTER BEING PROPOSED.  
17 IF THE SECOND LEGISLATURE BY A TWO-THIRDS VOTE OF EACH  
18 HOUSE FAVORS THE ADOPTION OF THE AMENDMENT, THE AMEND-  
19 MENT IS ADOPTED.]

Constitutional  
Convention

20        Section 3. The legislature may provide for Consti-  
21 tutional Conventions. If any ten-year period elapses dur-  
22 ing which the legislature has not called a convention,  
23 the Governor shall certify the question, "Shall there be a  
24 Constitutional Convention?" The question shall be submitted  
25 at the first general election following the expiration of

1 such period. If a majority of the ballots cast upon the  
2 question are in the affirmative, delegates to the convention  
3 shall be chosen at the next regular election unless the  
4 legislature provides for the election of delegates at a  
5 special election.

6 Unless the legislature provides otherwise, the law  
7 providing for the Alaska Constitutional Convention of 1955  
8 shall be followed insofar as possible relating to number  
9 of members, districts, convention powers, election and  
10 certification of delegates, submission and ratification of  
11 revisions and ordinances, and other applicable provisions.  
12 The appropriation provisions of the law shall be self-  
13 executing and shall constitute a first claim on the general  
14 fund of the State Treasury. The legislature may provide  
15 additional appropriations.

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Constitutional Convention  
Committee Proposal/3/Enrolled  
January 9, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 3

Introduced by Committee on Direct Legislation

INITIATIVE, REFERENDUM AND RECALL  
AMENDMENT AND REVISION

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

ARTICLE ON DIRECT LEGISLATION

- Initiative 1 Section 1. The people reserve the power by petition  
2 to propose laws and to enact or reject such laws at the  
3 polls.
- Referendum 4 Section 2. The people reserve the power to require,  
5 by petition, that laws enacted by the legislature be  
6 submitted to the voters for approval or rejection.
- Procedure 7 Section 3. The legislature shall prescribe the  
8 procedures to be followed in the exercise of the powers  
9 of initiative and referendum, except as herein provided.
- Petitions, 10 Section 4. Prior to general circulation, an initiative  
ballot  
title, 11 petition containing a draft of the proposed law in bill  
election, 12 form shall be signed by 100 qualified electors as sponsors  
vote re- 13 and have its sufficiency as to form certified by the attor-  
quired 14 ney general. The same procedure, so far as applicable,  
15 shall apply to referendum petitions. Denial of certification

1 shall be reviewable by the court. If certified to be suf-  
2 ficient the initiative or referendum petition containing a  
3 summary of the subject matter prepared by the attorney  
4 general may then be circulated and must be signed by qual-  
5 ified electors equal to 10% of the number of voters who  
6 voted in the preceding general election. The petition  
7 shall contain signatures of qualified electors resident in  
8 at least two-thirds of the election districts of the State.  
9 The petition may be filed with the attorney general who  
10 shall prepare a ballot title or proposition designating  
11 and summarizing the substance of the proposed law which  
12 proposition shall go upon the ballot as hereinafter pro-  
13 vided. Initiative petitions may be filed at any time.  
14 Referendum petitions shall be filed within 90 days after  
15 adjournment of the legislative session at which the measure  
16 was passed. Laws proposed by the initiative shall be sub-  
17 mitted to the voters by ballot title at the first statewide  
18 election which occurs more than one hundred twenty (120)  
19 days after adjournment of the legislative session following  
20 the filing of the initiative petition, unless the legisla-  
21 ture at said session shall have enacted substantially the  
22 same measure. Questions on referendum shall also be sub-  
23 mitted to the voters by ballot title at the first statewide  
24 election occurring more than one hundred twenty (120) days  
25 after adjournment of the legislature which passed the law

1 being referred. A majority of the votes cast is necessary  
2 for the adoption of an initiated law, or the defeat of a  
3 measure referred. No law passed by the initiative may be  
4 vetoed by the Governor nor may it be repealed by the legis-  
5 lature for a period of two years, but may be amended at  
6 any time.

**Restrictions**

7 Section 5. The initiative and referendum may not be  
8 used as a means of earmarking revenues, for making or de-  
9 feating appropriations of public funds, or for local or  
10 special legislation. The referendum shall not be applic-  
11 able to such laws as are necessary for the immediate pre-  
12 servation of the public peace, health or safety, and laws  
13 making appropriations for the current expenses of the  
14 State government and for the maintenance of public  
15 institutions.

**Recall**

16 Section 6. Every elected public official in the State,  
17 except judicial officers, is subject to recall by the  
18 voters of the State or subdivision from which elected.  
19 The legislature shall prescribe the recall procedures and  
20 grounds for recall.

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ARTICLE ON REVISION AND AMENDMENT

Methods

1 Section 1. Revisions of or amendments to this Con-  
2 stitution may be adopted by the Legislature or by consti-  
3 tutional convention as hereinafter authorized subject to  
4 ratification by the people.

Proposals by  
Legislature

5 Section 2. Any legislature may by a two-thirds vote  
6 of each house propose amendments to the Constitution. Pro-  
7 posed amendments shall be submitted by ballot title prepared  
8 by the Attorney General to the voters at the next general  
9 election. If a majority of the votes tallied on the ques-  
10 tion favor the ratification of the amendment, the amend-  
11 ment is ratified.

Constitutional  
Convention

12 Section 3. The legislature may provide for Consti-  
13 tutional Conventions. If any ten-year period elapses dur-  
14 ing which the legislature has not called a convention,  
15 the Governor shall certify the question, "Shall there be a  
16 Constitutional Convention?" The question shall be sub-  
17 mitted at the first general election following the expir-  
18 ation of such period. If a majority of the ballots cast  
19 upon the question are in the affirmative, delegates to the  
20 convention shall be chosen at the next regular election  
21 unless the legislature provides for the election of  
22 delegates at a special election.

23 Unless the legislature provides otherwise, the law  
24 providing for the Alaska Constitutional Convention of 1955  
25 shall be followed insofar as possible relating to number



1 of members, districts, convention powers, election and  
2 certification of delegates, submission and ratification  
3 of revisions and ordinances, and other applicable pro-  
4 visions. The appropriation provisions of the law shall  
5 be self-executing and shall constitute a first claim on  
6 the general fund of the State Treasury. The legislature  
7 may provide additional appropriations.

Amendment No. \_\_\_\_\_

Constitutional Convention

By Ralph J. Rivers

Date Jan 5/55

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3 Article 2

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

*Strike Section 1 and substitute*

*Section 1. Revisions of or amendments  
to this Constitution may be adopted  
by the Legislature or by constitutional  
Convention as hereinafter authorized  
subject to ratification by the people.*

*revised  
roll call*

Amendment No. 1

Constitutional Convention

By Maurice J. Johnson

Date 1/5/56

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

Article on Revision and amendment  
Section 2  
Line 7 page one strike the word  
"May" and insert the word "shall".

adopted  
4/10

Amendment No. \_\_\_\_\_

Constitutional Convention

By W. B. ...

Date 1/5/55

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Article II

~~Sec 1. Lines 2 and 3 strike "adopted by two succeeding legislatures, or by" change proposed in adopted, add proposed after or~~

Sec 2. Strike lines 12, 13, 14, 15, 16.

*adopted  
roll call*

Amendment No. \_\_\_\_\_

Constitutional Convention

By W. D. Smith

Date Jan 4th, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

*Section 3.*

*Add to line 9 on page 1 the words -  
strike period and insert a comma  
"except as herein provided."*

*Adopted  
roll call*

Amendment No. \_\_\_\_\_

Constitutional Convention

By J. Cooper

Date 4 Jan 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. III

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended

as follows:

line 6 - Section 4 "Revised Edition"! (Page 2)

after cast, delete "for governor" and insert period  
after election in line 7.

delete "votes cast" and insert in lines thereof  
"voters who voted"

adopted  
roll call

Amendment No. \_\_\_\_\_

Constitutional Convention,

By Ralph J. Rivers

Date Jan 4/56

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. \_\_\_\_\_ be amended

as follows:

LINE 20. P2 delete "amended or"  
after the word years  
on the last line of section 4, P2  
change period to comma and  
add "but may be amended at any time."

adopted  
by roll call

Amendment No. \_\_\_\_\_

Constitutional Convention

By John H. Rossing

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended

as follows:

SECTION 4 -

LINE 21 - CHANGE WORD "THREE" AFTER

"FOR A PERIOD" ~~THREE~~ TO "TWO YEARS"

*adopted  
raise water  
roll call*



As amended through December 19, 1955  
but still in second reading.

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 3

Introduced by Committee on Direct Legislation

INITIATIVE, REFERENDUM AND RECALL,  
AMENDMENT AND REVISION

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

ARTICLE ON DIRECT LEGISLATION

Initiative	1	Section 1. The people reserve the power by peti-
	2	tion to propose laws and to enact or reject <u>such</u> laws
	3	at the polls.
Referendum	4	Section 2. The people reserve the power to re-
	5	quire, by petition, that laws enacted by the legis-
	6	lature be submitted to the voters for approval or
	7	rejection.
Procedure	8	Section 3. The legislature shall prescribe the
	9	procedures to be followed in the exercise of the powers
	10	of initiative and referendum.
Petitions, ballot title, elec- tion, vote required	11 12 13	Section 4. Prior to general circulation, an ini-
	14	tiative petition containing a draft of the proposed
	15	law in bill form shall be signed by 100 qualified
	16	electors as sponsors and have its sufficiency as to
	17	form certified by the attorney general. The same
		procedure so far as applicable, shall apply to re-
		ferendum petitions. Denial of certification shall

1 be reviewable by the court. If certified to be suf-  
2 ficient the initiative or referendum petition contain-  
3 ing a summary of the subject matter prepared by the  
4 attorney general may then be circulated and must be  
5 signed by qualified electors equal to 10% of the number  
6 of votes cast for governor in the preceding general  
7 election at which the governor was chosen. The peti-  
8 tion shall contain signatures of qualified electors  
9 resident in at least two-thirds of the election Dis-  
10 tricts of the State. The petition may be filed with  
11 the attorney general who shall prepare a ballot title  
12 or proposition designating and summarizing the sub-  
13 stance of the proposed law which proposition shall go  
14 upon the ballot as hereinafter provided. Initiative  
15 petitions may be filed at any time. Referendum peti-  
16 tions shall be filed within 90 days after adjournment  
17 of the legislative session at which the measure was  
18 passed. Laws proposed by the initiative shall be sub-  
19 mitted to the voters by ballot title at the first state-  
20 wide election which occurs more than one hundred twenty  
21 (120) days after adjournment of the legislative session  
22 following the filing of the initiative petition, unless  
23 the legislature at said session shall have enacted sub-  
24 stantially the same measure. Questions on referendum  
25 shall also be submitted to the voters by ballot title

1 at the first statewide election occurring more than one  
2 hundred twenty (120) days after adjournment of the leg-  
3 islature which passed the law being referred. A major-  
4 ity of the votes cast is necessary for the adoption of  
5 an initiated law, or the defeat of a measure referred.  
6 No law passed by the initiative may be vetoed by the  
7 Governor.

Restrictions 8 Section 5. The initiative or referendum may not  
9 be used as a means of earmarking revenues, for making  
10 or defeating appropriations of public funds, or for  
11 local or special legislation. The referendum shall not  
12 be applicable to such laws as are necessary for the  
13 immediate preservation of the public peace, health and  
14 safety.

Recall 15 Section 6. Every elected public official in the  
16 State, except judicial officers, is subject to recall  
17 by the voters of the State or subdivision from which  
18 elected. Grounds for recall are malfeasance, misfeas-  
19 ance, nonfeasance, or conviction of a crime involving  
20 moral turpitude. The legislature shall prescribe the  
21 recall procedures.

Constitutional Convention  
December 19, 1955

AMENDMENT TO COMMITTEE PROPOSAL NO. 3

by

J.S.Hellenthal-Smith-Davis-Rivers, R.

Page 2, lines 9 (beginning with the word "Laws") to 17 (ending with the word "sure") should be stricken and the following substituted:

"Laws proposed by the initiative shall be submitted to the voters by ballot title at the first statewide election which occurs more than one hundred twenty (120) days after adjournment of the legislative session following the filing of the initiative petition, unless the legislature at said session shall have enacted substantially the same measure. Questions on referendum shall also be submitted to the voters by ballot title at the first statewide election occurring more than one hundred twenty (120) days after adjournment of the legislature which passed the law being referred."

*Adopted -  
p. 5, Journal - 12/19/55*

Amendment No. 2

Constitutional Convention

By E. V. Davis

Date Dec. 16, 1953

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended

as follows: *Initiative, referendum and recall.*

*Section 4, ~~the~~ page 2, line 20, Insert after the word "nor" the words "may it be"*

*adopted  
4/0*

Amendment No. 2

Constitutional Convention

By E. V. Davis

Date 12-16-55

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows: *Initiative, referendum and recall:*

*Section 5, page 2, line 24. Insert a comma  
after the word funds, delete the word "or" and  
insert "of" in lieu thereof, change the  
word "now", ~~the~~ the next to last word in the  
line to "or"*

*accepted  
m/c*

Amendment No. 1

Constitutional Convention

By Maxine Johnson

Date 12/16/58

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended as follows:

Page one - Section 4 - Line 18

Strike word "eight" at the end of the line and insert in lieu thereof the word "fifteen"

roll call adopted

Page one - Section 4

Line 15 - Strike the word "constitutionality" and substitute in lieu thereof the word "form"

roll call adopted

Amendment No. \_\_\_\_\_

Constitutional Convention

By Johnson

Date Dec. 17, 1955

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

page 2, line 3, Section 4;  
after word "chosen": and new  
sentence "The petition shall  
contain signatures from at least  
two-thirds of the election  
districts of the State."

adopted  
by roll call



Amendment No. \_\_\_\_\_

Constitutional Convention

By R. E. Robertson

Date Dec 17 1951

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

*Section 4, ... delete "10" and  
insert "100" in lieu thereof so it  
will read "100" qualified electors,  
R. E. Robertson*

*Adopted  
roll call*

Amendment No. \_\_\_\_\_

Constitutional Convention

By Ralph J. Rivers

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

*page 1*  
Sec. 3, Line 10. Delete the words  
"authority reserved" and substitute  
the word "provisions". ~~thereof~~

*adopted  
R/C*

Amendment No. \_\_\_\_\_

Constitutional Convention

By B. White

Date Dec 17

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

page 2, sec 1, lines 22-25, strike the 1st  
sentence & insert in lieu thereof: The  
initiative or referendum may not be used as  
a means of earmarking revenues, for  
making or defeating appropriations of public  
funds, or for local or special legislation.

Adopted  
M.C.

Amendment No. 2

Constitutional Convention

By BUCKALEW

Date 17 DEC

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT: RIVERS AMENDMENT

I move that (Committee) Proposal No. 3 be amended as follows:

STRIKE ENTIRE SENTENCE BEGINNING WITH  
"THE PETITION shall ~~etc~~ -

ADD  
THE PETITION SHALL CONTAIN  
SIGNATURES OF QUALIFIED ELECTORS  
RESIDENT IN AT LEAST TWO-THIRDS  
OF <sup>the</sup> ELECTION DISTRICTS OF THE STATE.

*ordered  
adopted  
M/C*

Amendment No. \_\_\_\_\_

Constitutional Convention

By Ed Davis

Date Dec 17/55

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended

as follows:

*Section four as amended at request of Ralph Rivers.  
After word "general" on line 4 of  
Ralph Rivers amendment insert the  
following sentence: "The same procedure,  
so far as applicable, shall  
apply to referendum petitions."*

*voice vote  
accepted*

Amendment No. \_\_\_\_\_

Constitutional Convention

By DOROTHY J. AWES

Date 12/19/55

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

*SECTION 3, LINE 9.*

*DELETE COMMA AFTER REFERENDUM + INSERT  
PERIOD. DELETE REMAINDER OF SENTENCE. ~~section~~  
sentence.*

*adopted  
by voice vote*

Amendment No. \_\_\_\_\_

Constitutional Convention

By Ames

Date Dec. 17, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended

as follows:

SECTION 3, LINE 10  
DELETE WORDS "No law shall be enacted  
to hamper, restrict or impair the exercise  
of powers reserved herein by the people."

*adopted  
roll call*

Amendment No. \_\_\_\_\_

Constitutional Convention

By V RIVERS

Date DEC 17 55

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3

MR. PRESIDENT:

I move that (Committee) Proposal No. 3 be amended  
as follows:

Page 2 line 25 after the word, "legislation"  
strike the balance of the line and on  
Page 3 strike ~~the~~ line I. and insert  
in lieu thereof the following:

"The referendum shall not be applicable to  
such laws as are necessary for the  
immediate preservation of the public peace,  
health or safety. ~~and laws making~~  
~~appropriations for the current expenses~~  
~~of the State government and for the~~  
~~maintenance of public institutions.~~"

adopted  
roll call



Constitutional Convention  
Committee Proposal/3  
December 9, 1955

ALASKA CONSTITUTIONAL CONVENTION  
REPORT OF THE COMMITTEE ON  
DIRECT LEGISLATION, AMENDMENT AND REVISION

Hon. William A. Egan  
President, Alaska Constitutional Convention

Dear Mr. President:

Your Committee on Direct Legislation, Amendment and Revision presents for your consideration and adoption its proposed Articles on Initiative, Referendum and Recall; and Amendment and Revision.

The Committee proposal, while incorporating many of the ideas contained in Convention Proposals No. 29 and 34, and in other drafts submitted to the Committee, is a Committee substitute.

A section by section commentary of the subject matter has been prepared by your Committee for the use of the Delegates to the Convention.

Respectfully submitted,

E. B. Collins, Chairman

Jack Hinckel

M. R. Marston

Irwin L. Metcalf

Warren A. Taylor

W. O. Smith

Leonard King

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 3

Introduced by Committee on Direct Legislation

INITIATIVE, REFERENDUM AND RECALL  
AMENDMENT AND REVISION

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

ARTICLE ON DIRECT LEGISLATION

Initiative 1 Section 1. The people reserve the power by petition  
2 to propose laws and to enact or reject such laws at the  
3 polls.

Referendum 4 Section 2. The people reserve the power to require,  
5 by petition, that laws enacted by the legislature be  
6 submitted to the voters for approval or rejection.

Procedure 7 Section 3. The legislature shall prescribe the  
8 procedures to be followed in the exercise of the powers  
9 of initiative and referendum, <sup>except as herein provided,</sup> subject to the specific  
10 authority reserved herein. ~~§~~ No law shall be enacted to  
11 hamper, restrict or impair the exercise of powers reserved  
12 hercin by the people.]

Petitions, 13 [ Section 4. Prior to general circulation, an initia-  
ballot 14 tive petition shall be signed by ten qualified electors  
title, 15 as sponsors and have the <sup>form</sup> constitutionality certified by  
election, 16 the Attorney General. Certification shall be reviewable  
vote re- 17 by the courts. A valid initiative or referendum petition  
quired 18 shall be signed by qualified electors equal to <sup>fifteen</sup> eight.]

~~of the election districts of the State.~~

page 7  
§ 2 40<sup>th</sup> day

1 percent of the number of votes cast for Governor in the  
2 preceding general election at which the Governor was  
3 chosen. ~~The petition shall contain signatures from at least two-thirds~~  
4 eral, who shall prepare a ballot title, and the adequa-  
5 cy of the ballot title shall be reviewable by the courts.]

6 Initiative petitions may be filed at any time. Refer-  
7 endum petitions shall be filed within 90 days after ad-  
8 journment of the legislative session at which the measure  
9 was passed. [Laws proposed by the initiative shall be

10 submitted to the voters by ballot title at an election  
11 not later than 180 days after the adjournment of the  
12 legislative session following the filing of the petition,  
13 unless the legislature enacts the measure initiated  
14 during the session. The question on referendum shall be  
15 submitted to the voters by ballot title not later than  
16 120 days after the filing of a petition against the mea-

+ page 18  
40<sup>th</sup> day

17 sure.]<sup>+</sup> A majority of the votes cast is necessary for the  
18 adoption of an initiated law, or the defeat of a measure  
19 referred. No law passed by the initiative may be vetoed  
20 by the Governor nor <sup>may it be</sup> [amended or] repealed by the legislature  
21 for a period of <sup>two</sup> [three] years, <sup>but may be amended at any time</sup>  
<sub>page 5 - 42<sup>nd</sup> day</sub>

Restrictions

22 Section 5. [Neither the initiative nor referendum  
23 may be used as a means of making or defeating appropria-  
24 tions of public funds <sup>or</sup> earmarking of revenues <sup>or</sup> for  
25 local or special legislation.] [Emergency acts are not

page 11 - 40<sup>th</sup> day

x 1911-20th day

1 subject to referendum.]

Recall

2 Section 6. Every elected public official in the  
 3 State, except judicial officers, is subject to recall by  
 4 the voters of the State or subdivision from which elected.  
 5 [Grounds for recall are malfeasance, misfeasance, nonfeas-  
 6 ance, or conviction of a crime involving moral turpitude.]  
 7 The legislature shall prescribe the recall procedures,

*and grounds for recall.*

ARTICLE ON REVISION AND AMENDMENT

to Day  
Page 11

Methods

1 [Section 1. Revisions of or amendments to this  
2 constitution may be adopted by two succeeding legisla-  
3 tures, or be proposed by constitutional convention or  
4 by the legislature.]

*Revised  
amend  
by leg  
draft*

Proposals by  
Legislature

5 Section 2. Any legislature may by a two-thirds  
6 vote of each house propose amendments to the Constitu-  
7 tion. Proposed amendments <sup>shall</sup> [may] be submitted by ballot  
8 title prepared by the Attorney General to the voters at  
9 the next general election. If a majority of the votes  
10 tallied on the question favor the <sup>ratification</sup> [adoption] of the amend-  
11 ment, the amendment is <sup>ratified</sup> [adopted]

12 [Proposed amendments may be submitted to the next  
13 legislature not less than two years after being proposed.  
14 If the second legislature by a two-thirds vote of each  
15 house favors the adoption of the amendment, the amend-  
16 ment is adopted.]

Constitutionally  
Convention

17 Section 3. The legislature may provide for  
18 Constitutional Conventions. If any ten-year period  
19 elapses during which the legislature has not called a  
20 convention, the Governor shall certify the question,  
21 "Shall there be a Constitutional Convention?" The  
22 question shall be submitted at the first general elec-  
23 tion following the expiration of <sup>such</sup> period. If a  
24 majority of the ballots cast upon the question are in  
25 the affirmative, delegates to the convention shall be

ARTICLE ON REVISION AND AMENDMENT

-2-

1 chosen at the next regular election unless the legisla-  
2 ture provides for the election of delegates at a special  
3 election.

4 Unless the legislature provides otherwise, the law  
5 providing for the Alaska Constitutional Convention of  
6 1955 shall be followed insofar as possible relating to  
7 number of members, districts, convention powers, election  
8 and certification of delegates, submission and ratifica-  
9 tion of revisions and ordinances, and other applicable  
10 provisions. The appropriation provisions of the law  
11 shall be self-executing and shall constitute a first  
12 claim on the general fund of the State Treasury. The  
13 legislature may provide additional appropriations.

ALASKA CONSTITUTIONAL CONVENTION

Commentary on the Article of Initiative, Referendum  
and Recall

(Sec. 1 Initiative)

The initiative is the power of the people to initiate laws themselves and provide for a referendum on such laws without action by the legislature. This section reserves the authority of the people to initiate laws by petition and vote of the people directly.

(Sec. 2 Referendum)

This section permits the people to require that laws passed by the Legislature be referred to a vote of the people before taking effect. This power is known as the Referendum.

(Sec. 3 Procedure)

Many constitutions, in the states which make provision for the use of the initiative and referendum, contain a great degree of detail relating to the exercise of the initiative and referendum. This section permits the legislature to provide by law for some details, but provides that the legislature may not restrict the substantive rights guaranteed in Section 4, nor to require procedures more difficult than provided in Section 4.

(Sec. 4 Petition, Ballot title; election; vote required)

This section sets forth certain substantive provisions and minimum procedures affecting the exercise of the initiative

and referendum. To prevent waste of money on elections for laws that are unconstitutional, sponsors are required to submit a proposed law to the Attorney General for certification of its constitutionality, subject to court review, prior to the circulation of petitions. The provision is intended to stop, at the initial stage, the circulation of petitions for laws that would, even if approved by the voters, result in expensive court action.

If the legislature adopts a measure that is the subject of the initiative, the measure does not have to be submitted to the people.

Additional details of procedure may be provided by the legislature subject to the limits imposed by this section. The procedure outlined has the advantage of brevity while ensuring the substantive rights to the people.

(Sec. 5 Restrictions)

The exercise of the initiative is a fundamental right of the people, but special interest groups should not be permitted to unduly hamper the operation of government. The restrictions in Section 5 will prevent the abuses and problems that have sometimes arisen in the states permitting initiative and referendum. Neither the initiative nor referendum can be used with regard to emergency legislation, appropriations, or measures earmarking taxes and other revenues, or for special or local laws that are of interest to only one group of people or people in only one portion of the state.



(Sec. 6 Recall)

The right of the people to remove elected officials is preserved. The Legislature is directed to provide the methods to be used.

Commentary on the Article on Amendment and Revision

(Sec. 1 Methods)

This section outlines three methods by which the constitution may be amended or revised. (1) By action of two separate legislatures directly; (2) by action of one legislature and referral to the people; and (3) by constitutional convention.

(Sec. 2 Proposals by Legislature)

The Legislature, by a two-thirds vote, may submit a proposed amendment to a vote at a general election. Use of general election is intended to insure a substantial vote on the question.

An alternate method is provided which permits the legislature, by a two-thirds vote, to submit a proposed amendment to the next legislature, but not to a succeeding session of the same legislature. If the second legislature adopts the amendment by a two-thirds vote it becomes part of the constitution without referring it to a vote of the people.

(Sec. 3 Constitutional Convention)

The legislature is empowered to call a convention, but if the legislature does not provide for a convention each ten years, the question is submitted to the people at the following general election.

The legislature is authorized to prescribe the procedures and powers of a convention; but if it does not make such provisions, the law calling this convention will be followed insofar as practicable.