

FOLDER NO.

420.13

Constitutional Convention
Style & Drafting/Article XIII
(Committee Proposal 3/Enrolled
January 28, 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 Revision and Amendment for con-
sideration 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

*accepted
roll call*

REPORT OF THE COMMITTEE ON STYLE & DRAFTING

Constitutional Convention
Style & Drafting/Article XIII
January 27, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE XIII

AMENDMENT AND REVISION

Constitutional
Amendments

1 Section 1. Amendments to this constitution
2 may be ~~approved~~ ^{proposed} by a two-thirds vote of each house
3 of the legislature. The secretary of state shall
4 prepare a ballot title and proposition summarizing
5 each proposed amendment and shall place them on the
6 ballot for the next general election. If a majority
7 of the votes cast on the proposition favor the
8 amendment, it is adopted. Unless otherwise provided
9 in the amendment, it becomes effective thirty days
10 after the certification of the election returns by
11 the secretary of state.

Constitutional
Convention

12 Section 2. The legislature may provide for
13 constitutional conventions.

Call by Refer-
endum

14 Section 3. If during any ten year period a
15 constitutional convention has not been held, the

*accepted
roll call
53
2nd*

*see
attached*

1 secretary of state shall place on the ballot for
2 the next general election the question: "Shall
3 there be a constitutional convention?" If a maj-
4 ority of the votes cast on the question are in the
5 affirmative, delegates to the convention shall be
6 chosen at the next regular statewide election unless
7 the legislature provides for the election of the
8 delegates at a special election. The secretary of
9 state shall issue the call for the convention.
10 Unless other provisions have been made by law, the
11 call shall conform as nearly as possible to the act
12 calling the Alaska Constitutional Convention of
13 1955 including, but not limited to, number of mem-
14 bers, districts, election and certification of
15 delegates, and submission and ratification of re-
16 visions and ordinances. The appropriation provi-
17 sions of the call shall be self-executing and shall
18 constitute a first claim on the state treasury.

Convention
Powers

19 Section 4. Constitutional conventions shall
20 have plenary power to amend or revise the consti-
21 tution, subject only to ratification by the people.
22 No call for a constitutional convention shall limit
23 these powers of the convention.

Amendment No. _____

Constitutional Convention

By Mr Davis

Date _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. _____

MR. PRESIDENT: Article XIII

I move that (~~Committee~~) Proposal No. _____ be amended

as follows:

Section 3, page 2, line 3.

*After the word "Constitution", insert the
Convention*

following sentence:

*"If a majority of the votes cast on the
question are in the negative, the question
need not again be placed on the ballot
until the end of the next ten-year
period."*

*adopted
unanimous vote*

Amendment No. _____

Constitutional Convention
Committee on
By Style and Drafting

Date January 28, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 3 (Article XIII)

MR. PRESIDENT:

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

as follows:

Strike the word "approved" on line 2 of Section 1 and insert in lieu thereof the word "proposed".

Section 3, page 2, line 3, after the word "convention" insert the following sentence: "If a majority of the votes cast on the question are in the negative, the question need not again be placed on the ballot until the end of the next ten-year period!"

Constitutional Convention
Style & Drafting/Article XIII
(Committee Proposal 3/Enrolled
January 28, 1956

ALASKA CONSTITUTIONAL CONVENTION
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President
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Dear President Egan:

Your Committee on Style and Drafting herewith presents
its redraft of the Article on Revision and Amendment for con-
sideration by the Convention.

Respectfully submitted,

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REPORT OF THE COMMITTEE ON STYLE & DRAFTING

Constitutional Convention
Style & Drafting/Article XIII
January 27, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE XIII

AMENDMENT AND REVISION

Constitutional
Amendments

1 Section 1. Amendments to this constitution
2 may be approved by a two-thirds vote of each house
3 of the legislature. The secretary of state shall
4 prepare a ballot title and proposition summarizing
5 each proposed amendment and shall place them on the
6 ballot for the next general election. If a majority
7 of the votes cast on the proposition favor the
8 amendment, it is adopted. Unless otherwise provided
9 in the amendment, it becomes effective thirty days
10 after the certification of the election returns by
11 the secretary of state.

Constitutional
Convention

12 Section 2. The legislature may provide for
13 constitutional conventions.

Call by Refer-
endum

14 Section 3. If during any ten year period a
15 constitutional convention has not been held, the

1 secretary of state shall place on the ballot for
2 the next general election the question: "Shall
3 there be a constitutional convention?" If a maj-
4 ority of the votes cast on the question are in the
5 affirmative, delegates to the convention shall be
6 chosen at the next regular statewide election unless
7 the legislature provides for the election of the
8 delegates at a special election. The secretary of
9 state shall issue the call for the convention.

10 Unless other provisions have been made by law, the
11 call shall conform as nearly as possible to the act
12 calling the Alaska Constitutional Convention of
13 1955 including, but not limited to, number of mem-
14 bers, districts, election and certification of
15 delegates, and submission and ratification of re-
16 visions and ordinances. The appropriation provi-
17 sions of the call shall be self-executing and shall
18 constitute a first claim on the state treasury.

Convention
Powers

19 Section 4. Constitutional conventions shall
20 have plenary power to amend or revise the consti-
21 tution, subject only to ratification by the people.
22 No call for a constitutional convention shall limit
23 these powers of the convention.

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 initia-
ballot 11 tive petition containing a draft of the proposed law in bill
title, 12 form shall be signed by 100 qualified electors as sponsors
election, 13 and have its sufficiency as to form certified by the attor-
vote re- 14 ney general. The same procedure, so far as applicable,
quired 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 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.