FOLDER NO.

203.032
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article/III
January 23, 1956

ALASKA CONSTITUTIONAL CONVENTION

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

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

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

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

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

We recommend that the section be as follows:

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

Section 23. The end of section 23, after the word "orders" on line 4 of page 6, was amended on the floor to read as follows:
These orders shall become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session.

We recommend that the section be as follows:

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

Respectfully submitted,

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

Your Committee on Style and Drafting herewith presents its redraft of amendments to the Article on the Executive.

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

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

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

We recommend that the section be as follows:

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

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

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

We recommend that the section be as follows:

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

Your Committee on Style and Drafting herewith presents its redraft of amendments to the Article on the Executive.

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

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

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

We recommend that the section be as follows:

Section 13. Provision shall be made by law for succession to the office of governor and for an acting governor in the event that the secretary of state is unable to succeed to the 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 23. The end of section 23, after the word “orders” on line 4 of page 6, was amended on the floor to read as follows:

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

We recommend that the section be as follows:

These orders become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier. Unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session, the orders become effective at a date thereafter to be designated by the governor.

Respectfully submitted,

George Sundborg, Chairman
R. Rolland Armstrong
Edward V. Davis
Victor Fischer
Mildred R. Hermann
James J. Hurley
Maurice T. Johnson
George M. Mclaughlin
Katherine D. Nordale
AMENDMENT TO ARTICLE III - STYLE AND DRAFTING

MR. PRESIDENT:

I move that ARTICLE III of the Report of the Committee on Style and Drafting be amended as follows:

Section 10, Page 2, strike the section and insert the following:

"Section 10. If the governor-elect dies, resigns or is disqualified, the secretary of state elected with him 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 succeeds to the office if the governor-elect does not assume his office within six months of the beginning of the term."

Section 13, Page 3, strike the section and insert the following:

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

MR. PRESIDENT:

I move that Article III of the Report of the Committee on Style and Drafting be amended as follows:

Section 23, page 6, line 4, insert period after the word "orders", strike balance of section and substitute the following:

"These orders become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is sooner, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session."
necessary for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders which shall become effective at the close of the next regular session of the Legislature, unless disapproved by a resolution concurred in by a majority of all the members of the Legislature meeting jointly.

Section 4 Each principal department shall be under the supervision of the governor.

Section 15 The head of each principal department shall be a single executive unless otherwise provided by law. Such single executive shall be nominated and appointed by the governor with the advice and consent of the Legislature in joint session, and shall serve at the pleasure of the Governor except as otherwise provided with respect to the Secretary of State. The heads of all principal departments appointed under the provisions of this section shall be citizens of the United States.

Section 14 The members of a board or commission at the head of a principal department or a regulatory or quasi-judicial body, therefor shall be citizens of the United States.
AMENDMENT TO ARTICLE III - STYLE AND DRAFTING

MR. PRESIDENT:

I move that Article III of the Report of the Committee on Style and Drafting be amended as follows:

Section 23, page 6, line 4, insert period after the word "orders", strike balance of section and substitute the following:

"These orders become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is sooner, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session."
and may be removed in the manner provided by law. They shall be citizens of the United States. A 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.
MR. PRESIDENT:

I move that ARTICLE III of the Report of the Committee on Style and Drafting be amended as follows:

Section 10, Page 2, strike the section and insert the following:

"Section 10. If the governor-elect dies, resigns or is disqualified, the secretary of state elected with him 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 succeeds to the office if the governor-elect does not assume his office within six months of the beginning of the term."

Section 13, Page 3, strike the section and insert the following:

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

Qualifications of Governor 3 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.

4

5

6

7

8

Election 9 Section 3. 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.

10

11

12

Term of Office 13 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.

14

15

16

Executive Article III, Style and Drafting
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.

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

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 is elected secretary of state.

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

Section 10. In case a governor-elect fails to qualify and assume office for any reason, the person
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 continuous absence and disability shall be prescribed by law.

Further Succession

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

Title and Authority

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.

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

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 legis-
lature 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 insur-
rection 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 legis­
lature 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 for­
feitures. 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 govern­
ment 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
assignment of functions among its units which he considers necessary for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders which shall become effective at the close of the next regular session of the legislature, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session.

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 nominated and 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 nominated and 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 CONVENION OF ALASKA

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

ARTICLE III

THE EXECUTIVE

Section 1. The executive power of the State is vested in the governor.

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 election, and he shall have been a citizen of the United States for at least seven years.

Section 3. 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.

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.

Section 5. No person shall be elected governor for more than two successive terms; but he shall be again eligible to hold that office until the full term for which he was elected.

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

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 for the candidate for secretary of state running jointly with him. The candidate who appears on the ballot jointly with the successful candidate for governor is elected secretary of state.

Section 9. In case of the temporary absence of the governor, the secretary of state serves as acting governor.

Section 10. In case a governor-elect fails to assume office for any reason, the person elected with him as secretary of state shall succeed to the office of governor for the full 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. If for any reason the secretary of state is incapable of succeeding to the office of the governor, a vacancy in the office of governor shall be filled as prescribed by law. 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, unless by general law applying to all salaried officers of the State.
Section 16. The governor is responsible for the faithful execution of the laws. He may, by appropriate action or proceeding in the courts 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 he 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 such measures as 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, and 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 a period 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 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, in such manner as to group them as far as practicable according to major purposes. Regulatory and quasi-judicial bodies and temporary agencies may be established by law and need not be allocated within a principal department.

Section 23. The executive branch consists of the principal departments and such regulatory and quasi-judicial bodies and temporary agencies as may be established by law. The governor may make such changes in the organization of the executive branch or in the
assignment of functions among its units as he considers necessary for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders which shall become effective at the close of the next regular session of the legislature, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session.

Section 24. Each principal department 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 nominated and 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 by this constitution with respect to the secretary of state. The heads of all principal departments appointed under the provisions of this section shall be citizens of the United States.

Section 26. Members of a board or commission of a principal department or a regulatory or quasi-judicial body shall be nominated and appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session,
Section 13, Page 3  ○ Strike the section and insert the following:

Section 10.

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 by law for a person to serve as acting governor in the event that the secretary of state is at any time unable to act as governor. No election of a secretary of state shall be held except at the time of electing a governor."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. __________

MR. PRESIDENT: ARTICLE III of the Report of the Committee on Style & Drafting

I move that (Committee) __________ be amended as follows:

Page 2, Section 10. Strike the section and insert the following

"If the governor-elect dies, resigns or is disqualified, the secretary of state elect shall succeed to the office of governor, for the term. If the governor-elect fails to assume office for any other reason, the secretary of state elect shall act as governor. If the governor-elect does not assume his office within six months of the beginning of the term, the secretary of state shall then succeed to the office."
MR. PRESIDENT:
I move that (Committee) Proposal No. ___ be amended as follows:

Continued:

"days of a regular session have elapsed subsequent to issuance of the order, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session."

Section 23, page 60, line 4, insert after the word "orders" strike balance of section and substitute the following:

"These orders become effective after sixty days of a regular session if the legislature has not elapsed following issuance of the order or at the close of the next regular session, whichever is sooner."

Constitutional Convention
By
Date

AMENDMENT TO (COMMITTEE) PROPOSAL NO. ___

Amendment No. ___