FOLDER NO.

203.01
these drafts went from one subcommittee to another on the afternoon and evening of February 2, and were returned to the large committee room where Vic Fischer and George Sundby prepared the master copy for the printer.
REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/2
Enrolled/Style and Drafting
January 18, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 2

Introduced by Committee on Judiciary Branch

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

THE JUDICIARY

Section 1. The judicial power of the State is vested in a Supreme Court, a Superior Court, and courts established by law. The jurisdiction of courts shall be prescribed by law. The courts constitute a unified judicial system for operation and administration. Judicial districts shall be established by law.

Section 2. The Supreme Court is the highest court of the State, with final appellate jurisdiction, and consists of three justices, one of whom is Chief Justice. The number of justices may be increased by law upon the request of the Supreme Court.

Section 3. The Superior Court is the trial court of general jurisdiction and consists of
five judges. The number of judges may be changed by law.

**Qualifications of Justices and Judges**

Section 4. *Supreme Court* justices and *Superior Court* judges shall be citizens of the United States and of the State, licensed to practice law in the State, and possessing any additional qualifications prescribed by law.

Judges of other courts shall be selected in a manner, for terms, and with qualifications prescribed by law.

**Nomination and Appointment**

Section 5. The Governor shall fill any vacancy in an office of *Supreme Court* Justice or *Superior Court* Judge by appointing one of two or more persons nominated by the Judicial Council.

**Approval or Rejection**

Section 6. Each *Supreme Court* Justice and *Superior Court* Judge shall be subject to approval or rejection on a nonpartisan ballot at the first general election held more than three years after his appointment. Thereafter, each *Supreme Court* Justice shall be subject to approval or rejection in a like manner every tenth year, and each *Superior Court* Judge every sixth year.

**Vacancy**

Section 7. The office of any *Supreme Court* Justice or *Superior Court* Judge becomes vacant ninety days after the election at which he is
rejected by a majority for which he fails to file his declaration of candidacy to succeed himself.

Section 8. The Judicial Council consists of seven members. Three attorney members shall be appointed for six-year terms by the governing body of the organized state bar. Three non-attorney members shall be appointed for six-year terms by the governor subject to confirmation by a majority of the members of the Legislature in joint session. Vacancies shall be filled for the unexpired term in like manner. Appointments shall be made with due consideration to area representation and without regard to political affiliation. The Chief Justice of the Supreme Court is ex-officio the seventh member and chairman of the Judicial Council. No member of the Judicial Council, except the Chief Justice, may hold any other office or position of profit under the United States or the State. The Judicial Council shall act by concurrence of four or more members according to rules which it adopts.

Section 9. The Judicial Council shall conduct studies for improvement of the administration of justice and make reports and recommendations
Incapacity of Judges

Section 10. Whenever the Judicial Council certifies to the Governor that a Supreme Court justice appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the Governor shall appoint a board of three persons to inquire into the circumstances, and may, on the board's recommendation, retire the justice. Whenever a judge of another court appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the Judicial Council shall recommend to the Supreme Court that the judge be placed under early retirement. After notice and hearing, the Supreme Court by majority vote of its members may retire the judge.

Retirement

Section 11. Justices and judges shall be retired at the age of seventy except as provided in this Article. The basis and amount of retirement pay shall be prescribed by law. Retired judges shall render no further service on the bench except for special assignments as provided by court rule.
Section 12. Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.

Section 13. Justices, judges, and members of the Judicial Council shall receive compensation prescribed by law. Compensation of justices and judges shall not be diminished during their terms of office, unless by general law applying to all salaried officers of the State.

Section 14. Supreme Court justices and Superior Court judges while holding office may not practice law, hold office in a political party, or hold any office or position of profit under the United States, the State or its political subdivisions. Any Supreme Court justice or Superior Court judge filing for elective public office forfeits his judicial position.

Section 15. The Supreme Court shall make and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing practice and procedure in civil
and criminal cases in all courts, which rules
may be changed by the Legislature by two-thirds
vote of the members elected to each house.

Section 16. The Chief Justice of the Supreme
Court shall be the administrative head of all
courts. He may assign judges from one court or
division thereof to another for temporary service.
The Chief Justice shall, with the approval of
the Supreme Court, appoint an administrative
director to serve at his pleasure and to super-

vise the administrative operations of the judicial
system.
CONSTITUTIONAL CONVENTION OF ALASKA

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

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

ARTICLE V

SUFFRAGE AND ELECTIONS

Qualified Voters

1. Section 1. Every citizen of the United States who is at least nineteen years of age, who meets registration requirements which may be prescribed by law, and who is qualified to vote under this article, may vote in any state or local election. He shall have been, immediately preceding the election, for one year a resident of Alaska and for thirty days a resident of the election district in which he seeks to vote. He shall be able to read or speak the English language as prescribed by law, unless prevented by physical disability.

2. Additional voting qualifications may be prescribed by law for bond issue elections of political subdivisions.
Section 3. Methods of voting, including absentee voting, shall be prescribed by law. Secrecy of voting shall be preserved. The procedure for determining election contests, with right of appeal to the courts, shall be prescribed by law.

Section 4. The legislature may provide a system of permanent registration of voters and may establish voting precincts within election districts.

Section 5. General elections shall be held on the second Tuesday in October of every even-numbered year, but the month and day may be changed by law.
CONSTITUTIONAL CONVENTION OF ALASKA

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

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ARTICLE V

SUFFRAGE AND ELECTIONS

| Qualified Voters | 1. Every citizen of the United States who is at least nineteen years of age and qualified to vote under this article and not barred by any other provision of law may vote in any state or local election. He shall have been, immediately preceding the election, for one year a resident of Alaska and for thirty days a resident of the election district in which he seeks to vote. He shall be able to read or speak the English language as prescribed by law, unless prevented by physical disability. |
| Disqualifications | 2. No person may vote who has been convicted of a felony involving moral turpitude unless his civil rights have been restored. No person may vote who has been judicially determined to be of unsound mind unless the disability has been removed. |

Article No. 5
Methods of Voting; 
Election Contests 

Section 3. Methods of voting, including absentee voting, shall be prescribed by law. Secrecy of voting shall be preserved. The procedure for determining election contests, with right of appeal to the courts, shall be prescribed by law.

Voting Precincts; Registration 

Section 4. The legislature may provide a system of permanent registration of voters, and may establish voting precincts within election districts.

General Elections 

Section 5. General elections shall be held on the second Tuesday in October of every even-numbered year, but the month and day may be changed by law.
RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

PREAMBLE

We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil and religious liberty, do ordain and establish this constitution for the State of Alaska.

ARTICLE I

DECLARATION OF RIGHTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities and protection under the law; and that all persons have corresponding obligations to the people and to the State.</td>
</tr>
<tr>
<td>2</td>
<td>All political power is inherent in the people. Government derives from the consent of the people.</td>
</tr>
</tbody>
</table>

Inherent Rights

Source of Government
Civil Rights

Section 3. No person is to be denied any civil or political right because of race, color, creed, or national origin. The legislature shall implement this section.

Freedom of Religion

Section 4. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof.

Freedom of Speech

Section 5. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

Assembly; Due Process

Section 6. The right of the people peaceably to assemble, and to petition the government shall never be abridged.

Due Process

Section 7. No person shall be deprived of life, liberty, or property, without due process of law. The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.

Grand Jury

Section 8. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces in time of war or public danger. Indictment may be waived by the accused in which case the prosecution shall be by information. The grand jury consists of at least twelve citizens,
1 a majority of whom concurring may return an indictment.
2 The power of grand juries to investigate and make recom-
3 mendations concerning the public welfare or safety
4 shall never be suspended.

5 Section 9. No person shall be put in jeopardy
6 twice for the same offense. No person shall be compelled
7 in any criminal proceeding to be a witness against
8 himself.

9 Section 10. Treason against the State consists
10 only in levying war against it, or in adhering to its
11 enemies, giving them aid and comfort. No person shall
12 be convicted of treason, unless on the testimony of two
13 witnesses to the same overt act, or on confession in
14 open court.

15 Section 11. In all criminal prosecutions, the
16 accused has the right to a speedy and public trial, by
17 an impartial jury of twelve, except that the legislature
18 may provide for a jury of not more than twelve nor less
19 than six in courts not of record. The accused is entitled
20 to be informed of the nature and cause of the accusa-
21 tion; to be released on bail, except for capital
22 offenses when the proof is evident or the presumption
23 great; to be confronted with the witnesses against him;
24 to have compulsory process for obtaining witnesses in
25 his favor, and to have the assistance of counsel for
26 his defense.
Section 12. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Penal administration shall be based on the principle of reformation and the need for protecting the public.

Section 13. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or actual or imminent invasion, the public safety requires it.

Section 14. The right of the people to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Section 15. No bill of attainder or ex post facto law shall be passed. No law impairing the obligation of contracts, and no law making any irrevocable grant of special privileges or immunities shall be passed. No conviction shall work corruption of blood or forfeiture of estate.

Section 16. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.
Quartering Soldiers

Section 11. No member of the armed forces shall in time of peace be quartered in any house without the consent of the owner or occupant, or in time of war except as prescribed by law. The military shall be in strict subordination to the civil power.

Civil Suits; Trial by Jury

Section 11. In suits at common law, where the amount in controversy exceeds two hundred fifty dollars, the right of trial by jury is preserved to the same extent as it existed at common law. The legislature may make provision for a verdict by not less than three-fourths of the jury, and in courts not of record, may provide for a jury of not less than six or more than twelve.

Imprisonment For Debt

Section 14. Debt, except in case of absconding debtors.

Eminent Domain

Section 15. Private property shall not be taken or damaged for public use without just compensation.

Construction

Section 21. The enumeration of rights in this constitution does not impair or deny others retained by the people.
REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/5

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE II

THE LEGISLATURE

Legislative Power; Membership

Section 1. The legislative power of the State is vested in a legislature consisting of a senate with a membership of twenty and a house of representatives with a membership of forty.

Section 2. A member of the legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his filing for office. A senator shall be at least twenty-five years of age and a representative at least twenty-one years of age.

Section 3. Legislators elected at general elections. Their terms begin on the fourth Monday of the January following election unless otherwise provided by law. The term of representatives shall be two years and the term of senators, four years. One-half of the senators shall be elected every two years.

Section 4. A vacancy in the legislature is filled
Section 5. No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state or member of Congress. This section shall not apply to employment by or election to a constitutional convention.

Section 6. Legislators may not be held to answer before any other tribunal for any statement made or action taken in the exercise of their legislative duties. Members attending, going to or returning from legislative sessions are not subject to civil process and are privileged from arrest except for felony or breach of the peace.

Section 7. Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions.Presiding officers may receive additional compensation.

Section 8. The legislature shall convene each year on the fourth Monday in January, but the month and day may be changed by law.
Section 9. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor, legislation is limited to subjects designated in his proclamation calling the session or to subjects presented by him. Special sessions are limited to thirty days.

Section 10. Neither house may adjourn or recess for longer than three days unless the other concurs. If the two houses cannot agree on the time of adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature.

Section 11. There shall be a legislative council. The legislature may establish other interim committees. The council and other interim committees may meet between legislative sessions. They may perform duties and employ personnel as provided by the legislature. Their members may receive an allowance for expenses while performing their duties.

Section 12. The houses of each legislature shall adopt uniform rules of procedure. Each house may choose its officers and employees. Each is the judge of the election and qualifications of its members. Each shall keep a journal of its proceedings. A majority
of the membership of each house constitutes a quorum to
do business, but a smaller number may adjourn from day
to day and may compel attendance of absent members. The
legislature shall regulate lobbying.

Form of Bills
Section 13. Every bill shall be confined to one sub-
ject unless it is an appropriation bill or one codifying,
revising or rearranging existing laws. Bills for appro-
priations shall be confined to appropriations. The sub-
ject of each bill shall be expressed in the title. The
enacting clause shall be: "Be it enacted by the Legislature
of the State of Alaska."

Passage of Bills
Section 14. The legislature shall establish the pro-
cedure for enactment of bills into law. No bill may be-
come law unless it has passed three readings in each
house on separate days, except that any bill may be ad-
vanced from second to third reading on the same day by
concurrence of three-fourths of the house considering it.
No bill may become law without an affirmative vote of a
majority of the membership of each house. The yeas and
nays on final passage shall be entered in the journal.

Veto
Section 15. The governor may veto bills passed by
the legislature. He may by veto, strike or reduce items
in appropriation bills. He shall return any vetoed bill,
with a statement of his objections, to the house of origin.
Section 16. Upon receipt of a veto message, the legislature shall meet immediately in joint session and reconsider passage of the vetoed bill or item. 

Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature. Other vetoed bills become law by affirmative vote of two-thirds of the membership of the legislature.

The vote on reconsideration of a vetoed bill shall be entered on the journals of both houses.

Section 17. A bill becomes law if, while the legislature is in session, the governor neither signs nor vetoes it within fifteen days, Sundays excepted, after its delivery to him. If the legislature is not in session and the governor neither signs nor vetoes a bill within twenty days, Sundays excepted, after its delivery to him, the bill becomes law.

Section 18. Laws passed by the legislature, except general appropriation acts, do not become effective until ninety days after adjournment of the session at which enacted. The legislature may, by concurrence of two-thirds of the membership of each house, provide for an earlier effective date in case of emergency. The emergency must be expressed in the act.
<table>
<thead>
<tr>
<th>Section</th>
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</tr>
</thead>
<tbody>
<tr>
<td>19.</td>
<td>The legislature shall pass no local or special act if a general act can be made applicable. Whether a general act can be made applicable shall be subject to judicial determination. Local acts necessitating appropriations by a political subdivision may not become effective unless approved by a majority of the qualified voters voting thereon in the subdivision affected.</td>
</tr>
<tr>
<td>20.</td>
<td>All civil officers of the State are subject to impeachment by the legislature. Impeachment originates in the senate and must be approved by a two-thirds vote of its members. The motion for impeachment shall list fully the basis for the proceeding. Trial on impeachment shall be conducted by the house of representatives. A supreme court justice designated by the court presiding at the trial shall preside. Concurrence of two-thirds of the members of the house is required for a judgment of impeachment. The judgment may not extend beyond removal from office, but shall not prevent proceedings in the courts on the same or related charges.</td>
</tr>
<tr>
<td>21.</td>
<td>The legislature shall establish procedures for suits against the State.</td>
</tr>
</tbody>
</table>
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 vested in the governor.

2. Section 2. The governor shall be at least thirty years of age and a qualified voter of the State. He shall have been a resident of Alaska at least seven years immediately preceding his filing for office, and he shall have been a citizen of the United States for at least seven years.

3. Section 3. The governor shall be chosen by the qualified voters of the State at a general election. The candidate receiving the greatest number of votes shall be governor.

4. Section 4. The term of office of the governor is four years, beginning at noon on the first Monday in December following his election and ending at noon on the first Monday in December four years later.
Limit on Tenure

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

Dual Office Holding

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

Secretary of State: Duties

Section 7. There shall be a secretary of state. He shall have the same qualifications as the governor and serve for the same term. He shall perform such duties as may be prescribed by law and as may be delegated to him by the governor.

Election

Section 8. The secretary of state shall be nominated in the manner provided by law for nominating candidates for other elective offices. In the general election the votes cast for a candidate for governor shall be considered as cast also for the candidate for secretary of state running jointly with him. The candidate whose name appears on the ballot jointly with that of the successful candidate for governor shall be elected secretary of state.

Acting Governor

Section 9. In case of the temporary absence of the governor from office, the secretary of state shall serve as acting governor.

Succession; Failure to Qualify

Section 10. In case a governor-elect fails to qualify, the person...
disqualified, the secretary of state elected with him succeed to the office of governor. 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 succeed to the office if the governor-elect does not assume his office within six months of the beginning of the term.

Vacancy

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

Absence

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

Further Succession

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.

Section 13. If for any reason the secretary of state succeeds to the office of governor, he shall have the title, powers, duties, and emoluments of that office.

Compensation

Section 15. The compensation of the governor and the secretary of state shall be prescribed by law and shall not be diminished during their term of office,
Section 16. The governor is responsible for the faithful execution of the laws. He may, by appropriate court action or proceeding brought in the name of the State, enforce compliance with any constitutional or legislative mandate, or restrain violation of any constitutional or legislative power, duty or right by any officer, department or agency of the State or any of its political subdivisions. This authority shall not be construed to authorize any action or proceeding against the legislature.

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

Section 18. The governor shall, at the beginning of each session, and may at other times, give the legislature information concerning the affairs of the State and recommend the measures he considers necessary.

Section 19. The governor is commander-in-chief of the armed forces of the State. He may call out these forces to execute the laws, suppress or prevent insurrection or lawless violence, or repel invasion. The governor, as provided by law, shall nominate and appoint all general and flag officers of the armed forces of
the State, subject to confirmation by a majority of the members of the legislature in joint session. He shall appoint and commission all other officers.

Section 20. The governor may proclaim martial law when the public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall not continue for longer than 20 days without the approval of a majority of the members of the legislature in joint session.

Section 21. Subject to procedure prescribed by law, the governor may grant pardons, commutations and reprieves, and may suspend and remit fines and forfeitures. This power shall not extend to impeachment. A parole system shall be provided by law.

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

Section 23. The governor may make changes in the organization of the executive branch or in the
Section 24. Each principal department shall be under the supervision of the governor.

Section 25. The head of each principal department shall be a single executive unless otherwise provided by law. He shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the secretary of state. The heads of all principal departments shall be citizens of the United States.

Section 26. When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law.
They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

Section 27. The governor may make appointments to fill vacancies occurring during a recess of the legislature, in offices requiring confirmation by the legislature. The duration of such appointments shall be prescribed by law.
CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 2

Introduced by Committee on Judiciary Branch

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

Article IV

THE JUDICIARY

Section 1. The judicial power of the State is vested in a Supreme Court, a Superior Court, and courts established by law. The jurisdiction of courts shall be prescribed by law. The courts constitute a unified judicial system for operation and administration. Judicial districts shall be established by law.

Section 2. The Supreme Court is the highest court of the State, with final appellate jurisdiction, and consists of three justices, one of whom is Chief Justice. The number of justices may be increased by law upon the request of the Supreme Court.

Section 3. The Superior Court is the trial court of general jurisdiction and consists of
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Section 5. The governor shall fill any vacancy in an office of Supreme Court Justice or Superior Court Judge by appointing one of two or more persons nominated by the Judicial Council.

Section 6. Each Supreme Court Justice and Superior Court Judge shall be subject to approval or rejection on a nonpartisan ballot at the first general election held more than three years after his appointment. Thereafter, each Supreme Court Justice shall be subject to approval or rejection in a like manner every tenth year, and each Superior Court Judge every sixth year.

Section 7. The office of any Supreme Court Justice or Superior Court Judge becomes vacant ninety days after the election at which he is
Section 8. The Judicial Council consists of seven members. Three attorney members shall be appointed for six-year terms by the governing body of the organized state bar. Three non-attorney members shall be appointed for six-year terms by the governor subject to confirmation by a majority of the members of the Legislature in joint session. Vacancies shall be filled for the unexpired term in like manner. Appointments shall be made with due consideration to area representation and without regard to political affiliation. The Chief Justice of the Supreme Court is ex-officio the seventh member and chairman of the Judicial Council. No member of the Judicial Council, except the Chief Justice, may hold any other office or position of profit under the United States or the State. The Judicial Council shall act by concurrence of four or more members according to rules which it adopts.

Section 9. The Judicial Council shall conduct studies for improvement of the administration of justice and make reports and recommendations.
to the Supreme Court and to the Legislature at intervals of not more than two years. The Judicial Council shall perform other duties assigned by law.

Section 10. Whenever the Judicial Council certifies to the Governor that a Supreme Court justice appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the Governor shall appoint a board of three persons to inquire into the circumstances and may on the board's recommendation retire the justice. Whenever a judge of another court appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the Judicial Council shall recommend to the Supreme Court that the judge be placed under early retirement. After notice and hearing, the Supreme Court by majority vote of its members may retire the judge.

Section 11. Justices and judges shall be retired at the age of seventy except as provided in this article. The basis and amount of retirement pay shall be prescribed by law. Retired judges shall render no further service on the bench except for special assignments as provided by court rule.
Impeachment 1 Section 12. Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.

Compensation 6 Section 13. Justices, judges, and members of the Judicial Council shall receive compensation prescribed by law. Compensation of justices and judges shall not be diminished during their terms of office, unless by general law applying to all salaried officers of the State.

Restrictions 13 Section 14. Supreme Court justices and Superior Court judges while holding office may not practice law, hold office in a political party, or hold any office or position of profit under the United States, the State or its political subdivisions. Any Supreme Court justice or Superior Court judge filing for elective public office forfeits his judicial position.

Rule-making Power 22 Section 15. The Supreme Court shall make and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing practice and procedure in civil
and criminal cases in all courts, which rules may be changed by the Legislature by two-thirds vote of the members elected to each house.

Section 16. The Chief Justice of the Supreme Court shall be the administrative head of all courts. He may assign judges from one court or division thereof to another for temporary service. The Chief Justice shall, with the approval of the Supreme Court, appoint an administrative director to serve at his pleasure and to supervise the administrative operations of the judicial system.
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VI

LEGISLATIVE APPORTIONMENT

Section 1. Members of the house of representatives are elected by the qualified voters of the respective election districts. Until reapportionment, election districts and the number of representatives to be elected from each district shall be as set forth in Section 1 of Article XV.

Section 2. Members of the senate are elected by the qualified voters of the respective senate districts. Senate districts shall be as set forth in Section 1 of Article XV, subject to changes authorized in this article.

Section 3. The governor shall reapportion the house of representatives immediately following the official reporting of each decennial census of the United States. Reapportionment shall be based upon civilian population within each election district as reported by the census.
| Method | Section 4. Reapportionment shall be by the method of equal proportions, except that each election district having the major fraction of the quotient, obtained by dividing total civilian population by forty, shall have one representative. |
| Combining Districts | Section 5. Should the total civilian population within any election district fall below one-half of the quotient, the district shall be attached to an election district within its senate district, and the reapportionment for the new district shall be determined as provided in this article. |
| Redistricting | Section 6. The governor may further redistrict by changing the size and area of election districts, subject to the limitations of this section. Each new district so created shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area. Each shall contain a population at least equal to the quotient obtained by dividing the total civilian population by forty. Consideration may be given to local government boundaries. Drainage and other geographic features shall be used in describing boundaries wherever possible. |
| Modification of Senate Districts | Section 7. The Southeastern, Southcentral, Central and Northwestern senate districts, described in Section 2 of Article XV, may be modified to reflect changes in |
1 election districts. A district, although modified, shall
2 retain its total number of senators and its approximate
3 perimeter.

Reapportionment Board

Section 8. The governor shall appoint a reapportionment board to act in an advisory capacity to him.

It shall consist of five members, none of whom may be

public employees or officials. At least one member each

shall be appointed from the Southeastern, Southcentral,

Central and Northwestern Senate Districts. Appointments

shall be made without regard to political affiliation.

Board members shall be compensated.

Organization

Section 9. The board shall elect one of its members

chairman and may employ temporary assistants. Concur-

rence of three members is required for a ruling or deter-

mination, but a lesser number may conduct hearings or

otherwise act for the board. Deliberation and decision

of the board shall be free from political considerations.

Reapportionment Plan

Section 10. Within ninety days following the

and Proclamation

official reporting of each decennial census, the board

shall submit to the governor a plan for reapportionment

and redistricting as provided in this article. Within

ninety days after receipt of the plan, the governor shall

issue a proclamation of reapportionment and redistrict-

ing. An accompanying statement shall explain any change

from the plan of the board. The reapportionment and re-
Enforcement

Section 11. Any qualified voter may apply to the superior court to compel the governor, by mandamus or otherwise, to perform his reapportionment duties or to correct any error in redistricting or reapportionment. Application to compel the governor to perform his reapportionment duties must be filed within thirty days of the expiration of either of the two ninety-day periods specified in this article. Application to compel correction of any error in redistricting or reapportionment must be filed within thirty days following the proclamation. Original jurisdiction in these matters is hereby vested in the superior court. On appeal, the cause shall be reviewed by the supreme court upon the law and the facts.

Section 12. At the first state general election, one senator shall be chosen for a two-year term from each of the following senate districts, described in Section 2 of Article XV: A, B, D, E, G, I, J, L, N, and O. At the same election, one senator shall be chosen for a four-year term from each of the following senate districts, described in Section 2 of Article XV: A, C, E, and F.
F, H, J, K, M, N, and P. If the first state general election is held in an odd-numbered year, the terms set forth in this section shall be increased by one year.

Section 13. If the first state general election is held in an odd-numbered year, the term of members chosen for the house of representatives at this election shall be three years.

Section 14. The first reapportionment of the house of representatives shall be made immediately following the official reporting of the 1960 decennial census, or after the first regular legislative session if the session occurs thereafter, notwithstanding the provision contained in Section 3 of Article VI. All other provisions of Article VI shall apply in the first reapportionment.
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VI

LEGISLATIVE APPORTIONMENT

**Election Districts**

1. Section 1. Members of the house of representatives shall be elected by the qualified voters of the respective election districts. Until reapportionment, election districts and the number of representatives to be elected from each district shall be as set forth in Section 2 of Article XV.

**Senate Districts**

2. Section 2. Members of the senate are elected by the qualified voters of the respective senate districts. Senate districts shall be as set forth in Section 2 of Article XV subject to changes authorized in this article.

**Reapportionment of House**

3. Section 3. The governor shall reapportion the house of representatives immediately following the official reporting of each decennial census of the United States. Reapportionment shall be based upon civilian population within each election district as reported by the census.
Method

1. Section 4. Reapportionment shall be by the method of equal proportions, except that each election district having the major fraction of the quotient, obtained by dividing total civilian population by forty, shall have one representative.

Combining Districts

6. Section 5. Should the total civilian population within any election district fall below one-half of the quotient, the district shall be attached to an election district within its senate district, and the reapportionment for the new district shall be determined as provided in this article.

Redistricting

12. Section 6. The governor may further redistrict by changing the size and area of election districts, subject to the limitations of this section. Each new district so created shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area. Each shall contain a population at least equal to the quotient obtained by dividing the total civilian population by forty. Consideration may be given to local government boundaries. Drainage and other geographic features shall be used in describing boundaries wherever possible.

Modification of Senate Districts

23. Section 7. The Southeastern, Southcentral, Central and Northwestern senate districts, described in Section 2 of Article XV, may be modified to reflect changes in
1 election districts. A district, although modified, shall 2 retain its total number of senators and its approximate 3 perimeter.

4 Section 8. The governor shall appoint a reapportionment board to act in an advisory capacity to him. 5 It shall consist of five members, none of whom may be 6 public employees or officials. At least one member each 7 shall be appointed from the Southeastern, Southcentral, 8 Central and Northwestern Senate Districts. Appointments 9 shall be made without regard to political affiliation. 10 Board members shall be compensated.

Organization 12 Section 9. The board shall elect one of its members 13 chairman and may employ temporary assistants. Concur- 14 rence of three members is required for a ruling or deter- 15 mination, but a lesser number may conduct hearings or 16 otherwise act for the board. Deliberation and decision 17 of the board shall be free from political considerations.

Reapportion- 18ment Plan 19 and Procla- 20 mation 21

Section 10. Within ninety days following the 19 official reporting of each decennial census, the board 20 shall submit to the governor a plan for reapportionment 21 and redistricting as provided in this article. Within 22 ninety days after receipt of the plan, the governor shall 23 issue a proclamation of reapportionment and redistrict- 24 ing. An accompanying statement shall explain any change 25 from the plan of the board. The reapportionment and re-
districting shall be effective for the election of members of the legislature until after the official reporting of the next decennial census.

Section 11. Any qualified voter may apply to the superior court to compel the governor, by mandamus or otherwise, to perform his reapportionment duties or to correct any error in redistricting or reapportionment. Application to compel the governor to perform his reapportionment duties must be filed within thirty days of the expiration of either of the two ninety-day periods specified in this article. Application to compel correction of any error in redistricting or reapportionment must be filed within thirty days following the proclamation. Original jurisdiction in these matters is hereby vested in the superior court. On appeal, the cause shall be reviewed by the supreme court upon the law and the facts.
**CONSTITUTIONAL CONVENTION OF ALASKA**

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

**ARTICLE VII**

**HEALTH, EDUCATION AND WELFARE**

<table>
<thead>
<tr>
<th>Section</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.</td>
</tr>
<tr>
<td>2</td>
<td>Provide for the promotion and protection of public health.</td>
</tr>
<tr>
<td>3</td>
<td>The State may provide for public welfare for persons unable to maintain a standard of living compatible with health and human dignity.</td>
</tr>
</tbody>
</table>

*Style and Drafting/Article VII*
RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

ARTICLE VII

HEALTH, EDUCATION AND WELFARE

Section 1. The legislature shall by general law establish and maintain a system of public schools open to all children of the State and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.

Section 2. The legislature shall provide for the promotion and protection of public health.

Section 3. The State may provide for public welfare for persons unable to maintain a standard of living compatible with health and human dignity.
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VIII

NATURAL RESOURCES

Section 1. It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

Section 2. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

Section 3. Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

Section 4. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and conserved on the sustained yield principle, subject to preferences among beneficial uses.
Facilities and Improvements

Section 5. The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

State Public Domain

Section 6. Lands and interests therein, including submerged and tidal lands, possessed or acquired by the State, and not used or intended exclusively for governmental purposes, constitute the state public domain.

The legislature shall provide for the selection of lands granted to the State by the United States, and for the administration of the state public domain.

Special Purpose Sites

Section 7. The legislature may provide for the acquisition of sites, objects, and areas of natural beauty or of historic, cultural, recreational, or scientific value. It may reserve them from the public domain and provide for their administration and preservation for the use, enjoyment, and welfare of the people.

Leases

Section 8. The legislature may provide for the leasing of any part of the public domain or interest therein, subject to reasonable concurrent uses. Leases and permits shall provide, among other conditions, for payment by the party at fault for damage or injury arising from non-compliance with terms governing concurrent use, and for
Section 9. Subject to the provisions of this section, the legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures. All sales or grants shall contain reservations to the State of all resources as may be required by Congress or the State and shall provide for access to these resources. Reservation of access shall not impair the owners' use, prevent the control of trespass, nor preclude compensation for damage.

Section 10. No disposals or leases of state lands, or interests therein, shall be made without prior public notice and other safeguards of the public interest as may be prescribed by law.

Section 11. Discovery and appropriation shall be the basis for establishing a right in those minerals reserved to the State which, upon the date of ratification of this constitution by the people of Alaska, were subject to location under the federal mining laws. Prior discovery, location, and filing, as prescribed by law, shall establish a prior right to these minerals and also a prior right to permits, transferable licenses and leases for their extraction and processing. Continuation of these rights shall depend upon the performance of annual labor, the payment of fees, rents or royalties, or upon other conditions provided for by law, and the payment of fees, rents or royalties in lieu thereof. Failure to meet such conditions shall forfeit the right of the holder therefor.

Section 12. In the event of breach of conditions, notice and other safeguards of the public interest as may be prescribed by law, may be prescribed by law.

Section 13. The legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures. All sales or grants shall contain reservations to the State of all resources as may be required by Congress or the State and shall provide for access to these resources. Reservation of access shall not impair the owners' use, prevent the control of trespass, nor preclude compensation for damage.

Section 14. No disposals or leases of state lands, or interests therein, shall be made without prior public notice and other safeguards of the public interest as may be prescribed by law.
Leases and Permits

Section 12. The legislature shall provide for the issuance, types and terms of leases for coal, oil, gas, oil shale, sodium, phosphate, potash, sulfur, pumice, and other minerals as may be prescribed by law. Leases and permits giving the exclusive right of exploration for these minerals for specific periods and areas, subject to reasonable concurrent exploration as to different classes of minerals, may be authorized by law. Like leases and permits giving the exclusive right of prospecting by geophysical, geochemical, and similar methods for all minerals may also be authorized by law.

Section 13. All surface and subsurface waters reserved to the people for common use, except mineral and medicinal waters, are subject to appropriation. Priority of appropriation shall give prior right. Except for public water supply, an appropriation of water shall be limited to stated purposes and subject to preferences.
Access to Navigable Waters

Section 14. Free access to the navigable or public waters of the State, as defined by law, shall not be denied any citizen of the United States or resident of the State, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes.

No Exclusive Right of Fishery

Section 15. No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State.

Protection of Rights

Section 16. No person shall be involuntarily divested of his right to the use of waters, his interests in lands, or improvements affecting either, except for a superior beneficial use or public purpose and then only with just compensation and by operation of law.

Uniform Application

Section 17. Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation.

Private Ways of Necessity

Section 18. Proceedings in eminent domain may be undertaken for private ways of necessity to permit essential access for extraction or utilization of resources. Just compensation shall be made for property
Section 19. The enumeration of specified powers shall not be construed as limitations on other implied powers of the State in relation to the utilization, development and conservation of natural resources, except as specifically provided in this article.

Section 20. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, included in the Territory of Alaska upon the date of ratification of this constitution by the people of Alaska.

[Handwritten note: General Resources committee wishes 19 included in this Article even though repeated elsewhere.]

[Handwritten note: 'for resultant']
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE IX

FINANCE AND TAXATION

Section 1. The power of taxation shall never be surrendered. This power shall not be suspended or contracted away, except as provided in this article.

Section 2. The lands and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to the residents of the State.

Section 3. Standards for appraisal of all property assessed by the State or its political subdivisions shall be prescribed by law.

Section 4. The real and personal property of the State or its political subdivisions is exempt from taxation under conditions and exceptions which may be provided by law. All or any portion of property used exclusively for non-profit religious, charitable, cemetery or educational purposes, as defined by law,
Interests in Government Property

1 is exempt from taxation. Other exemptions of like or different kind may be granted by general law. All valid existing exemptions shall be retained until otherwise provided by law.

Section 5. Private leaseholds, contracts, or other interests in land or property owned or held by the United States, the State, or its political subdivisions, shall be taxable to the extent of the interests.

Public Purpose

Section 6. No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose.

Dedicated Funds

Section 7. The proceeds of any state tax or license shall not be dedicated to any special purpose, except when required by the federal government for state participation in federal programs. This provision shall not prohibit the continuance of any dedication for special purposes existing upon the date of ratification of this constitution by the people of Alaska.

State Debt

Section 8. No state debt shall be contracted unless authorized for capital improvements by a majority vote in each house of the legislature with ratification by a majority of the qualified voters.
Local Debts

Section 9. No debt shall be contracted by any political subdivision of the State, unless authorized for capital improvements by its governing body with ratification by a majority vote of those qualified to vote and voting on the question.

Interim Borrowing

Section 10. The State and its political subdivisions may borrow money to meet appropriations for any fiscal year in anticipation of the collection of the revenues of that year, but all debt so contracted shall be paid before the end of the next fiscal year.

Exceptions

Section 11. The restrictions on contracting debt do not apply to debt incurred through the issuance of revenue bonds by a public enterprise or public corporation of the state or political subdivision, when the only security is the revenues of the enterprise or corporation. The restrictions do not apply to indebtedness to be paid from special assessments on the benefited property, nor do they...
Section 12. The governor shall submit to the legislature, at a time fixed by law, a budget for the next fiscal year setting forth all proposed expenditures and anticipated income of all departments, offices, and agencies of the State. The governor, at the same time, shall submit a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues.

Section 13. No money shall be withdrawn from the treasury except in accordance with appropriations made by law. No obligation for the payment of money shall be incurred except as authorized by law. Unobligated appropriations outstanding at the end of the period of time specified by law shall be void.

Section 14. The legislature shall appoint an auditor to serve at its pleasure. He shall be a certified public accountant. The auditor shall conduct post-audits as prescribed by law and shall report to the legislature and to the governor.

Section 15. The debts and liabilities of the Territory of Alaska shall be assumed and paid by the State, and debts owed to the Territory shall be collected by the State. Assets of the Territory shall become assets of the State.
CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following sections be adopted as a part of the schedule of the Alaska State Constitution:

ARTICLE XIV

SCHEDULE

1. Section 25. The election of senators and a representative to serve in the Congress of the United States being necessary and proper to prepare for the admission of Alaska as a State of the Union, the following is hereby ordained:

2. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a second proposition, which shall be as follows:

3. "Shall Ordinance No. (Alaska-Tennessee Plan) of the Alaska Constitutional Convention, calling for the immediate election of two
(2) Upon ratification of the constitution by the people of Alaska and separate approval of this ordinance by a majority of all votes cast for and against it, the remainder of this ordinance shall become effective.

(3) Two persons to serve as members of the Senate of the United States and one person to serve as a member of the House of Representative of the United States shall be chosen at the 1956 general election.

(4) One senator shall be chosen for the regular term expiring on January 3, 1963, and the other for an initial short term expiring on January 3, 1961, unless when they are seated the Senate prescribes other expiration dates. The representative shall be chosen for the regular term of two years expiring January 3, 1959.

(5) Candidates for senators and representative shall have the qualifications prescribed in the Constitution of the United States and shall be qualified voters of Alaska.

(6) Until the admission of Alaska as a State, the senators and representative may also hold or be
nominated and elected to other offices of the United States or of the Territory of Alaska, provided that no person may receive compensation for more than one office.

(7) Except as provided herein, the laws of the Territory governing elections to the office of Delegate to Congress shall, to the extent applicable, govern the election of the senators and representative. Territorial and other officials shall perform their duties with reference to this election accordingly.

(8) Persons not representing any political party may become independent candidates for the offices of senator or representative by filing applications in the manner provided in Section 38-5-10, ACLA 1949, insofar as applicable. Applications must be filed in the office of the director of finance of the Territory on or before June 30, 1956.

(9) Party nominations for senators and representative shall, for this election only, be made by party conventions in the manner prescribed in Section 38-4-11, ACLA 1949, for filling a vacancy in a party nomination occurring after a primary election. The names of the candidates
1 nominated shall be certified by the chairman and
2 secretary of the central committee of each political
3 party to the director of finance of the Territory
4 on or before June 30, 1956.

(10) The director of finance shall certify
the names of all candidates for senators and
representative to the clerks of court by July 15,
1956. The clerks of court shall cause the names
to be printed on the official ballot for the
general election. Independent candidates shall be
identified as provided in Section 38-5-10, ACLA
1949. Candidates nominated at party conventions
shall be identified with appropriate party designa-
ations as is provided by law for nominations at
primary elections.

(11) The ballot form shall group separately
the candidates seeking the regular senate term,
those seeking the short senate term, and candidates
for representative. The candidate for each office
receiving the largest number of votes cast for
that office shall be elected.

(12) The duties and emoluments of the offices
of senator and representative shall be as prescribed
by law.
(13) The president of the Alaska Constitutional Convention, or a person designated by him, may assist in carrying out the purposes of this ordinance.

The unexpended and unobligated funds appropriated to the Alaska Constitutional Convention by Chapter 46, SLA 1955, may be used to defray expenses attributable to the referendum and the election required by this ordinance.

(14) If the Congress of the United States seats the senators and representative elected pursuant to this ordinance and approves the constitution before the first election of state officers, then Section 1 of Article XIV shall be void and shall be replaced by the following:

"The provisions of the constitution applicable to the first election of state officers shall take effect immediately upon the admission of Alaska into the Union as a State. The remainder of the constitution shall take effect when the elected governor takes office."
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 Local Government 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/6/A
Style & Drafting/Article X
January 30, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE X

LOCAL GOVERNMENT

Purpose and Construction
Section 1. The purpose of this article is to
provide for maximum local self-government with a minimum
of local government units, and to prevent duplication of
tax-levying jurisdictions. A liberal construction shall
be given to the powers of local government units.

Local Government Powers
Section 2. All local government powers shall be
vested in boroughs and cities. The State may delegate
taxing powers to organized boroughs and cities only.

Boroughs
Section 3. The entire State shall be divided into
boroughs, organized or unorganized. They shall be estab-
lished in a manner and according to standards provided
by law. The standards shall include geography, economy,
transportation, and other factors. Each borough shall
embrace an area and population with common interests to
the maximum degree possible. The legislature shall
classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, dissolved or reclassified shall be prescribed by law.

Section 4. The governing body of the organized borough shall be the assembly, and its composition shall be established by law or charter. Each city of the first class, and each city of any other class designated by law, shall be represented on the assembly by one or more members of its council. The other members of the assembly shall be elected from and by the qualified voters resident outside such cities.

Section 5. Service areas to provide special services within an organized borough may be established, altered or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges or assessments within a service area to finance the special services.

Section 6. The legislature shall provide for the performance of services in unorganized boroughs, allowing for maximum local participation and responsibility.
Section 7. Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified or dissolved in the manner provided by law.

Section 8. The governing body of a city shall be the council.

Section 9. The qualified voters of any borough of the first class or city of the first class may adopt, amend or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city and shall become effective if approved by a majority of those who vote on the specific question.

Section 10. The legislature may extend home rule to other boroughs and cities.

Section 11. A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

Section 12. A local boundary commission or board...
Agreements; Transfer of Powers

Section 13. Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State, or with the United States unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

Section 14. An agency shall be established by law in the executive branch of the state government to advise and assist local governments, review their activities, collect and publish local government information and perform other duties prescribed by law.
Section 15. At the time a borough is organized, special service districts performing local functions shall be integrated with the government of the borough as provided by law.
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article XIV
(Committee Proposal/176/Enrolled)
January 31, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XIV

SCHEDULE

To provide an orderly transition from a territorial to a
state form of government, it is declared and ordained:

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1. This constitution shall take effect immediately upon the admission of Alaska into the Union as a State.</td>
</tr>
<tr>
<td>2</td>
<td>2. The capital of the State of Alaska shall be at Juneau.</td>
</tr>
<tr>
<td>3</td>
<td>3. All laws in force in the Territory of Alaska on the effective date of this constitution and consistent therewith shall continue in force until they expire by their own limitation, are amended or repealed.</td>
</tr>
<tr>
<td>4</td>
<td>4. Except as otherwise provided in this constitution, all rights, titles, actions, suits, contracts, liabilities and civil, criminal, or administrative proceedings shall continue</td>
</tr>
</tbody>
</table>

Style and Drafting/Article XIV
Local Government

Continuance of Office

Corresponding Qualifications

Section 5. Cities, school districts, health districts, public utility districts, and other local subdivisions of government existing on the effective date of this constitution shall continue to exercise their powers and functions under existing law pending enactment of laws to carry out the provisions of this constitution. New local subdivisions of government shall be created only in accordance with this constitution.

Section 6. All officers of the Territory, or under its laws, on the effective date of this constitution shall continue to perform the duties of their offices in a manner consistent with this constitution until they are superseded by officers of the State.

Section 7. Residence or other qualifications prescribed by this constitution shall be satisfied by corresponding qualifications under the Territory.
Section 8. The seal of the Territory, substituting the word "State" for "Territory", shall be the seal of the State.

Section 9. The flag of the Territory shall be the flag of the State.

Section 10. This constitution shall be submitted to the voters of Alaska for ratification or rejection at the territorial primary election to be held on April 24, 1956. The election shall be conducted according to existing laws regulating primary elections so far as applicable.

Section 11. Each elector who offers to vote upon this constitution shall be given a ballot which will be separate from the ballot on which candidates in the primary election are listed. Each of the propositions offered by the Alaska Constitutional Convention shall be set forth separately, but on the same ballot form. The first proposition shall be as follows:

Section 12. The returns of this election shall be made to the governor of the Territory of Alaska, and shall be canvassed in substantially the same manner provided by law for territorial elections.
Section 13. If a majority of the votes cast on the proposition favor the constitution, then the constitution shall be deemed to be ratified by the people of Alaska. The governor of the Territory shall forthwith submit a certified copy of the constitution through the President of the United States to the Congress for approval, together with a statement of the votes cast thereon.

Section 14. When the people of the Territory ratify this constitution and it is approved by the duly constituted authority of the United States, the governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue a proclamation and take necessary measures to hold primary and general elections for all state elective offices provided for by this constitution.

Section 15. The primary election shall take place not less than forty nor more than ninety days after the proclamation by the governor of the Territory. The general election shall take place not less than ninety days after the primary election. The elections shall be
Section 16. The officers to be elected at the first general election shall include two senators and one representative to serve in the Congress of the United States, unless senators and a representative have been previously elected and seated. One senator shall be elected for the long term and one senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States. The term of the representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first representative is elected in an even-numbered year to take office in that year, a representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms.

Section 17. The first governor and secretary of state shall hold office for a
Election Returns

Assumption of Office

First Session of Legislature

1 term beginning with the day on which they qualify and ending at noon on the first Monday in December of the even-numbered year following the next presidential election.

This term shall count as a full term for purposes of determining eligibility for reelection only if it is four years or more in duration.

Section 18. The returns of the first general election shall be made, canvassed, and certified in the manner prescribed by law. The governor of the Territory shall certify the results to the President of the United States.

Section 19. When the President of the United States issues a proclamation announcing the results of the election, and the State has been admitted into the Union, the officers elected and qualified shall assume office.

Section 20. The governor shall call a special session of the first state legislature within thirty days after the Presidential proclamation unless a regular session of the legislature falls within that period. The
special session shall not be limited as to duration.

Section 21. The first members of the judicial council shall, notwithstanding Section 8 of Article IV, be appointed for terms as follows: three attorney members for one, three, and five years respectively, and three non-attorney members for two, four, and six years respectively. The six members so appointed shall, in accordance with Section 5 of Article IV, submit to the governor nominations to fill the initial vacancies on the supreme court, including the office of chief justice. Once the chief justice is appointed, he shall assume his seat on the judicial council.

Section 22. Until the courts provided for in Article IV are organized, the courts, their jurisdiction, and the judicial system shall remain as constituted on the date of admission unless otherwise provided by law. When the state courts are organized, new actions shall be commenced and filed therein, and all causes other than those under the jurisdiction of the United States, pending
First Legislators:

Office Holding

Special Voting Provision in the courts existing on the date of admission shall be transferred to the proper state court as though commenced, filed or lodged in those courts in the first instance.

Section 23. The provisions of Section 5 of Article II shall not prohibit any member of the first state legislature from holding any office or position created during his first term.

Section 24. Citizens who legally voted in the general election of November 4, 1924, and who meet the residence requirements for voting, shall be entitled to vote notwithstanding the provisions of Section 1 of Article V.
ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XIV

SCHEDULE

Ordinance to Abolish Fish Traps

| Section 26. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a third proposition, which shall be as follows: |
| Shall Ordinance Number Three of the Alaska Constitutional Convention, prohibiting the use of fish traps for the taking of salmon for commercial purposes in the coastal waters of the State, be adopted? |
| If the constitution shall be adopted by the electors and if a majority of all the votes cast for and against this ordinance favor its adoption, then the following shall become operative upon the effective date of the constitution: |

Style and Drafting/Article XIV
"As a matter of immediate public necessity, to relieve economic distress among individual fishermen and those dependent upon them for a livelihood, to conserve the rapidly dwindling supply of salmon in Alaska, to insure fair competition among those engaged in commercial fishing, and to make manifest the will of the people of Alaska, the use of fish traps for the taking of salmon for commercial purposes is hereby prohibited in all the coastal waters of the State."
Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 17/z

Introduced by Committee on Ordinances and Transitional Measures

SCHEDULE

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

Separability and Amendment of Schedule

1. Section 30. If the Congress of the United States rejects any provision in the schedule of this constitution, the constitution and the remainder of the schedule shall not be impaired thereby. If any change in the schedule is required by the Congress, the territorial legislature may, by a two-thirds vote of each house, make such change.

Orderly Transition

8. Section 31. The territorial legislature and the appropriate officials, federal and territorial, shall take necessary action to insure the orderly transition from territorial to state government.

Action by Legislature

12. Section 32. If, after the people of Alaska ratify this constitution, Alaska has not been admitted as a state before the fourth Monday in January, 1959, the territorial legislature shall provide for the election of officers under this constitution and for proclaiming the date on which the constitution shall become effective.

Committee Proposal No. 17/z
Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 17/z

Introduced by Committee on Ordinances and Transitional Measures

SCHEDULE

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

Section 30. If the Congress of the United States rejects any provision in the schedule of this constitution, the constitution and the remainder of the schedule shall not be impaired thereby. If any change in the schedule is required by the Congress, the territorial legislature may, by a two-thirds vote of each house, make such change.

Section 31. The territorial legislature and the appropriate officials, federal and territorial, shall take necessary action to insure the orderly transition from territorial to state government.

Section 32. If, after the people of Alaska ratify this constitution, Alaska has not been admitted as a state before the fourth Monday in January, 1959, the territorial legislature shall provide for the election of officers under this constitution and for proclaiming the date on which the constitution shall become effective.
RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

ARTICLE XII

GENERAL AND MISCELLANEOUS

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

Section 2. Membership in employee retirement systems of the State or its political subdivisions shall constitute a contractual relationship. Accrued benefits of these systems shall not be diminished or impaired.

Section 3. No person who advocates, or who aids or belongs to any party or organization or association which advocates the overthrow by force or violence of the government of the United States or of the State shall be qualified to hold any public office of profit or trust under this constitution.
Section 4. All public officers, before entering upon the duties of their offices, shall take and subscribe to the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as ______ to the best of my ability." The legislature may prescribe further oaths or affirmations.

Section 5. The State and its political subdivisions may cooperate with the United States and its territories and with other states and their political subdivisions on matters of common interest. The respective legislative bodies may make appropriations for this purpose. The governor shall act as the agent of the State in all intergovernmental relations involving the State.

Section 6. Titles and subtitles shall not be used in construing this constitution. Personal pronouns used in this constitution shall be construed as including persons of both sexes.

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

Section 8. The provisions of this constitution
Self-executing 1 shall be construed to be self-executing whenever possible.

Law-Making Powers

3 Section 9. As used in this constitution, the terms "by law" and "by the legislature", or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI.

Office of Profit

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

Consent to Enabling Act

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

State University

21 Section 12. The University of Alaska is hereby established as the state university and constituted a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be
Section 13. The University of Alaska shall be governed by a board of regents. The regents shall be nominated and appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.
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

1. Section 12. The State of Alaska and its people forever disclaim all right and title in or to any property belonging to the United States, or subject to its disposition, and not granted or confirmed to the State or its political subdivisions, by or under the act admitting Alaska to the Union. The State and its people further disclaim all right or title in or to any property the right or title to which may be held by or for any Indian, Eskimo, or Aleut, or community thereof, as that right or title is defined in the act of admission. The State and its people agree that, unless otherwise provided by Congress, the property, as described in this section, shall remain subject to the absolute disposition of the United States. They further agree that no taxes will be imposed upon any such property, until otherwise provided by the Congress. This tax exemption shall not apply to property held by individuals in fee without restrictions on alienation.
apply to refunding indebtedness of the State or its political subdivisions.

Section 12. The governor shall submit to the legislature, at a time fixed by law, a budget for the next fiscal year setting forth all proposed expenditures and anticipated income of all departments, offices, and agencies of the State. The governor, at the same time, shall submit a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues.

Section 13. No money shall be withdrawn from the treasury except in accordance with appropriations made by law. No obligation for the payment of money shall be incurred except as authorized by law. Unobligated appropriations outstanding at the end of the period of time specified by law shall be void.

Section 14. The legislature shall appoint an auditor to serve at its pleasure. He shall be a certified public accountant. The auditor shall conduct post-audits as prescribed by law and shall report to the legislature and to the governor.

Section 15. The debts and liabilities of the Territory of Alaska shall be assumed and paid by the State, and debts owed to the Territory shall be collected by the State. Assets of the Territory shall become assets of the State.
RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

ARTICLE XIII
AMENDMENT AND REVISION

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

2. The legislature may provide for constitutional conventions.

3. If during any ten-year period a constitutional convention has not been held, the
secretary of state shall place on the ballot for
the next general election the question: "Shall
there be a constitutional convention?" If a maj-
ority of the votes cast on the question are in the
affirmative, delegates to the convention shall be
chosen at the next regular statewide election, unless
the legislature provides for the election of the
delegates at a special election. The secretary of
state shall issue the call for the convention.
Unless other provisions have been made by law, the
call shall conform as nearly as possible to the act
calling the Alaska Constitutional Convention of
1955, including, but not limited to, number of mem-
bers, districts, election and certification of
delegates, and submission and ratification of re-
visions and ordinances. The appropriation provi-
sions of the call shall be self-executing and shall
constitute a first claim on the state treasury.
Section 4. Constitutional conventions shall
have plenary power to amend or revise the consti-
tution, subject only to ratification by the people.
No call for a constitutional convention shall limit
these powers of the convention.
REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal 3
Enrolled/Style and Drafting
January 23, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE XI

INITIATIVE, REFERENDUM AND RECALL

Initiative and Referendum

Section 1. The people may propose and enact laws by the initiative and approve or reject acts of the legislature by the referendum.

Application

Section 2. An initiative or referendum is proposed by an application containing the bill to be initiated or the act to be referred. The application shall be signed by not less than one hundred qualified voters as sponsors and be filed with the secretary of state. If he finds it in proper form he shall so certify. Denial of certification is subject to judicial review.

Petition

Section 3. After certification of the application, a petition containing a summary of the subject matter shall be prepared by the secretary of state for circulation by the sponsors. If signed by qualified voters, equal in number to ten per cent of those who voted in the preceding general election and resident in at least two-thirds of the election districts of the State, it may be filed with the secretary of state.
Section 4. An initiative petition may be filed at any time. The secretary of state shall prepare a title and summary of the proposed law and shall place them on the ballot for the first statewide election held more than one hundred twenty days after adjournment of the legislative session following the filing. If before the election substantially the same measure has been enacted, the petition is void.

Section 5. A referendum petition may be filed only within ninety days after adjournment of the legislative session at which the act was passed. The secretary of state shall prepare a title and summary of the act and shall place them on the ballot for the first statewide election held more than one hundred twenty days after adjournment of that session.

Section 6. A majority of the votes cast on the proposition is necessary for the enactment of an initiated law, or for the defeat of an act referred. The secretary of state shall certify the election returns. An initiated law is effective ninety days after certification, is not subject to veto, and may not be repealed by the legislature within two years of its effective date. It may be amended at any time. An act rejected by referendum is void thirty days after certification. Additional procedures for the initiative and referendum may be prescribed by law.
Section 7. The initiative shall not be used to dedicate revenues, make or repeal appropriations, or enact local or special legislation. The referendum shall not be applied to dedications of revenue, to appropriations, to local or special legislation, or to laws necessary for the immediate preservation of the public peace, health, or safety.

Section 8. All elected public officials in the State, except judicial officers, are subject to recall by the voters of the State or political subdivision from which elected. Procedures and grounds for recall shall be prescribed by the legislature.
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE IX

FINANCE AND TAXATION

| Taxing Power | 1 | Section 1. The power of taxation shall never be surrendered. This power shall not be suspended or contracted away, except as provided in this article. |
| Non-discrimination | 2 | |
| 3 | |
| Assessment Standards | 4 | Section 2. The lands and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to the residents of the State. |
| 5 | |
| 6 | |
| 7 | |
| 8 | |
| Exemptions | 9 | Section 3. Standards for appraisal of all property assessed by the State or its political subdivisions shall be prescribed by law. |
| 10 | |
| 11 | |
| 12 | |
| 13 | |
| 14 | |
| 15 | |
| 16 | |
| 17 | |

Style and Drafting/Article IX
1 is exempt from taxation. Other exemptions of like or
2 different kind may be granted by general law. All valid
3 existing exemptions are retained until otherwise
4 provided by law.

Interests in
Government
Property

Section 5. Private leaseholds, contracts, or
interests in land or property owned or held by
the United States, the State, or its political subdivisions, shall be taxable to the extent of the
interests.

Public
Purpose

Section 6. No tax shall be levied or appropriation
of public money made or public property transferred,
nor shall the public credit be used, except for a public
purpose.

Dedicated
Funds

Section 7. The proceeds of any state tax or
license shall not be dedicated to any special purpose,
except when required by the federal government for
state participation in federal programs. This provision shall not prohibit the continuance of any
dedication for special purposes existing upon the date
of ratification of this constitution by the people of
Alaska.

State Debt

Section 8. No state debt shall be contracted
unless authorized by law for capital improvements
by a majority vote in each house of the legislature
and ratified by a majority of the qualified voters.
of the State who vote on the question. The State may, by law, contract debt for the purpose of repelling invasion, suppressing insurrection, defending the State in war, meeting natural catastrophes, or redeeming indebtedness outstanding at the time this constitution becomes effective.

Section 9. No debt shall be contracted by any political subdivision of the State, unless authorized for capital improvements by its governing body with ratification by a majority vote of those qualified to vote and voting on the question.

Section 10. The State and its political subdivisions may borrow money to meet appropriations for any fiscal year in anticipation of the collection of the revenues of that year, but all debt so contracted shall be paid before the end of the next fiscal year.

Section 11. The restrictions on contracting debt do not apply to debt incurred through the issuance of revenue bonds by a public enterprise or public corporation of the State or political subdivision when the only security is the revenues of the enterprise or corporation. The restrictions do not apply to indebtedness to be paid from special assessments on the benefited property, nor do they...
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE XI

INITIATIVE, REFERENDUM AND RECALL

Initiative and Referendum

1 Section 1. The people may propose and enact laws by the initiative, and approve or reject acts of the legislature by the referendum.

Application

2 Section 2. An initiative or referendum is proposed by an application containing the bill to be initiated or the act to be referred. The application shall be signed by not less than one hundred qualified voters as sponsors, and be filed with the secretary of state.

3 If he finds it in proper form he shall so certify.

4 Denial of certification is subject to judicial review.

Petition

5 Section 3. After certification of the application, a petition containing a summary of the subject matter shall be prepared by the secretary of state for circulation by the sponsors. If signed by qualified voters, equal in number to ten per cent of those who voted in the preceding general election, and resident in at least two-thirds of the election districts of the State, it may be filed with the secretary of state.
Section 4. An initiative petition may be filed at any time. The secretary of state shall prepare a title and summary of the proposed law, and shall place them on the ballot for the first statewide election held more than one hundred twenty days after adjournment of the legislative session following the filing. If, before the election, substantially the same measure has been enacted, the petition is void.

Section 5. A referendum petition may be filed only within ninety days after adjournment of the legislative session at which the act was passed. The secretary of state shall prepare a title and summary of the act and shall place them on the ballot for the first statewide election held more than one hundred eighty days after adjournment of that session.

Section 6. A majority of the votes cast on the proposition is necessary for the enactment of an initiated law or for the defeat of an act referred. The secretary of state shall certify the election returns. An initiated law is effective ninety days after certification, is not subject to veto, and may not be repealed by the legislature within two years of its effective date. It may be amended at any time. An act rejected by referendum is void thirty days after certification. Additional procedures for the initiative and referendum may be prescribed by law.
Restrictions

Section 7. The initiative may not be used to dedicate revenues, make or repeal appropriations, or enact local or special legislation. The referendum shall not be applied to dedications of revenue, to appropriations, to local or special legislation, or to laws necessary for the immediate preservation of the public peace, health, or safety.

Recall

Section 8. All elected public officials in the State, except judicial officers, are subject to recall by the voters of the State or political subdivision from which elected. Procedures and grounds for recall shall be prescribed by the legislature.
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VIII

NATURAL RESOURCES

Section 1. It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

Section 2. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

Section 3. Wherever occurring in their natural state, fish, wildlife and waters are reserved to the people for common use.

Section 4. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and conserved on the sustained yield principle, subject to preferences among beneficial uses.
Section 5. The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

Section 6. Lands and interests therein, including submerged and tidal lands, possessed or acquired by the State, and not used or intended exclusively for governmental purposes, constitute the state public domain. The legislature shall provide for the selection of lands granted to the State by the United States, and for the administration of the state public domain.

Section 7. The legislature may provide for the acquisition of sites, objects, and areas of natural beauty or of historic, cultural, recreational, or scientific value. It may reserve them from the public domain and provide for their administration and preservation for the use, enjoyment, and welfare of the people.

Section 8. The legislature may provide for the leasing of and the issuance of exploration permits for any part of the public domain or interest therein, subject to reasonable concurrent uses. Leases and permits shall provide, among other conditions, for payment by the party at fault for damage or injury arising from non-compliance with terms governing concurrent use, and for
Section 9. Subject to the provisions of this section, the legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures. All sales or grants shall contain reservations to the State of all resources as may be required by Congress or the State and shall provide for access to these resources. Reservation of access shall not impair the owners' use, prevent the control of trespass, or preclude compensation for damage.

Section 10. No disposals or leases of state lands, or interests therein, shall be made without prior public notice and other safeguards of the public interest as may be prescribed by law.

Section 11. Discovery and appropriation shall be the basis for establishing a right in those minerals reserved to the State which, upon the date of ratification of this constitution by the people of Alaska, were subject to location under the federal mining laws. Prior discovery, location, and filing, as prescribed by law, shall establish a prior right to these minerals and also a prior right to permits, transferable licenses and leases for their extraction and processing. Continuation of these rights shall depend upon the performance of annual labor, the payment of fees, rents, or royalties, or upon other
requirements as may be prescribed by law. Surface uses
of land by a mineral claimant shall be limited to those
necessary for the extraction and basic processing of the
mineral deposits. The granting of deeds or patents to
mineral lands may be authorized by the State unless
prohibited by Congress. The provisions of this section
shall apply to all other minerals reserved to the State
which by law are declared subject to appropriation.

Section 12. The legislature shall provide for the
issuance, types, and terms of leases for coal, oil, gas,
oil shale, sodium, phosphate, potash, sulfur, pumice, and
other minerals as may be prescribed by law. Leases and
permits giving the exclusive right of exploration for
these minerals for specific periods and areas, subject
to reasonable concurrent exploration as to different
classes of minerals, may be authorized by law. Like
leases and permits giving the exclusive right of prospecting
by geophysical, geochemical, and similar methods for
all minerals may also be authorized by law.

Section 13. All surface and subsurface waters re-
served to the people for common use, except mineral and
medicinal waters, are subject to appropriation. Priority
of appropriation shall give prior right. Except for
public water supply, an appropriation of water shall be
limited to stated purposes and subject to preferences
Access to Navigable Waters

<table>
<thead>
<tr>
<th>Section</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Free access to the navigable or public waters of the State, as defined by law, shall not be denied any citizen of the United States or resident of the State, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes.</td>
</tr>
</tbody>
</table>

No Exclusive Right of Fishery

<table>
<thead>
<tr>
<th>Section</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State.</td>
</tr>
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</table>

Protection of Rights

<table>
<thead>
<tr>
<th>Section</th>
<th>Content</th>
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<tbody>
<tr>
<td>16</td>
<td>No person shall be involuntarily divested of his right to the use of waters, his interests in lands, or improvements affecting either, except for a superior beneficial use or public purpose and then only with just compensation and by operation of law.</td>
</tr>
</tbody>
</table>

Uniform Application

<table>
<thead>
<tr>
<th>Section</th>
<th>Content</th>
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<tbody>
<tr>
<td>17</td>
<td>Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation.</td>
</tr>
</tbody>
</table>

Private Ways of Necessity

<table>
<thead>
<tr>
<th>Section</th>
<th>Content</th>
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<tbody>
<tr>
<td>18</td>
<td>Proceedings in eminent domain may be undertaken for private ways of necessity to permit essential access for extraction or utilization of resources. Just compensation shall be made for property</td>
</tr>
</tbody>
</table>
Section 19. The enumeration of specified powers shall not be construed as limitations on other implied powers of the State in relation to the utilization, development and conservation of natural resources, except as specifically provided in this article.

Section 20. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, included in the Territory of Alaska upon the date of ratification of this constitution by the people of Alaska.

Check section 20 as to whether it should include tidelands and submerged lands appurtenant to State of General ?? Alaska??

Remember that Natural resource wanted this section left in resources even tho. repeated elsewhere Query ?? what to do.
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article XIV
(Committee Proposal/17b/Enrolled)
January 31, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XIV

SCHEDULE

To provide an orderly transition from a territorial to a state form of government, it is declared and ordained:

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Section 1. This constitution shall take effect immediately upon the admission of Alaska into the Union as a State.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 2.</td>
<td>The capital of the State of Alaska shall be at Juneau.</td>
</tr>
<tr>
<td>Section 3.</td>
<td>All laws in force in the Territory of Alaska on the effective date of this constitution and consistent therewith shall continue in force until they expire by their own limitation, are amended or repealed.</td>
</tr>
<tr>
<td>Section 4.</td>
<td>Except as otherwise provided in this constitution, all rights, titles, actions, suits, contracts, liabilities and civil, criminal, or administrative proceedings shall continue</td>
</tr>
</tbody>
</table>

Style and Drafting/Article XIV
Continuance of Office

Section 5. Cities, school districts, health districts, public utility districts, and other local subdivisions of government existing on the effective date of this constitution shall continue to exercise their powers and functions under existing law, pending enactment of laws to carry out the provisions of this constitution. New local subdivisions of government shall be created only in accordance with this constitution.

Corresponding Qualifications

Section 6. All officers of the Territory, or under its laws, on the effective date of this constitution shall continue to perform the duties of their offices in a manner consistent with this constitution until they are superseded by officers of the State.

Corresponding Qualifications

Section 7. Residence or other qualifications prescribed by this constitution shall be satisfied by corresponding qualifications under the Territory.
Section 8. The seal of the Territory, substituting the word "State" for "Territory", shall be the seal of the State.

Section 9. The flag of the Territory shall be the flag of the State.

Section 10. This constitution shall be submitted to the voters of Alaska for ratification or rejection at the territorial primary election to be held on April 24, 1956. The election shall be conducted according to existing laws regulating primary elections so far as applicable.

Section 11. Each elector who offers to vote upon this constitution shall be given a ballot by the election judges which will be separate from the ballot on which candidates in the primary election are listed. Each of the propositions offered by the Alaska Constitutional Convention shall be set forth separately, but on the same ballot form. The first proposition shall be as follows:

Section 12. The returns of this election shall be made to the governor of the Territory of Alaska, and shall be canvassed in substantially the same manner provided by law for territorial elections.
Acceptance and Approval

Section 13. If a majority of the votes cast on the proposition favor the constitution, then the constitution shall be deemed to be ratified by the people of Alaska. The governor of the Territory shall forthwith submit a certified copy of the constitution through the President of the United States to the Congress for approval, together with a statement of the votes cast thereon.

Governor to Proclaim Election

Section 14. When the people of the Territory ratify this constitution and it is approved by the duly constituted authority of the United States, the governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue a proclamation and take necessary measures to hold primary and general elections for all state elective offices provided for by this constitution.

First State Elections

Section 15. The primary election shall take place not less than forty nor more than ninety days after the proclamation by the governor of the Territory. The general election shall take place not less than ninety days after the primary election. The elections shall be
governed by this constitution and by applicable
territorial laws.

Section 16. The officers to be elected
at the first general election shall include
two senators and one representative to serve
in the Congress of the United States, unless
senators and a representative have been
previously elected and seated. One senator
shall be elected for the long term and one
senator for the short term, each term to
expire on the third day of January in an odd-
numbered year to be determined by authority
of the United States. The term of the
representative shall expire on the third
day of January in the odd-numbered year
immediately following his assuming office.
If the first representative is elected in
an even-numbered year to take office in that
year, a representative shall be elected at
the same time to fill the full term commencing
on the third day of January of the following
year, and the same person may be elected
for both terms.

Section 17. The first governor and
secretary of state shall hold office for a
term beginning with the day on which they qualify and ending at noon on the first Monday in December of the even-numbered year following the next presidential election. This term shall count as a full term for purposes of determining eligibility for reelection only if it is four years or more in duration.

Section 18. The returns of the first general election shall be made, canvassed, and certified in the manner prescribed by law. The governor of the Territory shall certify the results to the President of the United States.

Section 19. When the President of the United States issues a proclamation announcing the results of the election, and the State has been admitted into the Union, the officers elected and qualified shall assume office.

Section 20. The governor shall call a special session of the first state legislature within thirty days after the presidential proclamation unless a regular session of the legislature falls within that period. The
special session shall not be limited as to
duration.

Section 21. The first members of the
judicial council shall, notwithstanding
Section 8 of Article IV, be appointed for
terms as follows: three attorney members
for one, three, and five years respectively,
and three non-attorney members for two, four,
and six years respectively. The six members
so appointed shall, in accordance with
Section 5 of Article IV, submit to the
governor nominations to fill the initial
vacancies on the supreme court, including the
office of chief justice. After the initial
vacancies on the supreme court are filled,
the chief justice is appointed and shall assume his
seat on the judicial council.

Section 22. Until the courts provided
for in Article IV are organized, the courts,
their jurisdiction, and the judicial system
shall remain as constituted on the date of
admission unless otherwise provided by law.
When the state courts are organized, new
actions shall be commenced and filed therein,
and all causes, other than those under the
jurisdiction of the United States, pending
in the courts existing on the date of admission,
shall be transferred to the proper state
court as though commenced, filed, or lodged
in those courts in the first instance, subject
to applicable acts of congress.

Section 23. The provisions of Section 5
of Article II shall not prohibit any member
of the first state legislature from holding
any office or position created during his
first term.

Section 24. Citizens who legally voted
in the general election of November 4, 1924,
and who meet the residence requirements for
voting, shall be entitled to vote notwith-
standing the provisions of Section 1 of
Article V.
ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

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

Section 2. Membership in employee retirement systems of the State or its political subdivisions shall constitute a contractual relationship. Accrued benefits of these systems shall not be diminished or impaired.

Section 3. No person who advocates, or who aids or belongs to any party or organization or association which advocates, the overthrow by force or violence of the government of the United States or of the State shall be qualified to hold any public office of trust or profit under this constitution.
Section 4. All public officers, before entering upon the duties of their offices, shall take and subscribe to the following oath or affirmation:

"I do solemnly swear [or affirm] that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as _______ to the best of my ability."

The legislature may prescribe further oaths or affirmations.

Section 5. The State and its political subdivisions may cooperate with the United States and its territories and with other states and their political subdivisions on matters of common interest. The respective legislative bodies may make appropriations for this purpose. The governor shall act as the agent of the State in all intergovernmental relations involving the State.

Section 6. Titles and subtitles shall not be used in construing this constitution. Personal pronouns used in this constitution shall be construed as including persons of both sexes.

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

Section 8. The provisions of this constitution
Self-executing shall be construed to be self-executing whenever possible.

Law-Making Powers

Section 9. As used in this constitution, the terms "by law" and "by the legislature", or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI.

Office of Profit

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

Consent to Enabling Act

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

State University

Section 12. The University of Alaska is hereby established as the state university and constituted a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be
Section 13. The University of Alaska shall be governed by a board of regents. The regents shall be nominated and appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.
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

Section 10. The State of Alaska and its people
forever disclaim all right and title in or to any
property belonging to the United States, or subject
to its disposition, and not granted or confirmed to
the State or its political subdivisions, by or under
the act admitting Alaska to the Union. The State and
its people further disclaim all right or title in or
to any property, the right or title to which may be
held by or for any Indian, Eskimo, or Aleut, or com­
munity thereof, as that right or title is defined in
the act of admission. The State and its people agree
that, unless otherwise provided by Congress, the
property, as described in this section, shall remain
subject to the absolute disposition of the United
States. They further agree that no taxes will be
imposed upon any such property, until otherwise pro­
vided by the Congress. This tax exemption shall not
apply to property held by individuals in fee without
restrictions on alienation.
REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal 17a
Style & Drafting/Article IV
February 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XIV

SCHEDULE

Ordinance to Abolish Fish Traps

1. Section 26. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a third proposition, which shall be as follows:

"Shall Ordinance Number Three of the Alaska Constitutional Convention, prohibiting the use of fish traps for the taking of salmon for commercial purposes in the coastal waters of the State, be adopted?"

If the constitution shall be adopted by the electors and if a majority of all the votes cast for and against this ordinance favor its adoption, then the following shall become operative upon the effective date of the constitution:
"As a matter of immediate public necessity, to relieve economic distress among individual fishermen and those dependent upon them for a livelihood, to conserve the rapidly dwindling supply of salmon in Alaska, to insure fair competition among those engaged in commercial fishing, and to manifest the will of the people of Alaska, the use of fish traps for the taking of salmon for commercial purposes is hereby prohibited in all the coastal waters of the State."
RESOLVED, that the following sections be adopted as a part of the schedule of the Alaska State Constitution:

ARTICLE XIV

SCHEDULE

1. Section 25. The election of senators and a representative to serve in the Congress of the United States being necessary and proper to prepare for the admission of Alaska as a State of the Union, the following is hereby ordained, pursuant to Chapter 46, SLA 1955:

Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a second proposition, which shall be as follows:

11. "Shall Ordinance No. ___ (Alaska-Tennessee Plan) of the Alaska Constitutional Convention, calling for the immediate election of two..."
1 United State Senators and one United States Representative, be adopted?"

(2) Upon ratification of the constitution by the people of Alaska and separate approval of this ordinance by a majority of all votes cast for and against it, the remainder of this ordinance shall become effective.

One senator shall be chosen for the regular term expiring on January 3, 1963, and the other for an initial short term expiring on January 3, 1961, unless when they are seated the Senate prescribes other expiration dates. The representative shall be chosen for the regular term of two years expiring January 3, 1959.

Candidates for senators and representative shall have the qualifications prescribed in the Constitution of the United States and shall be qualified voters of Alaska.

Until the admission of Alaska as a state, the senators and representative may also hold or be
Election Procedure

(7) Except as provided herein, the laws of the Territory governing elections to the office of Delegate to Congress shall, to the extent applicable, govern the election of the senators and representative. Territorial and other officials shall perform their duties with reference to this election accordingly.

Independent Candidates

(8) Persons not representing any political party may become independent candidates for the offices of senator or representative by filing applications in the manner provided in Section 38-5-10, ACLA 1949, insofar as applicable. Applications must be filed in the office of the director of finance of the Territory on or before June 30, 1956.

Party Nominations

(9) Party nominations for senators and representative shall, for this election only, be made by party conventions in the manner prescribed in Section 38-4-11, ACLA 1949, for filling a vacancy in a party nomination occurring in a primary election. The names of the candidates
(10) The director of finance shall certify the names of all candidates for senators and representative to the clerks of court by July 15, 1956. The clerks of court shall cause the names to be printed on the official ballot for the general election. Independent candidates shall be identified as provided in Section 38-5-10, ACLA 1949. Candidates nominated at party conventions shall be identified with appropriate party designations as is provided by law for nominations at primary elections.

(11) The ballot form shall group separately the candidates seeking the regular senate term, those seeking the short senate term, and candidates for representative. The candidate for each office receiving the largest number of votes cast for that office shall be elected.

(12) The duties and emoluments of the offices of senator and representative shall be as prescribed by law.
(13) The president of the Alaska Constitutional Convention, or person designated by him, may assist in carrying out the purposes of this ordinance. The unexpended and unobligated funds appropriated to the Alaska Constitutional Convention by Chapter 46, SLA 1955, may be used to defray expenses attributable to the referendum and the election required by this ordinance.

(14) If the Congress of the United States seats the senators and representative elected pursuant to this ordinance and approves the constitution before the first election of state officers, then Section 27 of Article XIV shall be void and shall be replaced by the following:

"The provisions of the constitution applicable to the first election of state officers shall take effect immediately upon the admission of Alaska into the Union as a State. The remainder of the constitution shall take effect when the elected governor takes office."
Election of First Representatives (Transitional)

1 F, H, J, K, M, N, and P. If the first state general election is held in an odd-numbered year, the terms set forth in this section shall be increased by one year.

Section 13. If the first state general election is held in an odd-numbered year, the term of members chosen for the house of representatives at this election shall be three years.

First Reapportionment (Transitional)

Section 14. The first reapportionment of the house of representatives shall be made immediately following the official reporting of the 1960 decennial census, or after the first regular legislative session if the session occurs thereafter, notwithstanding the provision as to time in Section 3 of Article VI. All other provisions of Article VI shall apply in the first reapportionment.
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE X
LOCAL GOVERNMENT

<table>
<thead>
<tr>
<th>Purpose and Construction</th>
<th>1</th>
<th>Section 1. The purpose of this article is to provide for maximum local self-government with a minimum of local government units and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government Powers</td>
<td>2</td>
<td>Section 2. All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.</td>
</tr>
<tr>
<td>Boroughs</td>
<td>3</td>
<td>Section 3. The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The legislature shall</td>
</tr>
</tbody>
</table>
classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, dissolved, or reclassified shall be prescribed by law.

Section 4. The governing body of the organized borough shall be the assembly, and its composition shall be established by law or charter. Each city of the first class, and each city of any other class designated by law, shall be represented on the assembly by one or more members of its council. The other members of the assembly shall be elected from and by the qualified voters resident outside such cities.

Section 5. Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.

Section 6. The legislature shall provide for the performance of services in unorganized boroughs, allowing for maximum local participation and responsibility.
Section 7. Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified, or dissolved in the manner provided by law.

Section 8. The governing body of a city shall be the council.

Section 9. The qualified voters of any borough of the first class or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city, and shall become effective if approved by a majority of those who vote on the specific question.

Section 10. The legislature may extend home rule to other boroughs and cities.

Section 11. A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

Section 12. A local boundary commission or board...
Agreements; Transfer of Powers

1. shall be established by law in the executive branch of the state government. The commission or board may consider any proposed local government boundary change. It may present proposed changes to the legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house. The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action.

Section 13. Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State, or with the United States unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

Section 14. An agency shall be established by law in the executive branch of the state government to advise and assist local governments in reviewing their activities, collect and publish local government information and perform other duties prescribed by law.
Section 15. At the time a borough is organized, special service districts performing local functions shall be integrated with the government of the borough as provided by law.
Section 1. Amendments to this constitution may be approved by a two-thirds vote of each house of the legislature. The secretary of state shall prepare a ballot title and proposition summarizing each proposed amendment, and shall place them on the ballot for the next general election. If a majority of the votes cast on the proposition favor the amendment, it is adopted. Unless otherwise provided in the amendment, it becomes effective thirty days after the certification of the election returns by the secretary of state.

Section 2. The legislature may provide for constitutional conventions at any time.

Section 3. If during any ten-year period a constitutional convention has not been held, the
secretary of state shall place on the ballot for
the next general election the question: "Shall
there be a constitutional convention?" If a ma-
ority of the votes cast on the question are in the
affirmative, delegates to the convention shall be
chosen at the next regular statewide election, unless
the legislature provides for the election of the
delegates at a special election. The secretary of
state shall issue the call for the convention.
Unless other provisions have been made by law, the
call shall conform as nearly as possible to the act
calling the Alaska Constitutional Convention of
1955, including, but not limited to, number of mem-
bers, districts, election and certification of
delegates, and submission and ratification of re-
visions and ordinances. The appropriation provi-
sions of the call shall be self-executing and shall
constitute a first claim on the state treasury.

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

We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil and religious liberty, do ordain and establish this constitution for the State of Alaska.

ARTICLE I

DECLARATION OF RIGHTS

Section 1. This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities and protection under the law; and that all persons have corresponding obligations to the people and to the State.

Section 2. All political power is inherent in the people. Government derives from the consent of the governed and exists solely for the common good.
Civil Rights

Section 3. No person is to be denied any civil or political right because of race, color, creed, or national origin. The legislature shall implement this section.

Freedom of Religion

Section 4. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof.

Freedom of Speech

Section 5. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

Assembly; Petition

Section 6. The right of the people peaceably to assemble, and to petition the government shall never be abridged.

Due Process

Section 7. No person shall be deprived of life, liberty, or property, without due process of law. The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.

Grand Jury

Section 8. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces in time of war or public danger. Indictment may be waived by the accused, in which case the prosecution shall be by information. The grand jury consists of at least twelve citizens,
1 a majority of whom concurring may return an indictment.
2 The power of grand juries to investigate and make recom-
3 mendations concerning the public welfare or safety
4 shall never be suspended.
5 Section 9. No person shall be put in jeopardy
6 twice for the same offense. No person shall be compelled
7 in any criminal proceeding to be a witness against
8 himself.
9 Section 10. Treason against the State consists
10 only in levying war against it, or in adhering to its
11 enemies, giving them aid and comfort. No person shall
12 be convicted of treason, unless on the testimony of two
13 witnesses to the same overt act, or on confession in
14 open court.
15 Section 11. In all criminal prosecutions, the
16 accused has the right to a speedy and public trial, by
17 an impartial jury of twelve, except that the legislature
18 may provide for a jury of not more than twelve nor less
19 than six in courts not of record. The accused is entitled
20 to be informed of the nature and cause of the accusa-
21 tion; to be released on bail, except for capital
22 offenses when the proof is evident or the presumption
23 great; to be confronted with the witnesses against him;
24 to have compulsory process for obtaining witnesses in
25 his favor, and to have the assistance of counsel for
26 his defense.

- 3 -
<table>
<thead>
<tr>
<th>Excessive Punishment</th>
<th>1 Section 12. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Penal administration shall be based on the principle of reformation and the need for protecting the public.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Habeas Corpus</td>
<td>6 Section 13. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or actual or imminent invasion, the public safety requires it.</td>
</tr>
<tr>
<td>Searches and Seizures</td>
<td>10 Section 14. The right of the people to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.</td>
</tr>
<tr>
<td>Prohibited State Action</td>
<td>17 Section 15. No bill of attainder or ex post facto law shall be passed. No law impairing the obligation of contracts, and no law making any irrevocable grant of special privileges or immunities shall be passed. No conviction shall work corruption of blood or forfeiture of estate.</td>
</tr>
<tr>
<td>Right to Bear Arms</td>
<td>23 Section 19. A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.</td>
</tr>
</tbody>
</table>
Section 20. No member of the armed forces shall in time of peace be quartered in any house without the consent of the owner or occupant, or in time of war except as prescribed by law. The military shall be in strict subordination to the civil power.

In civil cases where the amount in controversy exceeds two hundred fifty dollars, the right of trial by jury is preserved to the same extent as it existed at common law. The legislature may make provision for a verdict by not less than three-fourths of the jury, and in courts not of record, may provide for a jury of not less than six or more than twelve.

Section 18. Private property shall not be taken or damaged for public use without just compensation.

Section 21. The enumeration of rights in this constitution does not impair or deny others retained by the people.
ALASKA CONSTITUTIONAL CONVENTION
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Mon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on The Legislature 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 N. McLaughlin
Katherine D. Nordale
January 23, 1956

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention Committee Proposal 5

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE II

THE LEGISLATURE

Legislative Power; Membership

Section 1. The legislative power of the State is vested in a legislature consisting of a senate with a membership of twenty and a house of representatives with a membership of forty.

Section 2. A member of the legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his filing for office. A senator shall be at least twenty-five years of age and a representative at least twenty-one years of age.

Section 3. Legislators are elected at general elections. Their terms begin on the fourth Monday of the January following election unless otherwise provided by law. The term of representatives is two years, the term of senators, four years. One-half of the senators shall be elected every two years.

Vacancies

Section 4. A vacancy in the legislature is filled
Disqualifications

Section 5. During the term for which elected and
for one year thereafter, no legislator may be nominated,
elected or appointed to any other office or position of
profit which has been created, or the salary or emolu-
ments of which have been increased, while he was a member.
This section does not apply to employment by or election
to a constitutional convention.

Immunities

Section 6. Legislators may not be held to answer
before any other tribunal for any statement made or ac-
tion taken in the exercise of their legislative duties,
while the legislature is in session.
Members attending, going to or returning from legislative
sessions are not subject to civil process and are pri-
ileged from arrest except for felony or breach of the
peace.

Salary and Expenses

Section 7. Legislators shall receive annual salaries.
They may receive a per diem allowance for expenses while
in session and are entitled to travel expenses going to
and from sessions. Presiding officers may receive addi-
tional compensation.

Regular Sessions

Section 8. The legislature shall convene each year
on the fourth Monday in January, but the month and day
may be changed by law.
Section 9. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor, legislation shall be limited to subjects designated in his proclamation calling the session or to subjects presented by him. Special sessions are limited to thirty days.

Section 10. Neither house may adjourn or recess for longer than three days unless the other concurs. If the two houses cannot agree on the time of adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature.

Section 11. There shall be a legislative council. The legislature may establish other interim committees. The council and other interim committees may meet between legislative sessions. They may perform duties and employ personnel as provided by the legislature. Their members may receive an allowance for expenses while performing their duties.

Section 12. The houses of each legislature shall adopt uniform rules of procedure. Each house may choose its officers and employees. Each is the judge of the election and qualifications of its members. Each shall keep a journal of its proceedings. A majority
of the membership of each house constitutes a quorum to
do business, but a smaller number may adjourn from day
to day and may compel attendance of absent members. The
legislature may regulate lobbying.

Section 13. Every bill shall be confined to one sub-
ject unless it is an appropriation bill or one codifying,
revising or rearranging existing laws. Bills for appro-
priations shall be confined to appropriations. The sub-
ject of each bill shall be expressed in the title. The
enacting clause shall be: "Be it enacted by the legisla-
ture of the State of Alaska."

Section 14. The legislature shall establish the pro-
cedure for enactment of bills into law. No bill may be-
come law unless it has passed three readings in each
house on separate days, except that any bill may be ad-
vanced from second to third reading on the same day by
concurrence of three-fourths of the house considering it.
No bill may become law without an affirmative vote of a
majority of the membership of each house. The yeas and
nays on final passage shall be entered in the journal.

Section 15. The governor may veto bills passed by
the legislature. He may by veto, strike or reduce items
in appropriation bills. He shall return any vetoed bill,
with a statement of his objections, to the house of origin.
Section 16. Upon receipt of a veto message, the legislature shall meet immediately in joint session and reconsider passage of the vetoed bill or item. Appropriation bills or items and bills dealing with taxation or affecting expenditures, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature. Other vetoed bills become law by affirmative vote of two-thirds of the membership of the legislature. The vote on reconsideration of a vetoed bill shall be entered on the journals of both houses.

Section 17. A bill becomes law if, while the legislature is in session, the governor neither signs nor vetoes it within fifteen days, Sundays excepted, after its delivery to him. If the legislature is not in session and the governor neither signs nor vetoes a bill within twenty days, Sundays excepted, after its delivery to him, the bill becomes law.

Section 18. Laws passed by the legislature, except general appropriation acts, do not become effective until ninety days after adjournment of the session at which enacted. The legislature may, by concurrence of two-thirds of the membership of each house, provide for an earlier effective date in case of emergency. The emergency must be expressly stated in the act.
Local or Special Acts

Section 19. The legislature shall pass no local or special act if a general act can be made applicable. Whether a general act can be made applicable shall be subject to judicial determination. Local acts necessitating appropriations by a political subdivision may not become effective unless approved by a majority of the qualified voters voting thereon in the subdivision affected.

Impeachment

Section 20. All civil officers of the State are subject to impeachment by the legislature. Impeachments originate in the senate and must be approved by a two-thirds vote of its members. The motion for impeachment shall list fully the basis for the proceeding. Trial on impeachment is conducted by the house of representatives. A supreme court justice designated by the court shall preside at the trial. Concurrence of two-thirds of the members of the house is required for a judgment of impeachment. The judgment may not extend beyond removal from office, but shall not prevent proceedings in the courts on the same or related charges.

Suits Against the State

Section 21. The legislature shall establish procedures for suits against the State.
CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE III

THE EXECUTIVE

<table>
<thead>
<tr>
<th>Section</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The executive power of the State is vested in the governor.</td>
</tr>
<tr>
<td>2</td>
<td>The governor shall be at least thirty years of age and a qualified voter of the State. He shall have been a resident of Alaska at least seven years immediately preceding his filing for office, and he shall have been a citizen of the United States for at least seven years.</td>
</tr>
<tr>
<td>3</td>
<td>The governor is chosen by the qualified voters of the State at a general election. The candidate receiving the greatest number of votes shall be governor.</td>
</tr>
<tr>
<td>4</td>
<td>The term of office of the governor is four years, beginning at noon on the first Monday in December following his election and ending at noon on the first Monday in December four years later.</td>
</tr>
</tbody>
</table>
Limit on Tenure

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

Dual Office Holding

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

Secretary of State: Duties

Section 7. There shall be a secretary of state. He shall have the same qualifications as the governor and serve for the same term. He shall perform such duties as may be prescribed by law and as may be delegated to him by the governor.

Section 8. The secretary of state shall be nominated in the manner provided by law for nominating candidates for other elective offices. In the general election the votes cast for a candidate for governor shall be considered as cast also for the candidate for secretary of state running jointly with him. The candidate whose name appears on the ballot jointly with that of the successful candidate for governor elected secretary of state.

Acting Governor

Section 9. In case of the temporary absence of the governor from office, the secretary of state shall serve as acting governor.

Succession: Failure to Qualify

Section 10. If the governor-elect dies, resigns or is disqualified, the secretary of state elected with him succeeds to the office of governor. 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 succeed to the office if the governor-elect does not assume his office within six months of the beginning of the term.
Section 11. In case of a vacancy in the office of governor for any reason, the secretary of state shall succeed to the office for the remainder of the term.

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

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.

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

Section 15. The compensation of the governor and the secretary of state shall be prescribed by law and shall not be diminished during their term of office.
Governor: Authority

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

Convening Legislature

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

Messages to Legislature

Section 18. The governor shall, at the beginning of each session, and may at other times, give the legislature information concerning the affairs of the State and recommend the measures he considers necessary.

Military Authority

Section 19. The governor is commander-in-chief of the armed forces of the State. He may call out these forces to execute the laws, suppress or prevent insurrection or lawless violence, or repel invasion. The governor, as provided by law, shall nominate and appoint all general and flag officers of the armed forces of
Section 20. The governor may proclaim martial law when the public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall not continue for longer than 20 days without the approval of a majority of the members of the legislature in joint session.

Section 21. Subject to procedure prescribed by law, the governor may grant pardons, commutations and reprieves, and may suspend and remit fines and forfeitures. This power shall not extend to impeachment. A parole system shall be provided by law.

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

Section 23. The governor may make changes in the organization of the executive branch or in the
The legislature shall have sixty days of a regular session, or a full session 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.

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

Section 25. The head of each principal department shall be a single executive unless otherwise provided by law. He shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the secretary of state. The heads of all principal departments shall be citizens of the United States.

Section 26. When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law.
They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

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