

**FOLDER NO.**

**410.12**

Section 14, Article XII,  
Style & Drafting, Feb 2, 1956,  
Given to J. Fitzgerald on  
Fish Trap issue, June 1959,  
AOA

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention  
Style and Drafting/Article XII  
February 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

Disclaimer  
and  
Agreement

1           Section 14. The State of Alaska and its people  
2 forever disclaim all right and title in or to any  
3 property belonging to the United States, or subject  
4 to its disposition, and not granted or confirmed to  
5 the State or its political subdivisions, by or under  
6 the act admitting Alaska to the Union. The State and  
7 its people further disclaim all right or title in or  
8 to any property the right or title to which may be  
9 held by or for any Indian, Eskimo or Aleut, or com-  
10 munity thereof, as that right or title is defined in  
11 the act of admission. The State and its people agree  
12 that, unless otherwise provided by Congress, the  
13 property, as described in this section, shall remain  
14 subject to the absolute disposition of the United  
15 States. They further agree that no taxes will be  
16 imposed upon any such property, until otherwise pro-  
17 vided by the Congress. This tax exemption shall not  
18 apply to property held by individuals in fee without  
19 restrictions on alienation.

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention  
Style and Drafting/Article XII  
February 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

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Alaska State Constitution:

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10 munity thereof, as that right or title is defined in  
11 the act of admission. The State and its people agree  
12 that, unless otherwise provided by Congress, the  
13 property, as described in this section, shall remain  
14 subject to the absolute disposition of the United  
15 States. They further agree that no taxes will be  
16 imposed upon any such property, until otherwise pro-  
17 vided by the Congress. This tax exemption shall not  
18 apply to property held by individuals in fee without  
19 restrictions on alienation.

Constitutional Convention  
Committee Proposals/12/15 & 16  
Style and Drafting/Article XII  
January 30, 1956

ALASKA CONSTITUTIONAL CONVENTION  
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President  
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on General and Miscellaneous for consideration by the Convention.

Respectfully submitted,

George Sundborg, Chairman  
R. Rolland Armstrong  
Edward V. Davis  
Victor Fischer  
Mildred R. Hermann  
James J. Hurley  
Maurice T. Johnson  
George M. McLaughlin  
Katherine D. Nordale



REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention  
Committee Proposal/12  
Style and Drafting/Article XII  
January 30, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

Civil Service 1           Section 1. The legislature shall establish a  
2 system under which the merit principle will govern  
3 the employment of persons by the State.

Retirement 4           Section 2. Membership in employee retirement  
Systems 5 systems of the State or its political subdivisions  
6 shall constitute a contractual relationship. Accrued  
7 benefits of these systems shall not be diminished or  
8 impaired.

Disqualifi- 9           Section 3. No person who advocates, or who aids  
cation for 10 or belongs to any party or organization or associa-  
Disloyalty 11 tion which advocates, the overthrow by force or  
12 violence of the government of the United States or  
13 of the State shall be qualified to hold any public  
14 office of trust or profit under this constitution.

Oath of  
Office

1 Section 4. All public officers, before entering  
2 upon the duties of their offices, shall take and  
3 subscribe to the following oath or affirmation:  
4 "I do solemnly swear, or affirm, that I will support  
5 and defend the Constitution of the United States  
6 and the Constitution of the State of Alaska, and  
7 that I will faithfully discharge my duties as \_ \_ \_ \_  
8 to the best of my ability". The legislature may  
9 prescribe further oaths or affirmations.

Inter-  
governmental  
Relations

10 Section 5. The State and its political sub-  
11 divisions may cooperate with the United States and  
12 its territories and with other states and their  
13 political subdivisions on matters of common interest.  
14 The respective legislative bodies may make appro-  
15 priations for this purpose. The governor shall act  
16 as the agent of the State in all intergovernmental  
17 relations involving the State.

Interpreta-  
tion

18 Section 6. Titles and subtitles shall not be  
19 used in construing this constitution. Personal  
20 pronouns used in this constitution shall be con-  
21 strued as including persons of both sexes.

General  
Power

22 Section 7. The enumeration of specified powers  
23 in this constitution shall not be construed as  
24 limiting the powers of the State.

Provisions

25 Section 8. The provisions of this constitution

Self-executing 1 shall be construed to be self-executing whenever  
2 possible.

Law-Making 3 Section 9. As used in this constitution, the  
Powers 4 terms "by law" and "by the legislature", or varia-  
5 tions of these terms, are used interchangeably  
6 when related to law-making powers. Unless clearly  
7 inapplicable, the law-making powers assigned to  
8 the legislature may be exercised by the people  
9 through the initiative, subject to the limitations  
10 of Article XI.

Office of 11 Section 10. Service in the armed forces of  
Profit 12 the United States or of the State is not an office  
13 or position of profit as the term is used in this  
14 constitution.

Consent to 15 Section 11. All provisions of the act admitting  
Enabling Act 16 Alaska to the Union which reserve rights or powers  
17 to the United States, as well as those prescribing  
18 the terms or conditions of the grants of lands or  
19 other property, are consented to fully by the State  
20 and its people.

State 21 Section 12. The University of Alaska is hereby  
University 22 established as the state university and constituted  
23 a body corporate. It shall have title to all real  
24 and personal property now or hereafter set aside  
25 for or conveyed to it. Its property shall be



Board of  
Regents

1 administered and disposed of according to law.  
2 Section 13. The University of Alaska shall  
3 be governed by a board of regents. The regents  
4 shall be nominated and appointed by the governor,  
5 subject to confirmation by a majority of the mem-  
6 bers of the legislature in joint session. The  
7 board shall, in accordance with law, formulate  
8 policy and appoint the president of the university.  
9 He shall be the executive officer of the board.

FIRST ENROLLED COPY

Constitutional Convention  
Committee Proposal/12/Enrolled  
January 23, 1956

ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 12

Introduced by Committee on Executive Branch

Article Containing General and Miscellaneous Provisions

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

GENERAL AND MISCELLANEOUS PROVISIONS

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

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

Disqualifi- 8 Section 3. No person who advocates, or who aids or  
cation for 9 belongs to any party, organization or association which  
Disloyalty 10 advocates the overthrow by force or violence of the gov-  
11 ernment of this State or of the United States shall be  
12 qualified to hold any public office of trust or profit  
13 under this constitution.

Oath of 14 Section 4. All public officers, before entering  
Office 15 upon the duties of their respective offices, shall take

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

Inter- 8 Section 5. The State and its political subdivi-  
Governmental 9 sions may cooperate with the United States and its  
Relations 10 territories and with other states and their political  
11 subdivisions on matters of common interest. The res-  
12 pective legislative bodies may appropriate such sums  
13 as may be necessary for this purpose. In all inter-  
14 governmental relations involving the state, the Gover-  
15 nor shall act as the agent of the state.

The Univer- 16 Section 6. The University of Alaska is hereby  
sity of 17 established as the state university and constituted  
Alaska 18 as a body corporate. It shall have title to all the  
19 real and personal property now or hereafter set aside  
20 for or conveyed to it, to be administered and disposed  
21 of according to law. There shall be a board of regents  
22 of the University of Alaska, the members of which shall  
23 be nominated and appointed by the Governor, by and with  
24 the advice and consent of a majority of the members of  
25 both houses of the Legislature in joint session. The

1 Board shall have power, in accordance with law, to  
2 formulate policy, and to appoint the President of the  
3 University, who shall be its executive officer.

Rules of 4 Section 7. Titles, subtitles and marginal titles  
Interpre- 5 are not to be used for purposes of interpreting this  
tation 6 Constitution.

7 Section 8. In this Constitution the personal pronoun  
8 is to be interpreted to include persons of both sexes.

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

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

Office of 14 Section 11. Service in the armed forces of the  
Profit 15 United States or of the State is not an office or position  
16 of profit as the term is used in this Constitution.

Disclaim- 17 Section 12. The state of Alaska and its people do  
er Regard 18 agree that they forever disclaim all right and title to  
ing 19 any lands or other property not granted or confirmed to  
Native 20 the State or its political subdivisions by or under the  
Lands 21 authority of the Act of Admission of this state, the  
22 right or title to which is held by the United States or  
23 is subject to disposition by the United States, and to  
24 any lands or other property (including fishing rights) the  
25 right or title to which may be held by any Indians,



1 Eskimos, or Aleuts (hereinafter called natives) or is  
2 held by the United States in trust for said natives; that  
3 all such lands or other property, belonging to the United  
4 States or which may belong to said natives, shall be and  
5 remain under the absolute jurisdiction and control of the  
6 United States until disposed of under its authority, ex-  
7 cept to such extent as the Congress has prescribed or may  
8 hereafter prescribe and except when held by individual  
9 natives in fee without restrictions on alienation; and  
10 that no taxes shall be imposed by the State upon any lands  
11 or other property now owned or hereafter acquired by the  
12 United States or which, as hereinabove set forth, may  
13 belong to said natives, except to such extent as the Con-  
14 gress has prescribed or may hereafter prescribe, and ex-  
15 cept when held by individual natives in fee without re-  
16 striction on alienation.

Consent  
to  
Enabling  
Act

17 Section 13. All provisions of the Act admitting  
18 Alaska to the Union which reserves rights or powers to  
19 the United States, as well as those prescribing the terms  
20 or conditions of the grants of lands or other property  
21 made to Alaska, are consented to fully by the state of  
22 Alaska and its people.

Constitutional Convention  
Committee Proposal/16  
January 19, 1956

ALASKA CONSTITUTIONAL CONVENTION

Report of the Committee on Ordinances and Transitional Measures

Honorable William A. Egan  
Alaska Constitutional Convention

Dear President Egan:

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

These are additional miscellaneous matters that can appropriately be considered in conjunction with Committee Proposal No. 12 on "General and Miscellaneous Provisions".

Respectfully submitted,

Robert J. McNealy, Chairman

James Hurley

Herb Hilscher

Seaborn J. Buckalew

Yule F. Kilcher

William W. Knight

W. W. Laws

B. D. Stewart

H. R. VanderLeest

Constitutional Convention  
Committee Proposal/16  
January 19, 1956

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 16

Introduced by Committee on Ordinances and Transitional Measures

GENERAL AND MISCELLANEOUS PROVISIONS

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

Disclaimer  
Regarding  
Native Lands

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

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

Consent to  
Enabling Act

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

University  
of Alaska

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



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

Constitutional Convention  
Committee Proposal/15  
January 19, 1956

ALASKA CONSTITUTIONAL CONVENTION

Report of the Style and Drafting Committee

Honorable William A. Egan  
Alaska Constitutional Convention

Dear President Egan:

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

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

Respectfully submitted,

George Sundborg, Chairman

R. Rolland Armstrong

Edward V. Davis

Victor Fischer

Mildred R. Hermann

James J. Hurley

Maurice T. Johnson

George M. McLaughlin

Katherine D. Nordale

CONSTITUTIONAL CONVENTION OF ALASKA

Introduced by Committee on Style and Drafting

GENERAL AND MISCELLANEOUS PROVISIONS

Rules of  
Interpre-  
tation

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

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

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

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

Constitutional Convention  
Committee Proposal/12  
December 15, 1955

ALASKA CONSTITUTIONAL CONVENTION

Report of the Committee on Executive Branch

Honorable William A. Egan  
President, Alaska Constitutional Convention

Dear Mr. President:

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

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

Respectfully submitted,

Victor Rivers, Chairman

Frank Barr

John C. Boswell

Thomas C. Harris

Maynard D. Londborg

Katharine Nordale

H. R. VanderLeest



ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 12

Introduced by Committee on Executive Branch

Article Containing General and Miscellaneous Provisions

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

Merit	1	Section 1. The legislature shall provide for a
Principle	2	system under which the employment of persons by the
	3	State shall be governed by the merit principle.
Employees	4	Section 2. Membership in any employees' retire-
Retirement	5	ment system of the State or any political subdivision
	6	thereof shall be a contractual relationship, the
	7	accrued benefits of which shall not be diminished or
	8	impaired.
Disquali-	9	Section 3. No person who advocates, or who
fication	10	aids or belongs to any party, organization or
for Dis-	11	association which advocates, the overthrow by force
loyalty	12	or violence of the government of this State or of
	13	the United States shall be qualified to hold any
	14	public office or employment.
Oath of	15	Section 4. All public officers, before entering
Office	16	upon the duties of their respective offices, shall
	17	take and subscribe to the following oath or affirmation

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

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

Constitutional Convention  
Committee Proposal/12  
December 16, 1955

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 12

Commentary on the Article on General and Miscellaneous Provisions

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

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

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

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

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

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

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