ALASKA CONSTITUTIONAL CONVENTION

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on General and Miscellaneous 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
ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII
GENERAL AND MISCELLANEOUS

Civil Service

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

Retirement Systems

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.

Disqualification for Disloyalty

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.
Oath of Office

1. Section 4. All public officers, before entering
2. upon the duties of their offices, shall take and
3. subscribe to the following oath or affirmation:
4. "I do solemnly swear, or affirm, that I will support
5. and defend the Constitution of the United States
6. and the Constitution of the State of Alaska, and
7. that I will faithfully discharge my duties as __________
8. to the best of my ability". The legislature may
9. prescribe further oaths or affirmations.

Inter-governmental Relations

10. Section 5. The State and its political sub-
11. divisions may cooperate with the United States and
12. its territories and with other states and their
13. political subdivisions on matters of common interest.
14. The respective legislative bodies may make appro-
15. priations for this purpose. The governor shall act
16. as the agent of the State in all intergovernmental
17. relations involving the State.

Interpretation

18. Section 6. Titles and subtitles shall not be
19. used in construing this constitution. Personal
20. pronouns used in this constitution shall be con-
21. strued as including persons of both sexes.

General Power

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

Provisions

25. Section 8. The provisions of this constitution
Self-executing 1 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.
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ARTICLE XII
GENERAL AND MISCELLANEOUS

Civil Service

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

Retirement Systems

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.

Disqualification for Misloyalty

Section 3. No person who advocates, or who aids or belongs to any party, 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.
### Oath of Office

1. **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.

### Inter-Governmental Relations

10. **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.

### Interpretation

17. **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.

### General Power

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

### Provisions Self-executing

24. **Section 8.** The provisions of this constitution 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.
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 administered and disposed of according to law.

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, who shall be its executive officer of the board.
RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

**ARTICLE XII**

**GENERAL AND MISCELLANEOUS PROVISIONS**

1. Section 1. The legislature shall provide for a system under which the employment of persons by the State shall be governed by the merit principle.

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

3. No person who advocates, or who aids or belongs to any party, organization or association which advocates, the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office of trust or profit under this constitution.

4. All public officers, before entering upon the duties of their respective offices, shall take the Oath of Office.

COMMITTEE PROPOSAL NO. 12 FIRST ENROLLED
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 appropriate such sums as may be necessary for this purpose. In all intergovernmental relations involving the State, the Governor shall act as the agent of the State.

Section 6. The University of Alaska is hereby established as the state university and constituted as a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it to be administered and disposed of according to law. There shall be a board of regents, the members of which shall be nominated and appointed by the Governor, by and with the advice and consent of a majority of the members of both houses of the Legislature in joint session. The
1. Board shall have power, in accordance with law, to formulate policy and appoint the President of the University, who shall be its executive officer.

Section 6. Titles, subtitles, and marginal titles shall not be used for purposes of interpreting this Constitution.

Section 7. In this Constitution, the personal pronouns used shall be construed as inclusive, to include persons of both sexes.

Section 8. The enumeration of specified powers in this Constitution shall not be interpreted as a limitation on the powers of the State.

Section 9. The provisions of this Constitution shall be interpreted as self-executing whenever possible.

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.

Section 13. The State of Alaska and its people do agree that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of the Act of Admission of this State, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property, including fishing rights, the right or title to which may be held by any Indians.
Consent to Enabling Act

1 Eskimos, or Aleuts, hereinafter called natives, or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe and except when held by individual natives in fee without restrictions on alienation; and that no taxes shall be imposed by the State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restriction on alienation.

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.

Section 12 to be provided

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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 the law-making powers. Unless otherwise stated by the constitution, the law-making powers of the legislature may be exercised by the people through the initiative, subject to the limitations of Article X.