

CONSTITUTIONAL CONVENTION 320.5  
Chief Clerks File - Com Proposal No 5

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Constitutional Convention  
Committee Proposal/5/Enrolled  
January 12, 1956

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 5

Introduced by Committee on Legislative Branch

LEGISLATIVE POWERS AND DUTIES

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

ARTICLE ON LEGISLATIVE BRANCH

Legislative  
Power

1 Section 1. The legislative power and authority of  
2 the state is vested in a legislature, which consists of  
3 a Senate and a House of Representatives.

Qualifi-  
cations  
of Members

4 Section 2. A senator shall be at least 25 years of  
5 age and have resided in Alaska at least 3 years, and in  
6 the district to be represented at least one year, immed-  
7 iately prior to filing for office, and shall otherwise be  
8 a qualified elector.

9 A representative shall be at least 21 years of age and  
10 have resided in Alaska at least 3 years, and in the dis-  
11 trict to be represented at least one year, immediately  
12 prior to filing for office, and shall otherwise be a  
13 qualified elector.

Election;  
Terms

14 Section 3. Members of the legislature shall be elected  
15 on the day provided for general elections, and their  
16 terms of office shall begin on the fourth Monday of the  
17 following January unless otherwise provided by law. The

1 term of office of members of the House of Represent-  
2 atives is two years. The term of office of members  
3 of the Senate is four years, and one-half of the  
4 members shall be elected each two years.

Vacancies

5 Section 4. Any vacancy in the legislature shall  
6 be filled for the unexpired term in such manner as  
7 may be prescribed by law, or, if no provision be  
8 made by law, by appointment by the governor for the  
9 unexpired term.

Disqualifi-  
cations

10 Section 5. No member of the legislature shall be  
11 nominated, elected or appointed to any other office  
12 which has been created, or the salary or emoluments  
13 of which have been increased while he was a member  
14 of the legislature, during the term for which he was  
15 elected and for one year after the expiration of such  
16 term. This section shall not apply to positions of  
17 employment in or elections to any constitutional  
18 convention.

Privileges  
of Members

19 Section 6. No member of the legislature shall be  
20 held to answer before any other tribunal for any  
21 statement made or action taken in the exercise of  
22 his legislative functions; and members of the legis-  
23 lature shall, in all cases except felony or breach  
24 of the peace, be privileged from arrest and not sub-  
25 ject to civil process during their attendance at the

1 sessions of their respective houses, and in going  
2 to and returning from the same.

Salary  
and Travel  
Expense

3 Section 7. Each member of the legislature shall  
4 receive an annual salary and shall be entitled to  
5 travel expenses in going to and returning from sessions.  
6 The presiding officers of the respective houses may  
7 receive an additional salary, and members of the legis-  
8 lature may receive a per diem allowance for expenses  
9 while in session, as the legislature may direct.

Regular  
Sessions

10 Section 8. The legislature shall convene on the  
11 fourth Monday in January each year unless otherwise  
12 provided by law. Neither house may adjourn or recess  
13 for a period longer than three days without the con-  
14 currence of the other. If the two houses cannot agree  
15 on the time of adjournment, the Governor may, on the  
16 same being certified to him by one of the houses,  
17 adjourn the legislature, subject to the provisions  
18 of Section 9 hereof.

Special  
Sessions

19 Section 9. Special sessions may be called by the  
20 Governor. Special sessions may be ordered by a vote  
21 of two-thirds of the legislators, through a poll  
22 conducted by the legislative council or as otherwise  
23 prescribed by law, which shall cause the legislature  
24 to assemble in special session. When the legislature  
25 is convened in special session by the Governor there

1 shall be no legislation upon subjects other than  
2 those designated in the proclamation of the Governor  
3 calling such session, or presented to them by the  
4 Governor. No special session shall be of longer  
5 duration than thirty days.

Interim  
Committees

6 Section 10. There shall be a legislative council  
7 and such other interim committees as the legislature  
8 may establish. The council and other committees may  
9 meet between sessions and perform such duties and  
10 employ other persons as the legislature may direct  
11 or permit. Members of the council and other committees  
12 may receive an allowance for expenses during the  
13 performance of their duties.

Rules of  
Procedure

14 Section 11. The Houses of each legislature shall  
15 adopt uniform rules of procedure. Each house shall  
16 have the power to choose its officers and employees,  
17 shall be the judge of the elections and qualifications  
18 of its members; and each house shall keep a journal  
19 of its proceedings. A majority of the members to  
20 which each house is entitled shall constitute a  
21 quorum to do business, but a smaller number may ad-  
22 journ from day to day and may compel the attendance  
23 of absent members. The legislature shall have the  
24 power to regulate lobbying.

Suits  
against  
State

25 Section 12. The legislature shall direct by law

1 in what manner suits may be brought against the  
2 state.

Impeachment

3 Section 13. All civil officers of this state  
4 shall be liable for impeachment by the legislature.  
5 A motion for impeachment shall arise in the Senate  
6 and shall be by two-thirds vote of all the Senators.  
7 Such motion shall list fully the basis for the pro-  
8 ceeding. The trial on impeachment shall be conducted  
9 before the house of representatives, and a Justice  
10 of the Supreme Court designated by the Court shall  
11 preside. A vote of two-thirds of all the members  
12 of the house of representatives is required to render  
13 a judgement of impeachment. Judgement of impeachment  
14 shall not extend beyond removal from office, but shall  
15 not prevent punishment of such officer by the courts  
16 on charges growing out of the same matter.

Veto by  
Governor

17 Section 14. The governor shall have the power to  
18 veto bills passed by the legislature. The governor may  
19 veto appropriation bills by item, by striking or reduc-  
20 ing specific appropriations. If the governor vetoes a  
21 bill he shall return it to the house of origin together  
22 with his objections. The legislature sitting as one  
23 body shall immediately reconsider the passage of the  
24 bill. Bills not carrying appropriations or affecting  
25 the expenditure of monies shall become law by a two-

1 thirds vote of the total number of legislators  
2 to which the state is entitled. Bills carrying  
3 appropriations, dealing with taxation or affecting  
4 payments of monies under existing statutes, or an  
5 item or items in the general appropriations bill shall  
6 become law upon the affirmative vote of three-fourths  
7 of the total number of legislators to which the state  
8 is entitled. The vote on reconsideration of a vetoed  
9 bill shall be entered on the journals of both houses.  
10 While the legislature is in session, if the Governor  
11 neither signs nor vetoes a bill within fifteen days  
12 (Sundays excepted) after it is delivered to him, it  
13 shall become law without his signature. If the  
14 legislature is not in session and the Governor neither  
15 signs nor vetoes a bill within twenty days (Sundays  
16 excepted) after it has been presented to him, the  
17 same shall be law in like manner as if he had signed  
18 it.

Bills:  
Enactment

19 Section 15. The legislature shall establish the  
20 procedure for enactment of bills into law, and no  
21 bill shall become law without an affirmative vote of  
22 a majority of the membership of each house, and the  
23 yeas and nays on final passage shall be entered in  
24 the journal. Every bill, except bills for appropria-  
25 tions and bills for codification, revision, or

1 rearrangement of existing laws, shall be confined to  
2 one subject, which shall be expressed in the title.  
3 Bills for appropriations shall be confined to appropri-  
4 ations. The enacting clause of each law shall be, "Be  
5 it enacted by the legislature of the State of Alaska."  
6 No bill shall become law unless it shall pass three  
7 readings in each house on separate days except that  
8 any bill may be advanced from second to third reading  
9 by a three-fourths majority of the house having the  
10 bill under consideration.

Time of  
Taking  
Effect

11 Section 16. No law passed by the legislature,  
12 except the general appropriation act, shall take effect  
13 until ninety days after the adjournment of the session  
14 at which it was enacted, unless in case of emergency,  
15 which emergency must be expressed in the act, the  
16 legislature shall, by a vote of two-thirds of all the  
17 members of each house, otherwise direct.

Local or  
Special  
Acts Pro-  
hibited

18 Section 17. The legislature shall pass no local  
19 or special act in any case where a general act can  
20 be made applicable, and whether a general act can be  
21 made applicable shall be a matter for judicial deter-  
22 mination. No local act calling for use of funds to be  
23 appropriated by a political subdivision shall take  
24 effect until approved by a majority of the qualified  
25 voters voting thereon in the district to be affected.



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

Constitutional Convention

By Marino Johnson

Date 1/11/56

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended

as follows:

Section 16. Line 22

after period add the following

"The enacting clause of each law shall be, "Be it enacted by the legislature of the State of Alaska." No bill shall become law unless it shall pass three readings in each house, on separate days."

nodall amendment

adopted  
roll call  
~~roll call~~  
this vote

V. Rivers  
amendment

Page 3, Section 8, line 14, add the following at the end of this section: "If the two houses cannot agree on the time of adjournment, the Governor may, on the same being certified to him by one of the houses, adjourn the legislature, subject to the provisions of Section 9 hereof."

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

Constitutional Convention

By Hellenenthal

Date Jan. 10, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

*Section 9, pg. 3, line 17, strike the word  
"directed" and insert the word  
"conducted".*

*adopted  
u/c*

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

Constitutional Convention

By McCutcheon

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended

as follows:

*Sec. 9*  
P. 3, line 18

*after ~~council~~ <sup>strike</sup> add comma after Council  
and insert "or as otherwise  
prescribed by law,"*

*adopted  
voice vote*

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

Constitutional Convention

By Sweeney

Date 1-10-1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 7

MR. PRESIDENT:

I move that (Committee) Proposal No. 7 be amended  
as follows: Sec. 11

*Line 11 delete second "of"  
insert "to which"  
and after "house"  
"is entitled"*

*adopted  
M/C*

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

Constitutional Convention

By Ms Douglas

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Section 12, line 17 strike the words "and  
in what court" and in line 18 strike the  
words "or agencies thereof"*

*adopted  
m/c*

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

Constitutional Convention

By V. Rivers

Date \_\_\_\_\_

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

MR. PRESIDENT:

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

*Section*  
*strike "representatives" and insert*  
*"origin"*

*adopted*  
*m/c*

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

Constitutional Convention

By Norville

Date Jan. 11

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Section 15, line 20, after the word  
"shall" insert the word "immediately"*

*roll call  
accepted*



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

Constitutional Convention

By White

Date \_\_\_\_\_

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

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

Section 15, page 5, line 17 after period  
insert the following sentence:  
"The Governor may veto appropriation  
bills by item, by striking or  
reducing specific appropriations:"

adopted  
roll call

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

Constitutional Convention

By Johnson

Date Jan. 11, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

Section 16, line 22  
after period add the following  
"The existing clause of each law  
shall be, "Be it enacted by the  
legislature of the State of Alaska."  
No bill shall become law unless  
it shall pass three readings  
in each house on separate days."

adopted  
roll call

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

Constitutional Convention

By McLaughlin

Date Robertson

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Section 16, line 16*

*Delete first "a" and insert  
"an affirmative"*

*~~Mc~~  
adopted  
unice vote*

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

Constitutional Convention

By Nordale

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Section 16*  
Add to Mr. Johnson's amendment  
strike period, add

"except that any bill may be  
advanced from second to third  
reading by a three-fourths  
majority of the house having  
the bill under consideration."

*adopted  
rule call*

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

Constitutional Convention

By Rivers

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended as follows:

*Section 18, line 8  
after the words "to local act"  
insert: "calling for use of funds  
to be appropriated by a political  
subdivision"*

*adopted  
roll call*

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

Constitutional Convention

By Rules Committee

Date Jan. 9

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Strike section 25 to be taken up with  
the apportionment article*

*accepted  
voice vote*

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

Constitutional Convention

By Nardak

Date Jan. 11 - 1955

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

MR. PRESIDENT:

*Am*

I move that (Committee) Proposal No. 5 be amended

as follows:

*Add to Mr. Johnson's amendment:*

*Strike period, add "unless ordered by a ~~three-fourths~~ majority of the*

*"except that any bill may be ~~passed~~ advanced from second to third reading by a three-fourths majority of the house, having the bill under consideration"*

*adopted  
roll call  
voice vote*

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

Constitutional Convention

By M. Chamberlain

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

as follows:

Section 12, line 17 strike <sup>the words</sup> "in what <sup>words</sup> Court"

and in line 18 strike the words  
"or agencies thereof"

so that the section reads:

"The legislature shall direct by law in what manner suits may be brought against the state"

adopted  
M/C



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

Constitutional Convention

By Deeley

Date 1/15/6

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

PAGE 2

SECTION 5.

strike second sentence

20

2nd adopted  
roll call  
1st failed  
roll call

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

Constitutional Convention

By Truman B. King

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Section 5 - line 8.*

*Delete word "hold" and substitute "be nominated,  
elected, or appointed to"*

*adopted  
voice vote*

VICTOR RIVERS

Constitutional Convention  
January 10, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee Proposal No. 5 be amended as follows:

Page 3, Section 8, Line 14 Add the following at the end of this section: "If the two houses cannot agree on the time of adjournment, the Governor may, on the same being certified to him by one of the houses, adjourn the legislature, ~~to such time as he shall think proper but not beyond the day set for the opening of the next regular session.~~

*subject to the provisions of Section 9 hereof.*

*adopted  
voice vote  
held*

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

Constitutional Convention

By Mr. Gray

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Delete section 24 and refer to  
Finance + Taxation*

*adopted  
M/C*

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

Constitutional Convention

By Smith

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended

as follows:

*Strike Section 23 and  
refer to Ordinance +  
Finance + Taxation*

*adopted  
roll call*

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

Constitutional Convention

By Miss Ames

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Strike Section 22*

*adopted w/c*

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

Constitutional Convention

By Mr. Gray

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended

as follows:

*G strike section 21*

*adopted  
m/c*

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

Constitutional Convention

By Verland

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 6

MR. PRESIDENT:

I move that (Committee) Proposal No. 6 be amended

as follows:

- 1. strike section 19.
- 2. ✓ ✓ 20

and refer to Finance & Taxation

adopted y/c



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

Constitutional Convention

By Raymond K. ...

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

Sec. 18 - ~~to the last sentence~~  
Line 8

after the words "No local act"  
insert: "calling for use of funds to be  
appropriated by a political  
subdivision"

2nd adopted  
roll call  
1st failed  
voice vote

Amendment No. 5,463

Constitutional Convention

By B. White

Date Jan 11

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended as follows:

See 11, page 1, line 17: after the period insert the following <sup>sentence</sup> The governor may veto appropriation bills by item, by striking or reducing specific appropriations.

*adopted  
voice vote  
roll call*

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

Constitutional Convention

By R. E. Robertson

Date January 11 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Section 16, Line 16.*

*Delete first "a" and insert  
"an affirmative."*

*R. E. Robertson*

*m/c  
adopted  
voice vote*

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

Constitutional Convention

By Hardale

Date Jan 11, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

Section 15, Line 20 - after the word "shall,"  
insert the word "immediately".

~~roll call~~  
~~voice vote~~  
adopted

Amendment No. 4

Constitutional Convention  
By Marine Johnson  
Date 1/9/56

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Sec. 5 - Page 2*

*Line 14 after word "state" add the  
words "except members of Boards."*

*adopted  
voice vote*

Amendment No. 2

Constitutional Convention

By Burdock

Date Jan 9, 1956

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

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended as follows:

*Section 1, line 3, strike "not more than" and on line 4, strike "not more than"*

*Section 5, line 15, after the word "office", insert the words "in the Congress <sup>of</sup> the United States."*

*adopted  
m/c*

Amendment No. 1

Constitutional Convention

By W. H. ...

Date Jan. 9, 1956

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

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended

as follows:

*Section One*

*Proc One, Line 3, Strike the words*

*"of not more than 20 members"*

*on line 4 strike "of not more than 40 members"*

*so that section one reads:*

*The legislative power and authority  
of the state is vested in a Legislature  
which consists of a Senate and a House  
of Representatives"*

*Amendment  
adopted  
roll call*

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

Constitutional Convention

By W. Rivers

Date Jan 10, 1955

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended

as follows:

after the word "January" on line 18  
page 1 and after the words "each year"  
on line 12 Page 3, insert the  
words "unless otherwise provided by  
law"

adopted  
M/C



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

Constitutional Convention

By Emberg

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

*Section 5, line 8*

*Delete word "had" and substitute*

*"be nominated, elected, or appointed to"*

*Accepted  
voice vote*

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

Constitutional Convention

By Harley

Date \_\_\_\_\_

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

MR. PRESIDENT:

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

~~page 5~~

Section 5 - page 2

strike second sentence

adopted  
roll call

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

Constitutional Convention

By Steve McCarthran

Date Jan. 10, 1956

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

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

That following the word "arrest" in line 25, Section 6 (page 2 of  
proposal) the following be inserted: -

"and not subject to civil process"

adopted  
m/c

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

Constitutional Convention

By BUCKALEW

Date Jan. 10, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended

as follows:

Sec 7 LINE 4 STRIKE

ALL MATERIAL SECTY FOLLOWING

*the first* word "S A M E" ~~AND~~

UP <sup>to</sup> ~~TO~~ AND IN A B O R N G .  
WORD "G O U E R N O R"

LINE 5

*adopted  
roll call*

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

Constitutional Convention

By Buchanan

Date Jan. 10, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee) Proposal No. 5 be amended  
as follows:

Section 7, line 4, strike all material  
following the first word "salony"  
up to and including the word  
"governor" on line 5.

Adopted  
roll call