

**FOLDER NO.**

**420.3**

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention  
Article III/ Executive  
Style and Drafting  
January 26, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE III

THE EXECUTIVE

Executive Power	1	Section 1. The executive power of the State is
	2	vested in the governor.
Qualifica- tions of Governor	3	Section 2. The governor shall be at least thirty
	4	years of age and a qualified voter of the State. He
	5	shall have been a resident of Alaska at least seven
	6	years immediately preceding his filing for office,
	7	and he shall have been a citizen of the United States
	8	for at least seven years.
Election	9	Section 3. The governor is chosen by the qualified
	10	voters of the State at a general election. The candi-
	11	date receiving the greatest number of votes shall be
	12	governor.
Term of Office	13	Section 4. The term of office of the governor is
	14	four years, beginning at noon on the first Monday in
	15	December following his election and ending at noon on
	16	the first Monday in December four years later.

*adopted  
all  
all*

Limit on  
Tenure

1 Section 5. No person who has been elected governor  
2 for two full successive terms shall be again eligible  
3 to hold that office until one full term has intervened.

Dual Office  
Holding

4 Section 6. The governor shall not hold any other  
5 office or position of profit under the United States,  
6 the State or its political subdivisions.

Secretary  
of State:  
Duties

7 Section 7. There shall be a secretary of state.  
8 He shall have the same qualifications as the governor  
9 and serve for the same term. He shall perform such  
10 duties as may be prescribed by law and as may be dele-  
11 gated to him by the governor.

Election

12 Section 8. The secretary of state shall be nomi-  
13 nated in the manner provided by law for nominating  
14 candidates for other elective offices. In the general  
15 election the votes cast for a candidate for governor  
16 shall be considered as cast also for the candidate for  
17 secretary of state running jointly with him. The  
18 candidate whose name appears on the ballot jointly with  
19 that of the successful candidate for governor is elected  
20 secretary of state.

Acting  
Governor

21 Section 9. In case of the temporary absence of  
22 the governor from office, the secretary of state serves  
23 as acting governor.

Succession:  
Failure to  
Qualify

24 Section 10. In case a governor-elect fails to  
25 qualify and assume office for any reason, the person

*new  
activity  
25*

1 elected with him as secretary of state shall succeed to  
2 the office of governor for the full term.

Vacancy

3 Section 11. In case of a vacancy in the office of  
4 governor for any reason the secretary of state shall  
5 succeed to the office for the remainder of the term.

Absence

6 Section 12. Whenever for a period of six months  
7 a governor shall have been continuously absent from the  
8 State or shall have been unable to discharge the duties  
9 of his office by reason of mental or physical disability,  
10 the office shall be deemed vacant. The procedure for  
11 determining continuous absence and disability shall be  
12 prescribed by law.

Further  
Succession

13 Section 13. If for any reason the secretary of  
14 state is incapable of succeeding to the office of  
15 governor, the vacancy in the office of governor shall  
16 be filled as prescribed by law. No election of a  
17 secretary of state shall be held except at the time of  
18 electing a governor.

*new  
Sec  
05*

Title and  
Authority

19 Section 14. When the secretary of state [or other  
20 officer] succeeds to the office of governor, he shall  
21 have the title, powers, duties, and emoluments of that  
22 office.

Compensa-  
tion

23 Section 15. The compensation of the governor and  
24 the secretary of state shall be prescribed by law and  
25 shall not be diminished during their term of office,

1 unless by general law applying to all salaried officers  
2 of the State.

Governor:  
Authority

3 Section 16. The governor is responsible for the  
4 faithful execution of the laws. He may, by appropriate  
5 court action or proceeding brought in the name of the  
6 State, enforce compliance with any constitutional or  
7 legislative mandate, or restrain violation of any  
8 constitutional or legislative power, duty or right by  
9 any officer, department or agency of the State or any  
10 of its political subdivisions. This authority shall  
11 not be construed to authorize any action or proceeding  
12 against the legislature.

Convening  
Legislature

13 Section 17. Whenever the governor considers it in  
14 the public interest, he may convene the legislature,  
15 either house, or the two houses in joint session.

Messages  
to  
Legislature

16 Section 18. The governor shall, at the beginning  
17 of each session, and may at other times, give the legis-  
18 lature information concerning the affairs of the State  
19 and recommend the measures he considers necessary.

Military  
Authority

20 Section 19. The governor is commander-in-chief  
21 of the armed forces of the State. He may call out these  
22 forces to execute the laws, suppress or prevent insur-  
23 rection or lawless violence, or repel invasion. The  
24 governor, as provided by law, shall nominate and appoint  
25 all general and flag officers of the armed forces of

1 the State, subject to confirmation by a majority of  
2 the members of the legislature in joint session. He  
3 shall appoint and commission all other officers.

Martial  
Law

4 Section 20. The governor may proclaim martial  
5 law when the public safety requires it in case of  
6 rebellion or actual or imminent invasion. Martial  
7 law shall not continue for longer than 20 days without  
8 the approval of a majority of the members of the legis-  
9 lature in joint session.

Executive  
Clemency

10 Section 21. Subject to procedure prescribed by  
11 law, the governor may grant pardons, commutations and  
12 reprieves, and may suspend and remit fines and for-  
13 feitures. This power shall not extend to impeachment.  
14 A parole system shall be provided by law.

Executive  
Branch:  
Principal  
Departments

15 Section 22. All executive and administrative  
16 offices, departments, and agencies of the state govern-  
17 ment and their respective functions, powers and duties  
18 shall be allocated by law among and within not more  
19 than twenty principal departments, so as to group them  
20 as far as practicable according to major purposes.  
21 Regulatory, quasi-judicial and temporary agencies may  
22 be established by law and need not be allocated within  
23 a principal department.

Reorganiz-  
ation

24 Section 23. The governor may make changes in the  
25 organization of the executive branch or in the

1 assignment of functions among its units which he con-  
2 sider necessary for efficient administration. Where  
3 these changes require the force of law, they shall be  
4 set forth in executive orders, [which shall become  
5 effective at the close of the next regular session of  
6 the legislature, unless disapproved by a resolution  
7 concurred in by a majority of the members of the legis-  
8 lature in joint session.]

new  
Sec  
193

Supervision

9 Section 24. Each principal department shall be  
10 under the supervision of the governor.

Department  
Heads

11 Section 25. The head of each principal department  
12 shall be a single executive unless otherwise provided  
13 by law. He shall be nominated and appointed by the  
14 governor, subject to confirmation by a majority of the  
15 members of the legislature in joint session, and shall  
16 serve at the pleasure of the governor, except as other-  
17 wise provided in this article with respect to the  
18 secretary of state. The heads of all principal  
19 departments shall be citizens of the United States.

Boards and  
Commissions

20 Section 26. When a board or commission is at  
21 the head of a principal department or a regulatory or  
22 quasi-judicial agency, its members shall be nominated  
23 and appointed by the governor, subject to confirmation  
24 by a majority of the members of the legislature in  
25 joint session, and may be removed as provided by law.

1 They shall be citizens of the United States. The board  
2 or commission may appoint a principal executive officer  
3 when authorized by law, but the appointment shall be  
4 subject to the approval of the governor.

Recess  
Appointments

5 Section 27. The governor may make appointments  
6 to fill vacancies occurring during a recess of the  
7 legislature in offices requiring confirmation by the  
8 legislature. The duration of such appointments shall  
9 be prescribed by law.



REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention  
Style and Drafting/Article/III  
January 28, 1956

ALASKA CONSTITUTIONAL CONVENTION

Hon. William A. Egan, President  
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its suggestions for redraft of substantive amendments made yesterday to the Article on the Executive.

Section 10. We recommend that the language, as amended on the floor, be retained.

Section 13. This section was amended on the floor to read as follows:

Section 13. Provision shall be made by law for succession to the office of governor in the event that the secretary of state is unable to succeed to the office. Provision shall also be made for a person to serve as acting governor in the event that the secretary of state is unable to act as governor. No election of a secretary of state shall be held except at the time of electing a governor.

We recommend that the section be as follows:

Section 13. Provision shall be made by law for succession to the office of governor and for an acting governor in the event that the secretary of state is unable to succeed to the officer or act as governor. No election of a secretary of state shall be held except at the time of electing a governor.

Section 23. The end of section 23, after the word "orders" on line 4 of page 6, was amended on the floor to read as follows:

These orders shall become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session.

We recommend that the section be as follows:

The legislature shall have sixty days of a regular session, or a full session if of shorter duration, to disapprove these executive orders. Unless disapproved by resolution concurred in by a majority of the members in joint session, these orders become effective at a date thereafter to be designated by the governor.

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

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

Constitutional Convention  
Committee on  
By Style and Drafting

Date January 27, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10 (Article III)

MR. PRESIDENT:

I move that (Committee) Proposal No. 10 (III) amended  
as follows:

Section 10, page 2, strike the section and insert the following:  
"Section 10. If the governor-elect dies, resigns or is disqualified, the secretary of state elected with him shall succeed to the office of governor for the full term. If the governor-elect fails to assume office for any other reason, the secretary of state elected with him shall serve as acting governor and shall succeed to the office if the governor-elect does not assume his office within six months of the beginning of the term."

~~Section 13, page 3, strike the section and insert the following:  
"Section 13. Provision shall be made by law for succession to the office of governor in the event that the secretary of state is unable to succeed to the office. Provision shall also be made for a person to serve as acting governor in the event that the secretary of state shall be held except at the time of electing a governor."~~

~~Section 23, page 6, line 4, insert period after the word "orders", strike the balance of section and substitute the following:  
"these orders shall become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session."~~

*See attached Style and Drafting report.*

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

Constitutional Convention  
Committee on  
By Style and Drafting

Date January 28, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10 (Article III)

MR. PRESIDENT:

I move that (Committee) Proposal No. 10(III) be amended  
as follows:

Section 14, lines 19 and 20, strike the words "or other officer".

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

Constitutional Convention  
Committee on  
By Style and Drafting

Date January 25, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10 (Article III)

MR. PRESIDENT:

I move that (Committee) Proposal No. 10 (~~III~~) amended

as follows:

.....  
"insert the words "filing for office" in the Executive article in  
place of the language now there, "prior to his election". .....

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