FOLDER NO.

203.03
Hon. William A. Egan, President  
Alaska Constitutional Convention  

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Preamble and the Article on Bill of Rights 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 COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article I
January 25, 1956

ALASKA CONSTITUTIONAL CONVENTION

RESOLVED, that the following be agreed upon as part of
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

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 enjoy-
ment of the rewards of their own industry; that all
persons are equal and entitled to equal rights, oppor-
tunities 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.
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.

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

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

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

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.

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,
a majority of whom concurring may return an indictment.

The power of grand juries to investigate and make recommenda-

Double Jeop-

Section 9. No person shall be put in jeopardy

ardy; Self-
twice for the same offense. No person shall be compelled

Incrimination

in any criminal proceeding to be a witness against

shall never be suspended.

himself.

Treason

Section 10. Treason against the State consists

only in levying war against it, or in adhering to its

enemies, giving them aid and comfort. No person shall

be convicted of treason, unless on the testimony of two

witnesses to the same overt act, or on confession in

open court.

Section 11. In all criminal prosecutions the

accused has the right to a speedy and public trial, by

an impartial jury of twelve, except that the legislature

may provide for a jury of not more than twelve nor less

than six in courts not of record. The accused is entitled

to be informed of the nature and cause of the accusa-
tion; to be released on bail, except for capital

offenses when the proof is evident or the presumption

great; to be confronted with the witnesses against him;
to have compulsory process for obtaining witnesses in

his favor, and to have the assistance of counsel for

his defense.
<table>
<thead>
<tr>
<th>Section</th>
<th>Text</th>
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<tbody>
<tr>
<td>12</td>
<td>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.</td>
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<td>13</td>
<td>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>
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<td>14</td>
<td>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>
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<td>15</td>
<td>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>
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<tr>
<td>16</td>
<td>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>
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<td>Quartering Soldiers</td>
<td>Section 17. 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.</td>
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<tr>
<td>Civil Suits; Trial by Jury</td>
<td>Section 18. In suits at common law, where the amount in controversy exceeds two hundred fifty dollars, the right of trial by a jury of twelve shall be preserved. The legislature may provide for a jury of not less than six in courts not of record. The legislature may provide for a verdict by not less than three-fourths of the members of any jury in a common law suit.</td>
</tr>
<tr>
<td>Imprisonment For Debt</td>
<td>Section 19. There shall be no imprisonment for debt, except in case of absconding debtors.</td>
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<tr>
<td>Eminent Domain</td>
<td>Section 20. Private property shall not be taken or damaged for public use without just compensation.</td>
</tr>
<tr>
<td>Construction</td>
<td>Section 21. The enumeration of rights in this constitution does not impair or deny others retained by the people.</td>
</tr>
</tbody>
</table>
We the people of Alaska, grateful to God and to the founders of our nation and the pioneers of 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

Constitutional

Principles

Inherited

Rights

Section 1. The purpose of this Constitution is the promotion of the general welfare of the people. It 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.

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

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

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

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.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury. This right may be waived by the accused, in which case the prosecution shall be by information. The grand jury consists of at least twelve citizens, a majority of whom concurring may return an indictment. The power of grand juries to investigate and make recommendations concerning the public welfare shall never be suspended. This section does not apply to cases arising in the armed forces in time of war or public danger.

No person shall be put in jeopardy twice for the same offense. No person shall be compelled in any criminal proceeding to be a witness against himself.
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.

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

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.

In all criminal prosecutions the accused has the right to a speedy and public trial, by an impartial jury of twelve, except that in courts not of record the legislature may provide for a jury of not more than twelve nor less than six persons. The accused is entitled to be informed of the nature and cause of the accusation; to be released on bail, except for capital offenses when the proof is evident or the presumption great; to be confronted with the witnesses
1 against him; to have compulsory process for obtaining wit-
2 nesses in his favor, and to have the assistance of counsel
3 for his defense.

Civil Suits:
4 In suits at common law, where the amount in con-
5 troversy exceeds two hundred fifty dollars, the right of
6 trial by a jury of twelve shall be preserved, except that in
7 courts not of record, the Legislature may provide for a
8 jury of not less than six. In these suits, the legisla-
9 ture may provide for a verdict by not less than three-
10 fourths of the members of any jury in a common law suit.

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

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

Treason
13 Treason against the State consists only in levy-
14 ing war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of trea-
15 son, unless on the testimony of two witnesses to the same overt act, or on confession in open court.
Private property shall not be taken or damaged for public use without just compensation.

There shall be no imprisonment for debt, except in case of absconding debtors.

The enumeration of rights in this Constitution does not impair or deny others retained by the people.
Section 1  Inherent Rights
2  Source of Govt
3  Civil Rights
4  Freedom of Speech
5  Freedom of Religion
6  Assembly; Petition
7  Due Process
8  Grand Jury
9  Double Jeopardy; Self Incrimination
10  Treason
11  Right of accused
12  Criminal Trials
13  Excessive Punishment
14  Habeas Corpus
15  Search and Seizure
16  Right to bear arms
17. Quarentine Soldiers
18. Civil Senate Trial by Jury
19. Imprisoned for Debt
20. Eminent Domain
21. Construction
The people of Alaska, grateful for our great American heritage of political, civil and religious liberty, and to secure and maintain that liberty immovable in posterity, in the belief in government by the consent of the governed and in order to establish a more perfect government do ordain and establish the Constitution.

Approved by: [Signature]

[Date: 19[ ]]