

CONSTITUTIONAL CONVENTION 320.1
Chief Clerks File - Com Proposal No 1

Constitutional Convention
Committee Proposal/1
December 5, 1955

ALASKA CONSTITUTIONAL CONVENTION
REPORT OF THE COMMITTEE ON
SUFFRAGE, ELECTIONS, AND APPORTIONMENT

Hon. William A. Egan
President, Alaska Constitutional Convention

My dear Mr. President:

The attached Constitutional Article entitled "Suffrage and Elections" has been unanimously approved by the Committee on Suffrage, Elections and Apportionment.

Section 1 sets forth the present suffrage qualifications of the 50 year old Act of Congress with two changes: first, the voting age is lowered one year to twenty (20); second, the literacy test is somewhat relaxed to a requirement that qualified voters be able to "read or speak the English language as prescribed by the legislature." This leaves the test of ability to the legislative branch.

The Committee strongly believes that the present Alaskan tested and tried voting law (38-1-2 and 38-1-8 ACLA 1949) with its many decisions should be preserved, hence adopted Section 1 in the form chosen. To depart from the Act of Congress would create uncertainty and provoke needless litigation.

Section 2 is not unusual and is self-explanatory. The Committee believes that permanent registration should be required in urban areas, i.e. municipalities with population over 2,500, leaving the matter in other areas for legislative decision.

Section 3 disenfranchises those convicted of felonies involving moral turpitude, leaving the matter of restoration of civil rights to the responsible agencies of government.

Section 4 preserves the present law.

Respectfully submitted,

John S. Hellenthal
Chairman
Committee on Suffrage, Elections
and Apportionment

Engraved

Constitutional Convention
Committee Proposal/1/*Engraved*
December 5, 1955
17

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 1

Introduced by Committee on Suffrage, Elections and Apportionment

ARTICLE ON SUFFRAGE AND ELECTIONS

RESOLVED, that the following be agreed upon

as part of the Alaska State Constitution.

Qualifications	1	Section 1. Every citizen of the United States,
and	2	who shall have attained the age of <u>20</u> ¹⁹ years, who
Residence	3	is an actual and bona fide resident of Alaska,
	4	and who has been such resident continuously
	5	during the entire year immediately preceding
	6	the election, and who has been such resident
	7	continuously for thirty days next preceding the
	8	election in the election district in which he
	9	votes, and who is able to read or speak the
	10	English language as prescribed by the Legislature,
	11	unless incapacitated from complying therewith
	12	by physical disability only, and who is not
	13	barred from voting by any other provision of law,
	14	shall be qualified to vote in any State or local
	15	election. [This section shall not apply to any
	16	citizen who legally voted at the general election
	17	of November 4, 1924.]

Those citizens who legally voted in the general election of November 4, 1924, and meet the residence requirements of this section, shall not be deprived of their voting rights by any provision of this section of the Constitution.

Further
Mandatory and
Permissive
Qualifications

1 Section 2. The Legislature ^{may} [shall] establish a
2 system of permanent voter registration [in munici-
3 palities with populations over 2,500], and may
4 provide for voting precincts within election
5 districts; it shall provide for absentee voting;
6 it shall prescribe the method of voting at all
7 elections; it shall provide [that] ^{the manner of determining} contested
8 elections [be determined by a court of competent
9 jurisdiction.] <sup>which shall include the right of
appeal to a court of competent jurisdiction.</sup>

Disqualifi-
cation

10 Section 3. [No person judicially determined to be
11 of unsound mind and no person convicted of a
12 felony involving moral turpitude, unless pardoned
13 and restored to his civil rights, shall be] ^{qualified}
14 qualified to vote in any State or local election.

Elections

15 Section 4. General elections shall be held on
16 the second Tuesday in October [and ^{of every even} every second
17 ^{numbered year} year thereafter] on the same day, but the
18 Legislature is empowered to change said date.

*Section 5, Secrecy of voting shall
be preserved.*

Essential information in
Journal of the 13th
of Dec. -
(Am. to Section 1.)

Engrossment
&
Enrollment
Committee

F I R S T E N R O L L E D C O P Y

Constitutional Convention
Committee Proposal/1/Enrolled
December 19, 1955

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 1

Introduced by Committee on Suffrage, Elections and
Apportionment

ARTICLE ON SUFFRAGE AND ELECTIONS

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

Qualifications
and
Residence

1 Section 1. Every citizen of the United States,
2 who shall have attained the age of 19 years,
3 who is an actual and bona fide resident of
4 Alaska, and who has been such resident con-
5 tinuously during the entire year immediately
6 preceding the election, and who has been such
7 resident continuously for thirty days next pre-
8 ceding the election in the election district in
9 which he votes, and who is able to read or speak
10 the English language as prescribed by the Legis-
11 lature, unless incapacitated from complying
12 therewith by physical disability only, and who
13 is not barred from voting by any other provi-
14 sion of law, shall be qualified to vote in any
15 State or local election.

Committee Proposal No. 1 First Enrolled

1 Those citizens who legally voted in the general
2 election of November 4, 1924, and meet the resi-
3 dence requirements of this section, shall not be
4 deprived of their voting rights by any provision
5 of this section of the Constitution.

Further Mandatory 6 Section 2. The Legislature may establish a sys-
and Permissive 7 tem of permanent voter registration, and may
Qualifications 8 provide for voting precincts within election
9 districts; it shall provide for absentee voting;
10 it shall prescribe the method of voting at all
11 elections; it shall provide the manner of deter-
12 mining contested elections which shall include
13 the right of appeal to a court of competent
14 jurisdiction.

Disqualifica- 15 Section 3. No person convicted of a felony in-
tion 16 volving moral turpitude, unless pardoned and re-
17 stored to his civil rights, and no person judi-
18 cially determined to be of unsound mind, until
19 the disability is removed, shall be qualified
20 to vote in any State or local election.

Elections 21 Section 4. General elections shall be held on
22 the second Tuesday in October of every even num-
23 bered year but the Legislature is empowered to
24 change said date.

25 Section 5. Secrecy of voting shall be preserved.

F I R S T E N R O L L E D C O P Y

Constitutional Convention
Committee Proposal/1/Enrolled
December 19, 1955

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Further Mandatory
and Permissive
Qualifications

6 Section 2. The Legislature may establish a system
7 of permanent voter registration, and may provide
8 for voting precincts within election districts;
9 it shall provide for absentee voting; it shall
10 prescribe the method of voting at all elections;
11 it shall provide the manner of determining con-
12 tested elections which shall include the right of
13 appeal to a court of competent jurisdiction.

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14 Section 3. No person convicted of a felony in-
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17 determined to be of unsound mind, until the dis-
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19 any State or local election.

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20 Section 4. General elections shall be held on the
21 second Tuesday in October of every even numbered
22 year but the Legislature is empowered to change
23 said date.
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Constitutional Convention
Committee Proposal/1/Enrolled
December 19, 1955

Constitutional Convention of Alaska

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19 any State or local election.

Elections

20 Section 4. General elections shall be held on the
21 second Tuesday in October of every even numbered
22 year but the Legislature is empowered to change
23 said date.

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FIRST ENROLLED COPY

Constitutional Convention
Committee Proposal/1/Enrolled
December 19, 1955

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 1

Introduced by Committee on Suffrage, Elections and Apportionment

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2 who shall have attained the age of 19 years,
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9 which he votes, and who is able to read or speak
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15 election.

Committee Proposal No. 1 First Enrolled

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2 election of November 4, 1924, and meet the resi-
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6 Section 2. The Legislature may establish a system
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18 ability is removed, shall be qualified to vote in
19 any State or local election.

Elections

20 Section 4. General elections shall be held on the
21 second Tuesday in October of every even numbered
22 year but the Legislature is empowered to change
23 said date.

24 Section 5. Secrecy of voting shall be preserved.

ENGROSSED COPY

Constitutional Convention
Committee Proposal/1/Engrossed
December 17, 1955

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 1

Introduced by Committee on Suffrage, Elections and Apportionment

ARTICLE ON SUFFRAGE AND ELECTIONS

RESOLVED, that the following be agreed upon

as part of the Alaska State Constitution.

Qualifications

and

Residence

1 Section 1. Every citizen of the United States,
2 who shall have attained the age of [20] 19
3 years, who is an actual and bona fide resident
4 of Alaska, and who has been such resident con-
5 tinuously during the entire year immediately
6 preceding the election, and who has been such
7 resident continuously for thirty days next pre-
8 ceding the election in the election district in
9 which he votes, and who is able to read or speak
10 the English language as prescribed by the Legis-
11 lature, unless incapacitated from complying there-
12 with by physical disability only, and who is not
13 barred from voting by any other provision of law,
14 shall be qualified to vote in any State or local
15 election. [THIS SECTION SHALL NOT APPLY TO ANY

1 CITIZEN WHO LEGALLY VOTED AT THE GENERAL ELECTION
2 OF NOVEMBER 4, 1924. 7 Those citizens who legally
3 voted in the general election of November 4, 1924,
4 and meet the residence requirements of this section,
5 shall not be deprived of their voting rights by any
6 provision of this section of the Constitution.

Further
Mandatory and
Permissive
Qualifications

7 Section 2. The Legislature [SHALL] may establish
8 a system of permanent voter registration [IN MUNICI-
9 PALITIES WITH POPULATIONS OVER 2,500], and may pro-
10 vide for voting precincts within election districts;
11 it shall provide for absentee voting; it shall pre-
12 scribe the method of voting at all elections; it shall
13 provide [THAT] the manner of determining contested
14 elections [BE DETERMINED BY A COURT OF COMPETENT
15 JURISDICTION.] which shall include the right of appeal
16 to a court of competent jurisdiction.

Disqualifi-
cation

17 Section 3. [NO PERSON JUDICIALLY DETERMINED TO BE
18 OF UNSOUND MIND AND NO PERSON CONVICTED OF A FELONY
19 INVOLVING MORAL TURPITUDE, UNLESS PARDONED AND RESTORED
20 TO HIS CIVIL RIGHTS, SHALL BE] no person convicted of
21 a felony involving moral turpitude, unless pardoned and
22 restored to his civil rights, and no person judicially
23 determined to be of unsound mind, until the disability
24 is removed, shall be qualified to vote in any State or
25 local election.

sions

1 Section 4. General elections shall be held on the
2 second Tuesday in October AND EVERY SECOND YEAR
3 THEREAFTER ON THE SAME DAY of every even numbered
4 year but the Legislature is empowered to change said
5 date.
7 Section 5. Secrecy of voting shall be preserved.

Amendment No. _____

Constitutional Convention

By V. Fischer

Date _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 1

MR. PRESIDENT:

I move that (Committee) Proposal No. 1 be amended
as follows:

In the amended language
of the last sentence of
Section 1, after the
~~word~~ year "1924" ~~the~~ insert
the following "and meet the
residence requirements of
this section"

adopted
4/10

Amendment No. _____

Constitutional Convention

By _____

Date Dec. 13, 1955

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 1

MR. PRESIDENT:

I move that (Committee) Proposal No. 1 be amended
as follows:

~~Amendment to Mr. Taylor's amendment~~
whites

Line 1 Section 2

Change "shall" to "may"

Walter A. Taylor

adopted

Amendment No. _____

Constitutional Convention

By B. White

Date Dec 3

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 1

MR. PRESIDENT:

I move that (Committee) Proposal No. 1 be amended

as follows:

Sec 2 delete the words "in municipalities with populations over 2,000"

Mue 293

*Amendment
order adopted
roll call*

Amendment No. _____

Constitutional Convention

By Medford R. Henneman

Date Dec 15 1953

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 1

MR. PRESIDENT:

I move that (Committee) Proposal No. 1 be amended

as follows:

*In Section II page 2, line 7 -
Strike the word "that" & insert "the manner of
letting any, add periods after "elections" & strike the
rest of the sentence.*

*In Section II - line 12, strike after "felony"
strike the words "involving moral turpitude."*

*adopted
amended
by
Henneman*

Amendment No. _____

Constitutional Convention

By Ralph J. Rivers

Date _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. _____

MR. PRESIDENT:

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

Amend Mrs. Herman's
amendment by adding at the
end thereof the following:
"which shall include the
right of appeal to a court
of competent jurisdiction."

(Civil news mat).
person civil (ed) of a
long involving moral
interest, unless paroled
restored to his civil
rights, and no person
officially determined to be
insane. mind, until
insanity is removed,
to be.

Amendment No. _____

Constitutional Convention

By V. Fischer

Date _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 1

MR. PRESIDENT:

I move that (Committee) Proposal No. 1 be amended

as follows:

In Section 4, page 2,
in lines 16 and 17 delete the ~~the~~ words
"and every second year hereafter
on the same day" and substitute
"of every even numbered year"

Amendment
adopted
voice vote

Amendment No. _____

Constitutional Convention

By Dorothy G Ames

Date _____

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 1

MR. PRESIDENT:

I move that (Committee) Proposal No. 1 be amended

as follows:

*strike section 5 and substitute the following:
Secrecy of voting shall be preserved*

*Amendment
adopted
voice vote*

Constitutional Convention
Committee Proposal/1
December 5, 1955

ALASKA CONSTITUTIONAL CONVENTION
REPORT OF THE COMMITTEE ON
SUFFRAGE, ELECTIONS, AND APPORTIONMENT

Hon. William A. Egan
President, Alaska Constitutional Convention

My dear Mr. President:

The attached Constitutional Article entitled "Suffrage and Elections" has been unanimously approved by the Committee on Suffrage, Elections and Apportionment.

Section 1 sets forth the present suffrage qualifications of the 50 year old Act of Congress with two changes: first, the voting age is lowered one year to twenty (20); second, the literacy test is somewhat relaxed to a requirement that qualified voters be able to "read or speak the English language as prescribed by the legislature." This leaves the test of ability to the legislative branch.

The Committee strongly believes that the present Alaskan tested and tried voting law (38-1-2 and 38-1-8 ACLA 1949) with its many decisions should be preserved, hence adopted Section 1 in the form chosen. To depart from the Act of Congress would create uncertainty and provoke needless litigation.

Section 2 is not unusual and is self-explanatory. The Committee believes that permanent registration should be required in urban areas, i.e. municipalities with population over 2,500, leaving the matter in other areas for legislative decision.

Section 3 disenfranchises those convicted of felonies involving moral turpitude, leaving the matter of restoration of civil rights to the responsible agencies of government.

Section 4 preserves the present law.

Respectfully submitted,

John S. Hellenthal
Chairman
Committee on Suffrage, Elections
and Apportionment

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 1

Introduced by Committee on Suffrage, Elections and Apportionment

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RESOLVED, that the following be agreed upon

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and	2	who shall have attained the age of 20 years, who
Residence	3	is an actual and bona fide resident of Alaska,
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	8	election in the election district in which he
	9	votes, and who is able to read or speak the
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	13	barred from voting by any other provision of law,
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	15	election. This section shall not apply to any
	16	citizen who legally voted at the general election
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