

CONSTITUTIONAL CONVENTION 320.10  
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Constitutional Convention  
Committee Proposal/10/a/Engrossed  
January 16, 1956

ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 10/a

Report of the Committee on the Executive Branch

ARTICLE ON THE EXECUTIVE

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

Executive  
Authority

1 Section 1. The executive power of the State shall  
2 be vested in a governor.

Qualifica-  
tions of  
Governor

3 Section 2. The governor shall be not less than  
4 thirty years of age, and shall have been for at least  
5 [TWENTY] seven years a citizen of the United States,  
6 and a resident of [THIS STATE] Alaska seven years  
7 next preceding his election [ ], and be a qualified  
8 elector.

Election  
of  
Governor

9 Section 3. The governor shall be elected by the  
10 qualified voters of this state. The person receiving  
11 the greatest number of votes shall be the governor /  
12 [ ]; BUT IF TWO OR MORE SHALL BE EQUAL AND GREATEST IN  
13 VOTES, ONE OF THEM SHALL BE ELECTED GOVERNOR BY THE  
14 VOTE OF A MAJORITY OF ALL THE MEMBERS OF BOTH HOUSES IN  
15 JOINT MEETING AT THE REGULAR LEGISLATIVE SESSION NEXT  
16 FOLLOWING THE ELECTION FOR GOVERNOR BY THE PEOPLE.

1 CONTESTED ELECTIONS FOR THE OFFICE OF GOVERNOR SHALL BE  
2 DETERMINED IN THE MANNER PROVIDED BY LAW 7 .

Term of  
Governor

3 Section 4. The term of office of the governor shall  
4 be four years, beginning at noon on the first Monday in  
5 December next following his election, and ending at noon  
6 on the first Monday in December four years thereafter.  
7 No person who has been elected governor for two full  
8 successive terms shall be again eligible to hold that  
9 office until the 1st Monday in December of the fourth  
10 year following the expiration of his second successive  
11 term.

Other  
Offices

12 Section 5. The governor shall not hold any other  
13 office or employment of profit under the state or the  
14 United States, during his 7 TERM 7 tenure of office.  
15 Compensation for service in the armed forces of the state  
16 or the United States is not profit as that term is here  
17 used.

Secretary  
of State

18 Section 6. There shall be a secretary of state,  
19 who shall have the same qualifications as the governor.  
20 He shall be nominated in the manner provided by law for  
21 nominating candidates for other elective offices. He shall  
22 be elected at the same time and for the same term as the  
23 governor, and the 7 ELECTION 7 procedure prescribed by  
24 law for general elections shall provide that the electors,  
25 in casting their vote for governor shall also be deemed

1 to be casting their vote for the candidate for secretary  
2 of state shown on the ballot as running jointly with the  
3 respective candidate for governor. The candidate for  
4 secretary of state who runs jointly with the successful  
5 candidate for governor shall be elected secretary of  
6 state. The secretary of state shall perform such duties  
7 as may be prescribed by law and as may be delegated to  
8 him by the governor.

Succession

9 Section 7. In case the governor-elect shall die  
10 before he has qualified and assumed the office of gov-  
11 ernor, or in case he fails to qualify for any other cause,  
12 the title, powers, duties, and emoluments of the office  
13 of Governor shall devolve upon the person elected secre-  
14 tary of state at the same election, and he shall serve  
15 as governor for the term for which the governor-elect  
16 was elected. In case of a vacancy in the office of  
17 governor because of his death, resignation, [IMPEACH-  
18 MENT,] or removal, his title, powers, duties and emolu-  
19 ments shall devolve upon the secretary of state. In case  
20 of the temporary absence of the governor from office,  
21 the [POWERS AND DUTIES SHALL DEVOLVE UPON THE SECRETARY  
22 OF STATE.] secretary of state shall become the acting  
23 governor. Whenever for a period of six months a governor  
24 in office shall have remained continuously absent from  
25 the state or shall have been unable to discharge the

1 duties of his office by reason of mental or physical  
2 disability, the office shall be deemed vacant. The  
3 procedure for determining continuous absence and dis-  
4 ability shall be prescribed by law.

5 Section 8. If for any reason the secretary of  
6 state is incapable of acting, [ THE PRESIDENT OF THE  
7 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
8 IN SUCCESSION SHALL ACT AS GOVERNOR UNTIL THE VACANCY  
9 IS FILLED OR THE DISABILITY REMOVED. IF THE OFFICE OF  
10 GOVERNOR BECOMES VACANT AND THERE IS NO SECRETARY OF  
11 STATE, THE OFFICES OF GOVERNOR AND SECRETARY OF STATE  
12 SHALL BE FILLED FOR THE REMAINDER OF THE TERMS AT THE  
13 NEXT SUCCEEDING GENERAL ELECTION UNLESS THE VACANCY OCCURS  
14 LESS THAN 60 DAYS BEFORE THE ELECTION; BUT NO ELECTION TO  
15 FILL AN UNEXPIRED TERM SHALL BE HELD IN ANY YEAR IN WHICH  
16 A GOVERNOR IS TO BE ELECTED FOR A FULL TERM.] a vacancy  
17 in the office of governor shall be filled as prescribed  
18 by law. No election of a secretary of state shall be had  
19 in any event except at the time of electing a governor.

Compensation 20 Section 9. The compensation of the governor and  
21 the secretary of state shall be prescribed by law and  
22 shall not be diminished during their term of office [.]  
23 unless by general law applying to all salaried officers  
24 of the state. When the secretary of state or other officer  
25 succeeds to the office of governor, he shall receive  
26 the compensation for that office.

Executive  
powers

1           Section 10. The governor shall be responsible  
2 for the faithful execution of the laws. To this end  
3 he shall have power, by appropriate action or proceeding  
4 in the courts brought in the name of the state, to  
5 enforce compliance with any constitutional or legisla-  
6 tive mandate, or to restrain violation of any consti-  
7 tutional or legislative power, [OR] duty or right  
8 by any officer, department or agency of the state or  
9 any of its political subdivisions, but this power shall  
10 not be construed to authorize any action or proceeding  
11 against the Legislature. The governor shall, at the be-  
12 ginning of each session, and may at other times, give  
13 the legislature information concerning the affairs of  
14 the state and recommend to its consideration such meas-  
15 ures as he deems expedient. He may convene the Legisla-  
16 ture, or [THE SENATE ALONE] either house alone, or the  
17 two houses in joint session, whenever in his opinion the  
18 public interest requires.

19           [THE GOVERNOR SHALL, PRIOR TO THE END OF HIS TERM  
20 OF OFFICE, PREPARE A WRITTEN REPORT ON THE CONDUCT OF  
21 HIS ADMINISTRATION, WHICH SHALL CONTAIN SUCH INFORMATION  
22 AS MAY BE USEFUL TO HIS SUCCESSOR IN CARRYING OUT THE  
23 DUTIES OF HIS OFFICE.]

24           Section 11. The governor shall be commander-in-  
25 chief of the armed forces of the state, and may call out

1 these forces to execute the laws, suppress or prevent  
2 insurrection or lawless violence or repel invasion.  
3 The governor, as provided by law, shall nominate and  
4 appoint all general and flag officers of the armed  
5 forces of the state, with the advice and consent of  
6 the SENATE Legislature in joint session, and shall  
7 appoint and commission all other officers.

Martial Law

8 Section 12. The governor may proclaim martial law  
9 when the public safety requires it in case of rebellion  
10 OR INVASION OR or actual or imminent DANGER THEREOF  
11 invasion. Martial law shall not continue for a period  
12 longer than 20 days without the approval of a majority  
13 of both houses of the legislature in joint session.

Executive  
Clemency

14 Section 13. The governor subject to procedure  
15 prescribed by law may grant pardons, commutations, and  
16 reprieves and may suspend and remit fines and forfeitures.  
17 This power shall not extend to impeachment. A COMMISSION  
18 OR OTHER BODY MAY BE ESTABLISHED BY LAW TO AID AND  
19 ADVISE THE GOVERNOR IN THE EXERCISE OF EXECUTIVE CLEMENCY.  
20 A system for the granting of parole shall be provided  
21 by law.

Organization

22 Section 14. All executive and administrative  
23 offices, departments, and instrumentalities of the state  
24 government and their respective functions, powers and  
25 duties shall be allocated by law among and within not

1 more than twenty principal departments in such manner  
2 as to group the same according to major purposes so far  
3 as practicable. Regulatory and quasi-judicial bodies  
4 and temporary agencies may be established by law and  
5 need not be allocated within a principal department.  
6 The governor may make such changes in the organization  
7 of the Executive Branch of the State Government or in  
8 the assignment of functions among the units thereof,  
9 as may, in his judgment, be necessary for efficient  
10 administration. Where these changes require the force  
11 of law, they shall be set forth in executive orders  
12 which shall become effective at the close of the next  
13 regular session of the Legislature, unless disapproved  
14 by a resolution concurred in by a majority of all the  
15 members of the Legislature meeting jointly.

16 Section 15. Each principal department shall be  
17 under the supervision of the Governor.

18 Section 16. The head of each principal department  
19 shall be a single executive, unless otherwise provided  
20 by law. Such single executive shall be nominated and  
21 appointed by the governor, with the advice and consent  
22 of the [SENATE] Legislature in joint session, and shall  
23 serve at the pleasure of the Governor [DURING HIS TERM  
24 OF OFFICE AND UNTIL THE APPOINTMENT AND QUALIFICATION  
25 OF THEIR SUCCESSORS,] except as herein otherwise

1 provided with respect to the Secretary of State. The  
2 heads of all principal departments appointed under the  
3 provisions of this section shall be citizens of [THIS]  
4 the United States. [AND SHALL HAVE BEEN RESIDENTS OF  
5 THE STATE FOR AT LEAST THREE YEARS NEXT PRECEDING THEIR  
6 APPOINTMENT.]

7 Section 17. Wherever a board or commission is at  
8 the head of a principal department or of a regulatory  
9 or quasi-judicial body, the members thereof shall be  
10 citizens of the United States and nominated and appointed  
11 by the Governor, with the advice and consent of the  
12 [SENATE] Legislature in joint session, and may be  
13 removed in the manner provided by law. Such a board or  
14 commission may appoint a principal executive officer when  
15 authorized by law, but the appointment shall be subject  
16 to the approval of the Governor.

17 [SECTION 18. THE GOVERNOR MAY FILL ANY VACANCY  
18 OCCURRING IN ANY OFFICE DURING A RECESS OF THE LEGIS-  
19 LATURE, APPOINTMENT TO WHICH IS MADE BY THE GOVERNOR  
20 WITH THE ADVICE AND CONSENT OF THE SENATE OR OF THE  
21 LEGISLATURE IN JOINT MEETING. AN APPOINTMENT SO MADE  
22 SHALL EXPIRE AT THE END OF THE NEXT REGULAR SESSION OF  
23 THE LEGISLATURE, UNLESS A SUCCESSOR SHALL BE SOONER  
24 APPOINTED AND QUALIFIED. AFTER THE END OF THE SESSION  
25 NO AD INTERIM APPOINTMENT TO THE SAME OFFICE SHALL BE

1 MADE UNLESS THE GOVERNOR SHALL HAVE SUBMITTED  
2 SENATE A NOMINATION TO THE OFFICE DURING THE SESSION  
3 AND THE SENATE SHALL HAVE ADJOURNED WITHOUT CONFIRMING  
4 OR REJECTING IT. NO PERSON NOMINATED FOR ANY OFFICE  
5 SHALL BE ELIGIBLE FOR AN AD INTERIM APPOINTMENT TO SUCH  
6 OFFICE IF THE NOMINATION SHALL HAVE FAILED OF CONFIRMA-  
7 TION BY THE SENATE.7 Section 18. The Governor may  
8 make ad interim appointments to fill vacancies occurring  
9 during a recess of the legislature in offices requiring  
10 confirmation of the legislature. The duration of such  
11 appointments shall be prescribed by law.

Amendment No. \_\_\_\_\_

Constitutional Convention

By Lundberg

Date Jan. 16, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

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

Strike Section 18 and substitute the following  
Section 18. The Governor may make  
ad interim appointments to fill  
vacancies occurring during a  
recess of the legislature in offices  
requiring confirmation of either  
both houses of the legislature.  
The duration of such appointments  
shall be prescribed by law."

Constitutional Convention  
Committee Proposal/10/a  
January 12, 1956

ALASKA CONSTITUTIONAL CONVENTION

Revised Report of the Committee on Executive Branch

Hon. William A. Egan, President  
Alaska Constitutional Convention

Dear Mr. President:

The Committee on the Executive Branch presents for consideration and adoption by the Convention the attached Article on the Executive Branch. A commentary explaining the provisions of this Article is also attached.

Proposals No. 14 and 15 were referred to this Committee. The Committee incorporated parts of Proposal No. 14 in its proposal. It felt that the subject matter of Proposal No. 15 was outside its terms of reference and that the Proposal should be referred to another Committee for consideration.

Respectfully submitted,  
Victor Rivers, Chairman  
Frank Barr  
John C. Boswell  
Thomas C. Harris  
Maynard D. Londborg  
Katherine Nordale  
H. R. VanderLeest

ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 10/a

Report of the Committee on the Executive Branch

ARTICLE ON THE EXECUTIVE

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

Executive  
Authority

1 Section 1. The executive power of the State  
2 shall be vested in a governor.

Qualifica-  
tions of  
Governor

3 Section 2. The governor shall be not less than  
4 thirty years of age, and shall have been for at  
5 least <sup>seven</sup> [twenty] years a citizen of the United States,  
6 and a resident of <sup>Alaska</sup> [this state] seven years next pre-  
7 ceding his election.], and be a qualified elector.

Election  
of Governor

8 Section 3. The governor shall be elected by the  
9 qualified voters of this state. The person receiv-  
10 ing the greatest number of votes shall be the gov-  
11 ernor; but if two or more shall be equal and greatest  
12 in votes, one of them shall be elected governor by  
13 the vote of a majority of all the members of both  
14 houses in joint meeting at the regular legislative  
15 session next following the election for governor by  
16 the people. / Contested elections for the office of

1 governor shall be determined in the manner provided,  
2 by law.]

Term of  
Governor

3 Section 4. The term of office of the governor  
4 shall be four years, beginning at noon on the first  
5 Monday in December next following his election, and  
6 ending at noon on the first Monday in December four  
7 years thereafter. No person who has been elected  
8 governor for two full successive terms shall be again  
9 eligible to hold that office until the 1st Monday in  
10 December of the fourth year following the expiration  
11 of his second successive term.

Other  
Offices

12 Section 5. The governor shall not hold any other  
13 office or employment of profit under the state, or the  
14 United States, during his <sup>tenure</sup> [term] of office. Compensa-  
15 tion for service in the armed forces of the state or  
16 the United States is not profit as that term is here  
17 used.

Secretary  
of State

18 Section 6. There shall be a secretary of state,  
19 who shall have the same qualifications as the gover-  
20 nor. <sup>He shall be nominated in the manner provided</sup> He shall be elected at the same time and for  
21 the same term as the governor, and the [election] pro-  
22 cedure prescribed by law <sup>for general elections</sup> shall provide that the  
23 electors, in casting their vote for governor shall  
24 also be deemed <sup>to</sup> be casting their vote for the candi-  
25 date for secretary of state shown on the ballot as

*by law for nominating candidates for other elective offices.*

1 running jointly with the respective candidate for gov-  
2 ernor. The candidate for secretary of state who runs  
3 jointly with the successful candidate for governor  
4 shall be elected secretary of state. The secretary  
5 of state shall perform such duties as may be pre-  
6 scribed by law and as may be delegated to him by the  
7 governor.

Succession

8 Section 7. In case the governor-elect shall die  
9 before he has qualified and assumed the office of gov-  
10 ernor, or in case he fails to qualify for any other  
11 cause, the <sup>title,</sup> powers, duties, and emoluments of the office  
12 of Governor shall devolve upon the person elected sec-  
13 retary of state at the same election, and he shall  
14 serve as governor for the term for which the governor-  
15 elect was elected. In case of a vacancy in the  
16 office of governor because of his death, resignation,  
17 [impeachment], or removal, his <sup>title,</sup> powers, duties and  
18 emoluments shall devolve upon the secretary of state.  
19 In case of the temporary absence of the governor from  
20 office, the <sup>Secretary of State shall become the</sup> powers and duties shall devolve upon the  
21 secretary of state. Whenever for a period of six months  
22 a governor in office shall have remained continuously  
23 absent from the state or shall have been unable to dis-  
24 charge the <sup>by 4</sup> duties of his office by reason of mental or  
25 physical disability, the office shall be deemed vacant.

*acting Governor*

1 The procedure for determining continuous absence and  
2 disability shall be prescribed by law.

3 Section 8. If for any reason the secretary of  
4 state is incapable of acting, [the President of the  
5 Senate and the Speaker of the House of Representatives  
6 in succession shall act as governor until the vacancy  
7 is filled or the disability removed. If the office  
8 of governor becomes vacant and there is no secretary  
9 of state, the offices of governor and secretary of state  
10 shall be filled for the remainder of the terms at the  
11 next succeeding general election unless the vacancy  
12 occurs less than 60 days before the election; but no  
13 election to fill an unexpired term shall be held in  
14 any year in which a governor is to be elected for a  
15 full term.] No election of a secretary of state shall  
16 be had in any event except at the time of electing a  
17 governor.

Compensa-  
tion

18 Section 9. The compensation of the governor and  
19 the secretary of state shall be prescribed by law and  
20 shall not be diminished during their term of office. [ ]  
21 When the secretary of state or other officer succeeds  
22 to the office of governor, he shall receive the com-  
23 pensation for that office. *RS*

Executive  
powers

24 Section 10. The governor shall be responsible  
25 for the faithful execution of the laws. To this end

*be filled as prescribed by law.  
unless by general law a provision to all salaried officers of the state.*

1 he shall have power, by appropriate action or proced-  
2 ing in the courts brought in the name of the state, to  
3 enforce compliance with any constitutional or legisla-  
4 tive mandate, or to restrain violation of any consti-  
5 tutional or legislative power, <sup>or</sup> ~~duty~~ <sup>outright</sup> by any officer,  
6 department or agency of the state or any of its poli-  
7 tical subdivisions, but this power shall not be con-  
8 strued to authorize any action or proceeding against  
9 the Legislature. The governor shall, at the beginning  
10 of each session, and may at other times, give the legis-  
11 lature information concerning the affairs of the state  
12 and recommend to its consideration such measures as he  
13 deems expedient. He may convene the Legislature, or  
14 <sup>either house alone</sup> [the Senate alone] or the two houses in joint session,  
15 whenever in his opinion the public interest requires.

16 [The governor shall, prior to the end of his term  
17 of office, prepare a written report on the conduct of  
18 his administration, which shall contain such informa-  
19 tion as may be useful to his successor in carrying out  
20 the duties of his office.]

21 Section 11. The governor shall be commander-in-  
22 chief of the armed forces of the state, and may call  
23 <sup>or</sup> out these forces to execute the laws, suppress or pre-  
24 vent insurrection or lawless violence or repel invasion.  
25 The governor, as provided by law, shall nominate and  
26 appoint all general and flag officers of the armed

1 forces of the state, with the advice and consent of  
2 the Senate, and shall appoint and commission all other  
3 officers.

Martial Law

4 Section 12. The governor may proclaim martial  
5 law when the public safety requires it in case of re-  
6 bellion <sup>or actual or</sup> [or invasion or] imminent <sup>invasion</sup> [danger thereof]. Mar-  
7 tial law shall not continue for a period longer than  
8 20 days without the approval of a majority of both  
9 houses of the legislature in joint session.

Executive  
Clemency

10 Section 13. The governor <sup>subject to procedure prescribed by</sup> may grant pardons, com-  
11 mutations, and reprieves and may suspend and remit  
12 fines and forfeitures. This power shall not extend to  
13 impeachment. [A commission or other body may be estab-  
14 lished by law to aid and advise the governor in the  
15 exercise of executive clemency.] A system for the  
16 granting of parole shall be provided by law.

Organiza-  
tion

17 Section 14. All executive and administrative  
18 offices, departments, and instrumentalities of the  
19 state government and their respective functions,  
20 powers and duties shall be allocated by law among and  
21 within not <sup>more</sup> more than twenty principal departments in  
22 such manner as to group the same according to major  
23 purposes so far as practicable. Regulatory and quasi-  
24 judicial bodies and temporary agencies may be estab--  
25 lished by law and need not be allocated within a prin-

1 cipal department. The governor may make such changes  
2 in the organization of the Executive Branch of the State  
3 Government or in the assignment of functions among the  
4 units thereof, as may, in his judgment, be necessary  
5 for efficient administration. Where these changes require  
6 the force of law, they shall be set forth in executive  
7 orders which shall become effective at the close of the  
8 next regular session of the Legislature, unless disap-  
9 proved by a resolution concurred in by a majority of  
10 all the members of the Legislature meeting jointly.

11 Section 15. Each principal department shall be  
12 under the supervision of the Governor.

13 Section 16. The head of each principal depart-  
14 ment shall be a single executive, unless otherwise  
15 provided by law. Such single executive shall be nomi-  
16 nated and appointed by the governor, with the advice  
17 and consent of the <sup>Legislature in joint session</sup> [Senate], and shall serve at the  
18 pleasure of the Governor [during his term of office  
19 and until the appointment and qualification of their  
20 successors] except as herein otherwise <sup>or</sup> provided with  
21 respect to the Secretary of State. The heads of all  
22 principal departments appointed under the provisions  
23 of this section shall be citizens of <sup>the United</sup> [this] States ~~and~~  
24 shall have been residents of the State for at least  
25 three years next preceding their appointment.]

1           Section 17. Wherever a board or commission is  
2 at the head of a principal department or of a regula-  
3 tory or quasi-judicial body, the members thereof shall  
4 be <sup>Citizens of the United States and</sup> nominated and appointed by the Governor, with the  
5 advice and consent of the <sup>Legislature in joint session</sup> [Senate], and may be removed  
6 in the manner provided by law. Such a board or commis-  
7 sion may appoint a principal executive officer when  
8 authorized by law, but the appointment shall be sub-  
9 ject to the approval of the Governor.

10           [Section 18. The Governor may fill any vacancy  
11 occurring in any office during a recess of the Legis-  
12 lature, appointment to which is made by the Governor  
13 with the advice and consent of the Senate or of the  
14 Legislature in joint meeting. An appointment so-made  
15 shall expire at the end of the next regular session of  
16 the Legislature, unless a successor shall be sooner  
17 appointed and qualified. After the end of the session  
18 no ad interim appointment to the same office shall be <sup>802-9</sup>  
19 made unless the Governor shall have submitted to the  
20 Senate a nomination to the office during the session  
21 and the Senate shall have adjourned without confirming  
22 or rejecting it. No person nominated for any office  
23 shall be eligible for an ad interim appointment to such  
24 office if the nomination shall have failed of confirma-  
25 tion by the Senate.]

*new material for Section  
Sheet.*

Amendment No. 39

Constitutional Convention

By Marion J. Johnson

Date 1/16/56

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10a

MR. PRESIDENT:

I move that (Committee) Proposal No. 10a be amended  
as follows:

*Section 7*

*Line 7 page 1*

*after the word elector insert*

~~the following:~~  
*strike*

*"and be a qualified elector"*

*adopted  
voice vote*

Amendment No. 1

Constitutional Convention

By Committee

Date January 13, 1955

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10a.

MR. PRESIDENT:

I move that (Committee) Proposal No. 10a be amended  
as follows: *Pg. 1. Line 11 Place period after  
the word "Governor" and strike balance of  
the section.*

*Section 2*

*adopted  
m/c*

Amendment No. 40

Constitutional Convention

By Taylor

Date Jan. 16, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

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

~~Taylor:~~  
Section 2, line 6 ~~delete words~~  
"this state" and insert  
"Alaska"

voice vote  
accepted

✓

Amendment No. 5

Constitutional Convention

By Taylor

Date Jan. 13, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

I move that (Committee) Proposal No. 10A be amended

as follows:

*Section 2*

*Line 4 of Page 1 after comma insert the following:*

*and shall have been for at least seven years ~~a citizen of the United States~~*

*adopted  
voice vote*

✓

Amendment No. 18

Constitutional Convention

By Committee

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

I move that (Committee) Proposal No. 10a be amended  
as follows: Section 5

*Pg 2 line 14 strike the word "term"  
and insert in lieu thereof the word  
"tenure".*

*adopted  
M/C*

Amendment No. B

Constitutional Convention  
By Committee on Executive  
Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10<sup>a</sup>

MR. PRESIDENT:

I move that (Committee) Proposal No. 10<sup>a</sup> be amended  
as follows:

Section 6, Line 20.

after period following word  
Governor insert the following  
sentence: - "He shall be nominated  
in the manner provided by law  
for nominating candidates for  
other elective offices."

Delete word "election" on line 21.

Line 22 after word "law" insert  
"for general elections."

adopted  
voice note

Amendment No. 19

Constitutional Convention

By Committee

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10a

MR. PRESIDENT:

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

Section 7

Pg 3 line 17, strike the word "impeach-  
ment", after the word "his" insert  
the word "title".

~~line~~ 11 insert between "the" and  
"powers" the word "title,"

adopted  
r/c

Amendment No. 19

Constitutional Convention

By Committee

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

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

*Section 8*  
*part 4, line 4*

#16

V. Rivers

Pg. 3 Section 7 Line 20 and 21. ~~Strike~~ after the  
first word "the" strike the words "powers and duties  
shall devolve upon the Secretary of State" and  
insert in lieu thereof "Secretary of State  
shall become the Acting Governor".

~~will not~~  
will call  
accepted

↓  
✓

✓

Amendment No. 41

Constitutional Convention

By Marston

Date Jan. 16, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10a

MR. PRESIDENT:

I move that (Committee) Proposal No. 10a be amended  
as follows:

Section 9:  
line 20 - delete period and  
add "unless by general  
law applying to all salaried  
officers of the state."

adopted  
voice vote

Amendment No. 21

*Seadborg*  
Constitutional Convention

By ~~Needle~~

Date Jan 13

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10a

MR. PRESIDENT:

I move that (Committee) Proposal No. 10a be amended  
as follows:

*Page 5 - Sec 10*  
*Strike Lines 16 thru 20*

*Amendment  
adopted  
voice vote*

Committee amendment  
Section 10

page 5, line 14, strike  
"the Senate alone" and  
insert "either house alone"

adopted u/c

Amendment No. 11

Constitutional Convention

By V. Fischer

Date Jan. 13, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10A

MR. PRESIDENT:

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

Section 10

Page 5

line 5: strike "or duty" and  
substitute "duty or right"

*com. amend.  
adopted  
M.C.B.*

line 7: after "subdivisions"  
insert "or by any licensee  
of the state"

*withdrawn*

Amendment No. 22

Constitutional Convention

By Kilcher

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

I move that (Committee) Proposal No. 10 be amended

as follows:

Sec. 12

p. 6

Line 6 ~~that~~: strike: or

of invasion or imminent dangers  
hereof.

Substitute: <sup>or</sup> ~~and~~ actual or imminent invasion

adopted  
vice note

✓

Amendment No. 23

Constitutional Convention

By \_\_\_\_\_

Date 13 Jan. '36

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10A

MR. PRESIDENT:

I move that (Committee) Proposal No. 10A be amended  
as follows:

*Sec. 13 Line 10 after the word "governor" add  
the words, "subject to procedure prescribed by law"*

*John M. Cross*

*adopted  
voice vote*

✓

Amendment No. 24

Constitutional Convention

By V. Fischer

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

I move that (Committee) Proposal No. 10A be amended  
as follows:

*Sec. 13*  
*strike third sentence.*

*adopted  
voice vote*

Amendment No. 28

Constitutional Convention

By Riley

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

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

Section 16:  
strike "this" ~~and insert~~ before "State"  
and insert in lieu thereof "The  
United", add "s" to word "State".

June 23

adopted  
y/c

Amendment No. 29

Constitutional Convention  
By Committee Riley

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 18a

MR. PRESIDENT:

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

*Action 16.*  
*line 23 insert period*  
*after States and strike remainder*  
*of sentence*

*copy  
rail  
call*

Amendment No. 20

Constitutional Convention

By Committee

Date \_\_\_\_\_

AMENDMENT TO (COMMITTEE) PROPOSAL NO. \_\_\_\_\_

MR. PRESIDENT:

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

*Section 16*  
page 7, line 18, place a  
strike from word "governor" through  
~~to line 20~~ "including" on line 20.  
"successors"

Delete "Senate" <sup>to</sup> "Legislature in  
change" <sub>insert</sub>  
joint session "line 17"

*adopted  
voice vote*

✓

Amendment No. 33

Constitutional Convention

By R. E. Robertson

Date January 16 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10a

MR. PRESIDENT:

I move that (Committee) Proposal No. 10a be amended  
as follows:

*Section 17, line 4, after word "be"  
Insert "citizens of the United States and"*

*R. E. Robertson*

*adopted  
unanimous  
consent*

✓

according to Hellenethal motion  
on policy adopted 53rd day - pg 8 of  
Section 17:

line 5 - strike "Senate" and  
insert "Legislature in joint session."

adopted by  
voice vote

Amendment No. 44

Constitutional Convention

By Sundborg

Date Jan. 16, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10/a

MR. PRESIDENT:

I move that (Committee) Proposal No. 10/a be amended  
as follows:

Strike section 18 and  
substitute the following:

"Section 18. The Governor  
may make ad interim appointments  
~~in order~~ to fill vacancies  
occurring during a recess of the  
legislature in offices requiring  
confirmation of either or both Houses  
of the legislature. \* The duration of  
such appointments shall be ~~as~~ prescribed  
by law."

voice vote  
roll call  
adopted

ENGROSSED COPY

Constitutional Convention Engrossed  
Committee Proposal/10/a  
January 16, 1956

ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 10/a

Report of the Committee on the Executive Branch

ARTICLE ON THE EXECUTIVE

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

Executive  
Authority

1 Section 1. The executive power of the State shall  
2 be vested in a governor.

Qualifica-  
tions of  
Governor

3 Section 2. The governor shall be not less than  
4 thirty years of age, and shall have been for at least  
5 [TWENTY] seven years a citizen of the United States,  
6 and a resident of [THIS STATE] Alaska seven years  
7 next preceding his election [ ], and be a qualified  
8 elector.

Election  
of  
Governor

9 Section 3. The governor shall be elected by the  
10 qualified voters of this state. The person receiving  
11 the greatest number of votes shall be the governor /  
12 [ ]; BUT IF TWO OR MORE SHALL BE EQUAL AND GREATEST IN  
13 VOTES, ONE OF THEM SHALL BE ELECTED GOVERNOR BY THE  
14 VOTE OF A MAJORITY OF ALL THE MEMBERS OF BOTH HOUSES IN  
15 JOINT MEETING AT THE REGULAR LEGISLATIVE SESSION NEXT  
16 FOLLOWING THE ELECTION FOR GOVERNOR BY THE PEOPLE.

1 CONTESTED ELECTIONS FOR THE OFFICE OF GOVERNOR SHALL BE  
2 DETERMINED IN THE MANNER PROVIDED BY LAW 7 .

Term of  
Governor

3 Section 4. The term of office of the governor shall  
4 be four years, beginning at noon on the first Monday in  
5 December next following his election, and ending at noon  
6 on the first Monday in December four years thereafter.  
7 No person who has been elected governor for two full  
8 successive terms shall be again eligible to hold that  
9 office until the 1st Monday in December of the fourth  
10 year following the expiration of his second successive  
11 term.

Other  
Offices

12 Section 5. The governor shall not hold any other  
13 office or employment of profit under the state or the  
14 United States, during his [TERM] tenure of office.  
15 Compensation for service in the armed forces of the state  
16 or the United States is not profit as that term is here  
17 used.

Secretary  
of State

18 Section 6. There shall be a secretary of state,  
19 who shall have the same qualifications as the governor.  
20 He shall be nominated in the manner provided by law for  
21 nominating candidates for other elective offices. He shall  
22 be elected at the same time and for the same term as the  
23 governor, and the [ELECTION] procedure prescribed by  
24 law for general elections shall provide that the electors,  
25 in casting their vote for governor shall also be deemed

1 to be casting their vote for the candidate for secretary  
2 of state shown on the ballot as running jointly with the  
3 respective candidate for governor. The candidate for  
4 secretary of state who runs jointly with the successful  
5 candidate for governor shall be elected secretary of  
6 state. The secretary of state shall perform such duties  
7 as may be prescribed by law and as may be delegated to  
8 him by the governor.

Succession

9 Section 7. In case the governor-elect shall die  
10 before he has qualified and assumed the office of gov-  
11 ernor, or in case he fails to qualify for any other cause,  
12 the title, powers, duties, and emoluments of the office  
13 of Governor shall devolve upon the person elected secre-  
14 tary of state at the same election, and he shall serve  
15 as governor for the term for which the governor-elect  
16 was elected. In case of a vacancy in the office of  
17 governor because of his death, resignation, [IMPEACH-  
18 MENT,] or removal, his title, powers, duties and emolu-  
19 ments shall devolve upon the secretary of state. In case  
20 of the temporary absence of the governor from office,  
21 the [POWERS AND DUTIES SHALL DEVOLVE UPON THE SECRETARY  
22 OF STATE.] secretary of state shall become the acting  
23 governor. Whenever for a period of six months a governor  
24 in office shall have remained continuously absent from  
25 the state or shall have been unable to discharge the

1 duties of his office by reason of mental or physical  
2 disability, the office shall be deemed vacant. The  
3 procedure for determining continuous absence and dis-  
4 ability shall be prescribed by law.

5 Section 8. If for any reason the secretary of  
6 state is incapable of acting, [ THE PRESIDENT OF THE  
7 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
8 IN SUCCESSION SHALL ACT AS GOVERNOR UNTIL THE VACANCY  
9 IS FILLED OR THE DISABILITY REMOVED. IF THE OFFICE OF  
10 GOVERNOR BECOMES VACANT AND THERE IS NO SECRETARY OF  
11 STATE, THE OFFICES OF GOVERNOR AND SECRETARY OF STATE  
12 SHALL BE FILLED FOR THE REMAINDER OF THE TERMS AT THE  
13 NEXT SUCCEEDING GENERAL ELECTION UNLESS THE VACANCY OCCURS  
14 LESS THAN 60 DAYS BEFORE THE ELECTION; BUT NO ELECTION TO  
15 FILL AN UNEXPIRED TERM SHALL BE HELD IN ANY YEAR IN WHICH  
16 A GOVERNOR IS TO BE ELECTED FOR A FULL TERM. ] a vacancy  
17 in the office of governor shall be filled as prescribed  
18 by law. No election of a secretary of state shall be had  
19 in any event except at the time of electing a governor.

Compensation 20 Section 9. The compensation of the governor and  
21 the secretary of state shall be prescribed by law and  
22 shall not be diminished during their term of office [ . ]  
23 unless by general law applying to all salaried officers  
24 of the state. When the secretary of state or other officer  
25 succeeds to the office of governor, he shall receive  
26 the compensation for that office.

Executive  
powers

1           Section 10. The governor shall be responsible  
2 for the faithful execution of the laws. To this end  
3 he shall have power, by appropriate action or proceeding  
4 in the courts brought in the name of the state, to  
5 enforce compliance with any constitutional or legisla-  
6 tive mandate, or to restrain violation of any consti-  
7 tutional or legislative power, [OR] duty or right  
8 by any officer, department or agency of the state or  
9 any of its political subdivisions, but this power shall  
10 not be construed to authorize any action or proceeding  
11 against the Legislature. The governor shall, at the be-  
12 ginning of each session, and may at other times, give  
13 the legislature information concerning the affairs of  
14 the state and recommend to its consideration such meas-  
15 ures as he deems expedient. He may convene the Legisla-  
16 ture, or [THE SENATE ALONE] either house alone, or the  
17 two houses in joint session, whenever in his opinion the  
18 public interest requires.

19           [THE GOVERNOR SHALL, PRIOR TO THE END OF HIS TERM  
20 OF OFFICE, PREPARE A WRITTEN REPORT ON THE CONDUCT OF  
21 HIS ADMINISTRATION, WHICH SHALL CONTAIN SUCH INFORMATION  
22 AS MAY BE USEFUL TO HIS SUCCESSOR IN CARRYING OUT THE  
23 DUTIES OF HIS OFFICE.]

24           Section 11. The governor shall be commander-in-  
25 chief of the armed forces of the state, and may call out

1 these forces to execute the laws, suppress or prevent  
2 insurrection or lawless violence or repel invasion.  
3 The governor, as provided by law, shall nominate and  
4 appoint all general and flag officers of the armed  
5 forces of the state, with the advice and consent of  
6 the ~~SENATE~~ Legislature in joint session, and shall  
7 appoint and commission all other officers.

Martial Law

8 Section 12. The governor may proclaim martial law  
9 when the public safety requires it in case of rebellion  
10 ~~OR INVASION OR~~ or actual or imminent ~~DANGER THEREOF~~  
11 invasion. Martial law shall not continue for a period  
12 longer than 20 days without the approval of a majority  
13 of both houses of the legislature in joint session.

Executive  
Clemency

14 Section 13. The governor subject to procedure  
15 prescribed by law may grant pardons, commutations, and  
16 reprieves and may suspend and remit fines and forfeitures.  
17 This power shall not extend to impeachment. ~~A~~ COMMISSION  
18 OR OTHER BODY MAY BE ESTABLISHED BY LAW TO AID AND  
19 ADVISE THE GOVERNOR IN THE EXERCISE OF EXECUTIVE CLEMENCY.  
20 A system for the granting of parole shall be provided  
21 by law.

Organization

22 Section 14. All executive and administrative  
23 offices, departments, and instrumentalities of the state  
24 government and their respective functions, powers and  
25 duties shall be allocated by law among and within not

1 more than twenty principal departments in such manner  
2 as to group the same according to major purposes so far  
3 as practicable. Regulatory and quasi-judicial bodies  
4 and temporary agencies may be established by law and  
5 need not be allocated within a principal department.  
6 The governor may make such changes in the organization  
7 of the Executive Branch of the State Government or in  
8 the assignment of functions among the units thereof,  
9 as may, in his judgment, be necessary for efficient  
10 administration. Where these changes require the force  
11 of law, they shall be set forth in executive orders  
12 which shall become effective at the close of the next  
13 regular session of the Legislature, unless disapproved  
14 by a resolution concurred in by a majority of all the  
15 members of the Legislature meeting jointly.

16 Section 15. Each principal department shall be  
17 under the supervision of the Governor.

18 Section 16. The head of each principal department  
19 shall be a single executive, unless otherwise provided  
20 by law. Such single executive shall be nominated and  
21 appointed by the governor, with the advice and consent  
22 of the [SENATE] Legislature in joint session, and shall  
23 serve at the pleasure of the Governor [DURING HIS TERM  
24 OF OFFICE AND UNTIL THE APPOINTMENT AND QUALIFICATION  
25 OF THEIR SUCCESSORS,] except as herein otherwise

1 provided with respect to the Secretary of State. The  
2 heads of all principal departments appointed under the  
3 provisions of this section shall be citizens of [THIS]  
4 the United States. [AND SHALL HAVE BEEN RESIDENTS OF  
5 THE STATE FOR AT LEAST THREE YEARS NEXT PRECEDING THEIR  
6 APPOINTMENT.]

7 Section 17. Wherever a board or commission is at  
8 the head of a principal department or of a regulatory  
9 or quasi-judicial body, the members thereof shall be  
10 citizens of the United States and nominated and appointed  
11 by the Governor, with the advice and consent of the  
12 [SENATE] Legislature in joint session, and may be  
13 removed in the manner provided by law. Such a board or  
14 commission may appoint a principal executive officer when  
15 authorized by law, but the appointment shall be subject  
16 to the approval of the Governor.

17 [SECTION 18. THE GOVERNOR MAY FILL ANY VACANCY  
18 OCCURRING IN ANY OFFICE DURING A RECESS OF THE LEGIS-  
19 LATURE, APPOINTMENT TO WHICH IS MADE BY THE GOVERNOR  
20 WITH THE ADVICE AND CONSENT OF THE SENATE OR OF THE  
21 LEGISLATURE IN JOINT MEETING. AN APPOINTMENT SO MADE  
22 SHALL EXPIRE AT THE END OF THE NEXT REGULAR SESSION OF  
23 THE LEGISLATURE, UNLESS A SUCCESSOR SHALL BE SOONER  
24 APPOINTED AND QUALIFIED. AFTER THE END OF THE SESSION  
25 NO AD INTERIM APPOINTMENT TO THE SAME OFFICE SHALL BE

1 MADE UNLESS THE GOVERNOR SHALL HAVE SUBMITTED TO THE  
2 SENATE A NOMINATION TO THE OFFICE DURING THE SESSION  
3 AND THE SENATE SHALL HAVE ADJOURNED WITHOUT CONFIRMING  
4 OR REJECTING IT. NO PERSON NOMINATED FOR ANY OFFICE  
5 SHALL BE ELIGIBLE FOR AN AD INTERIM APPOINTMENT TO SUCH  
6 OFFICE IF THE NOMINATION SHALL HAVE FAILED OF CONFIRMA-  
7 TION BY THE SENATE.7 Section 18. The Governor may  
8 make ad interim appointments to fill vacancies occurring  
9 during a recess of the legislature in offices requiring  
10 confirmation of the legislature. The duration of such  
11 appointments shall be prescribed by law.

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

Constitutional Convention  
Committee Proposal/10/a/Enrolled  
January 16, 1956

ALASKA CONSTITUTIONAL CONVENTION

COMMITTEE PROPOSAL NO. 10/a

Report of the Committee on the Executive Branch

ARTICLE ON THE EXECUTIVE

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

Executive Authority	1	Section 1. The executive power of the State shall
	2	be vested in a governor.
Qualifica- tions of Governor	3	Section 2. The governor shall be not less
	4	than thirty years of age, and shall have been for
	5	at least seven years a citizen of the United
	6	States, and a resident of Alaska seven years next
	7	preceding his election, and be a qualified elector.
Election of Governor	8	Section 3. The governor shall be elected by
	9	the qualified voters of this state. The person
	10	receiving the greatest number of votes shall be
	11	the governor.
Term of Governor	12	Section 4. The term of office of the governor
	13	shall be four years, beginning at noon on the first
	14	Monday in December next following his election,

1 and ending at noon on the first Monday in December  
2 four years thereafter. No person who has been  
3 elected governor for two full successive terms  
4 shall be again eligible to hold that office until  
5 the 1st Monday in December of the fourth year  
6 following the expiration of his second successive  
7 term.

Other  
Offices

8 Section 5. The governor shall not hold any  
9 other office or employment of profit under the  
10 state or the United States, during his tenure  
11 of office. Compensation for service in the  
12 armed forces of the state or the United States  
13 is not profit as that term ~~is~~ here used.

Secretary  
of State

14 Section 6. There shall be a secretary of  
15 state, who shall have the same qualifications as  
16 the governor. He shall be nominated in the  
17 manner provided by law for nominating candidates  
18 for other elective offices. He shall be elected  
19 at the same time and for the same term as the  
20 governor, and the procedure prescribed by law  
21 for general elections shall provide that the  
22 electors, in casting their vote for governor  
23 shall also be deemed to be casting their vote for  
24 the candidate for secretary of state shown on the  
25 ballot as running jointly with the respective

1 candidate for governor. The candidate for  
2 secretary of state who runs jointly with the  
3 successful candidate for governor shall be  
4 elected secretary of state. The secretary of  
5 state shall perform such duties as may be pres-  
6 cribed by law and as may be delegated to him  
7 by the governor.

Succession

8 Section 7. In case the governor-elect shall  
9 die before he has qualified and assumed the office  
10 of governor, or in case he fails to qualify for  
11 any other cause, the title, powers, duties, and  
12 emoluments of the office of Governor shall  
13 devolve upon the person elected secretary of  
14 state at the same election, and he shall serve  
15 as governor for the term for which the governor-  
16 elect was elected. In case of a vacancy in the  
17 office of governor because of his death, resig-  
18 nation, or removal, his title, powers, duties  
19 and emoluments shall devolve upon the secretary  
20 of state. In case of the temporary absence of  
21 the governor from office, the secretary of state  
22 shall become the acting governor. Whenever for  
23 a period of six months a governor in office shall  
24 have remained continuously absent from the state  
25 or shall have been unable to discharge the duties

1 of his office by reason of mental or physical  
2 disability, the office shall be deemed vacant.  
3 The procedure for determining continuous absence  
4 and disability shall be prescribed by law.

5 Section 8. If for any reason the secretary  
6 of state is incapable of acting, a vacancy in  
7 the office of governor shall be filled as pres-  
8 cribed by law. No election of a secretary of  
9 state shall be had in any event except at the  
10 time of electing a governor.

Compensation

11 Section 9. The compensation of the governor  
12 and the secretary of state shall be prescribed by  
13 law and shall not be diminished during their term  
14 of office unless by general law applying to all  
15 salaried officers of the state. When the secre-  
16 tary of state or other officer succeeds to the  
17 office of governor, he shall receive the compen-  
18 sation for that office.

Executive  
Powers

19 Section 10. The governor shall be responsible  
20 for the faithful execution of the laws. To this  
21 end he shall have power, by appropriate action or  
22 proceeding in the courts brought in the name of  
23 the state, to enforce compliance with any consti-  
24 tutional or legislative mandate, or to restrain  
25 violation of any constitutional or legislative

1 power, duty or right by any officer, department  
2 or agency of the state or any of its political  
3 subdivisions, but this power shall not be con-  
4 strued to authorize any action or proceeding  
5 against the Legislature. The governor shall,  
6 at the beginning of each session, and may at  
7 other times, give the legislature information  
8 concerning the affairs of the state and recommend  
9 to its consideration such measures as he deems  
10 expedient. He may convene the Legislature, or  
11 either house alone, or the two houses in joint  
12 session, whenever in his opinion the public  
13 interest requires.

14 Section 11. The governor shall be  
15 commander-in-chief of the armed forces of the  
16 state, and may call out these forces to execute  
17 the laws, suppress or prevent insurrection or  
18 lawless violence or repel invasion. The  
19 governor, as provided by law, shall nominate and  
20 appoint all general and flag officers of the armed  
21 forces of the state, with the advice and consent  
22 of the Legislature in joint session and shall appoint  
23 and commission all other officers.

Martial Law

24 Section 12. The governor may proclaim  
25 martial law when the public safety requires it

1 in case of rebellion or actual or imminent inva-  
2 sion. Martial law shall not continue for a  
3 period longer than 20 days without the approval  
4 of a majority of both houses of the legislature  
5 in joint session.

Executive  
Clemency

6 Section 13. The governor subject to proce-  
7 dure prescribed by law may grant pardons, commuta-  
8 tions, and reprieves and may suspend and remit  
9 fines and forfeitures. This power shall not  
10 extend to impeachment. A system for the granting  
11 of parole shall be provided by law.

Organization

12 Section 14. All executive and administrative  
13 offices, departments, and instrumentalities of  
14 the state government and their respective func-  
15 tions, powers and duties shall be allocated by  
16 law among and within not more than twenty  
17 principal departments in such manner as to group  
18 the same according to major purposes so far as  
19 practicable. Regulatory and quasi-judicial bodies  
20 and temporary agencies may be established by  
21 law and need not be allocated within a principal  
22 department. The governor may make such changes  
23 in the organization of the Executive Branch of  
24 the State Government or in the assignment of  
25 functions among the units thereof, as may, in

1 his judgment, be necessary for efficient admini-  
2 stration. Where these changes require the force  
3 of law, they shall be set forth in executive  
4 orders which shall become effective at the close  
5 of the next regular session of the Legislature,  
6 unless disapproved by a resolution concurred in  
7 by a majority of all the members of the Legisla-  
8 ture meeting jointly.

9 Section 15. Each principal department shall  
10 be under the supervision of the Governor.

11 Section 16. The head of each principal  
12 department shall be a single executive, unless  
13 otherwise provided by law. Such single executive  
14 shall be nominated and appointed by the governor,  
15 with the advice and consent of the Legislature  
16 in joint session, and shall serve at the pleasure  
17 of the Governor except as herein otherwise pro-  
18 vided with respect to the Secretary of State. The  
19 heads of all principal departments appointed  
20 under the provisions of this section shall be  
21 citizens of the United States.

22 Section 17. Wherever a board or commission  
23 is at the head of a principal department or of  
24 a regulatory or quasi-judicial body, the members  
25 thereof shall be citizens of the United States

1 and nominated and appointed by the Governor,  
2 with the advice and consent of the Legislature  
3 in joint session, and may be removed in the  
4 manner provided by law. Such a board or  
5 commission may appoint a principal executive  
6 officer when authorized by law, but the appoint-  
7 ment shall be subject to the approval of the  
8 Governor.

9 Section 10. The Governor may make ad interim  
10 appointments to fill vacancies occurring during  
11 a recess of the legislature in offices requiring  
12 confirmation of the legislature. The duration of  
13 such appointments shall be prescribed by law.

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE FIFTY-THIRD CONVENTION DAY, Saturday, January 14, 1956

The Convention was called to order by President Egan at 9:05 a.m.

The Invocation was given by the Rev. Charles Powers of the Church of the Nazarene of Totem Park.

Roll call showed all members present. The President declared a quorum to be present.

The report of the Committee to read the Journal was deferred.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at the 10:30 recess.

Mr. Sundborg moved that it be the policy to adjourn at 5:40 p.m. today until 9 a.m. Monday morning. Mr. Riley asked whether Mr. Sundborg would amend that to state 3:45. Mr. Sundborg accepted the change. Mr. Smith stated that the Resources Committee would like to have Sunday for a committee meeting; Mr. Sundborg stated that the Committee on Style and Drafting also needed Sunday to work.

Mrs. Hermann stated that Mr. Sundborg's motion was out of order. Mr. Sundborg stated that it was only a declaration of policy.

Consideration of Committee Proposal No. 10a was continued.

Mr. Barr's amendment being before the Convention, discussion was continued on it by Mr. Barr, Mr. Johnson and Mr. Londborg. The question being "Shall Mr. Barr's amendment to Section 10 be adopted?", the roll was called with the following result:

- Yeas: 27 - Barr, Collins, Cross, Emberg, H. Fischer, Harris, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Londborg, McCutcheon, Nerland, Nolan, Peratrovich, Poulsen, V. Rivers, Robertson, Smith, Taylor, VanderLeest, Walsh, Wien, Mr. President
- Nays: 26 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Davis, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Lee, McLaughlin, McNealy, Marston, Metcalf, Nordale, Reader, Riley, R. Rivers, Rosswog, Stewart, Sundborg, Sweeney, White

53rd Day, Saturday, Jan. 14, 1956

Absent: 2 - Doogan, McNees

and so the amendment was adopted.

Mrs. Sweeney moved that the reconsideration of her vote on the Buckalew amendment to strike Section 6 be taken up at this time. Mr. Doogan seconded.

After discussion by Mrs. Sweeney, Mr. Boswell, Mr. Hellenthal, Mr. Davis and Mr. Londborg, Mr. Riley requested that all proposed amendments to Section 6 be read at this time.

The President stated that in fairness to all, the request of Mr. Riley would be granted.

Mr. V. Rivers read a proposed committee amendment to Section 6, inserting the word "general" before "election". After discussion by Mr. V. Rivers, Mr. V. Fischer and Mr. McLaughlin on Section 6, the President asked Mr. Armstrong to take the Chair. The President then spoke from the floor on Section 6.

Mr. Hellenthal requested a five-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

The President took the Chair.

After discussion by Mrs. Nordale, Mr. Barr, Mr. White, Mr. Hurley, Mr. Gray, Mr. R. Rivers, Mr. Rosswog, Mr. Taylor, Mr. Buckalew and Mrs. Sweeney, the question was called. The question being "Shall Mr. Buckalew's amendment to strike Section 6 be adopted?", the roll was called with the following result:

Yeas: 9 - Buckalew, Coghill, Emberg, V. Fischer, Kilcherry, Lee, Poulson, Sundborg, White.

Nays: 46 - Armstrong, Aves, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, VanderLeest, Walsh, Wien, Mr. President

and so the amendment failed.

Mr. Sundborg asked unanimous consent that the convention recess for fifteen minutes.

Mr. Coghill introduced the Commander of the Veterans of Foreign Wars, Department of Alaska, and the Department Service Officer, James Burnette who were visiting the Convention.

There being no objection to the unanimous consent request, the Convention recessed until 10:45 a.m.

#### AFTER RECESS

Mr. Hilscher introduced Sir Hubert Wilkins, noted Artic Explorer, who holds his first honorary doctor's degree from the University of Alaska, and asked unanimous consent that he be given the privilege of the floor to address the Convention. Permission was granted and Sir Hubert Wilkins gave a few remarks.

Consideration of Committee Proposal No. 10/a continued. Mr. V. Rivers moved the adoption of the following amendment to Section 6: Line 20, after period following word "governor" insert the following sentence: "He shall be nominated in the manner provided by law for nominating candidates for other elective offices." delete the word "election on line 21; line 22, after the word "law", insert "for general elections." Mr. V. Rivers asked unanimous consent for the adoption of the proposed amendment. Mr. Hellenthal objected. Mr. R. Rivers seconded. On voice vote the amendment was adopted.

Miss Awes moved the adoption of the following amendment to Section 6: line 8, page 2, strike words "secretary of state" and substitute "lieutenant governor"; line 21 strike part from "and" through word "governor" ending on line 2, page 3; line 2, page 3, strike "secretary of state" and substitute "lieutenant governor"; line 4, and 5 page 3, strike words "secretary of State" on both lines and in each case substitute "lieutenant governor". Mr. Buckalew seconded.

After Miss Awes spoke, Mr. Riley questioned Miss Awes as to amending her amendment to delete more language on page 3. Miss Awes asked unanimous consent to amend her amendment by striking through word "state" on line 4, page 3, and thereby eliminating the part of her amendment on line 2, of page 3. There being no objection, it was so ordered.

After questions by Mr. White and Mr. Taylor, Miss Awes requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

After further discussion by Mr. Buckalew, Mr. Barr, Mr. Taylor and Miss Awes, the question was called. On voice vote Miss Awes' amendment failed.

Mr. R. Rivers moved to reconsider his vote on Mr. Robertson's amendment to Section 2 at this time. Mr. Buckalew seconded.

After discussion by Mr. R. Rivers, Mr. McNealy, Mr. Hellenthal, Miss Awes, Mr. Coghill, Mr. Sundborg, Mr. McCutcheon, Mr. Robertson and Mr. McLaughlin, the question was called. On voice vote Mr. Robertson's amendment to Section 2 to insert the words "and of this state" at the end of line 5 failed of adoption.

Mr. Hellenthal moved the adoption of the following amendment to Section 6: Line 20, strike everything after "nor" through "state" on line 4, page 3 and substitute the following: "He shall be appointed by the governor."; on line 5 insert "administrative" before "duties". Section 7, line 12, page 3 delete the words "person elected". Mr. Marston seconded.

Mr. McCutcheon rose to a point of order to state the amendment should be divided into two parts since it is concerned with two sections.

After the President stated he believed they were related, Mr. McCutcheon yielded on his point of order.

On voice vote Mr. Hellenthal's amendment failed.

Mr. Kilcher spoke on Section 6. Mr. Gray rose to a point of order to ask what was before the Convention. The President stated there was nothing before the Convention. Mr. Kilcher asked a question of the President regarding Section 6. Mr. Hellenthal rose to a point of information.

Mr. Cooper spoke on a matter of personal privilege.

Mr. V. Rivers moved the adoption of the following committee amendment to Section 7: page 3, lines 20 and 21, after the first word "the" strike the words "powers and duties shall devolve upon the Secretary of State" and insert in lieu thereof "Secretary of State shall become the acting governor". Mr. Kilcher seconded.

Mr. R. Rivers moved to amend Section 7 line 17 by deleting the rest of the sentence after the word "removal" and substituting the following "the secretary of state shall become the governor."

The President declared Mr. R. Rivers amendment out of order.

The roll was called on the adoption of Mr. V. Rivers committee amendment with the following result:

Yeas: 29 - Armstrong, Awes, Buckalew, Coghill, Collins, Cross, Davis, V. Fischer, Gray, Hellenthal, Hermann, Kilcher, Knight, Lee, Londborg, McLaughlin, McNealy, McNees, Metcalf, Peratrovich, Reader, Riley, R. Rivers, Rosswog, Stewart, Sundborg, VanderLeest, Walsh, Mr. President

Nays: 24 - Barr, Boswell, Cooper, Doogan, Emberg, H. Fischer, Harris, Hinckel, Hurley, Johnson, King, Laws, McCutcheon, Marston, Nerland, Nolan, Nordale, Poulsen, V. Rivers, Robertson, Smith, Sweeney, Taylor, Wien

Absent: 2 - Hilscher, White

and so the amendment was adopted.

Mrs. Nordale spoke on a matter of personal privilege.

Mr. R. Rivers moved the adoption of the following amendment to Section 7: line 17, after "removal" delete rest of sentence and substitute "the Secretary of State shall become the governor." Mr. Taylor seconded and asked unanimous consent. Mr. Poulsen objected. After discussion by Mr. R. Rivers, Mr. McLaughlin, Mr. Kilcher, Mr. McCutcheon, Mr. Smith and Mr. Taylor, the question was called. The president being in doubt on the voice vote, requested a roll call with the following result:

Yeas: 16 - Armstrong, Collins, Cooper, Davis, Kilcher, Laws, McNealy, Metcalf, Nerland, Nordale, Peratrovich, R. Rivers, Sundborg, Taylor, Walsh, Mr. President

Nays: 37 - Awes, Barr, Boswell, Buckalew, Coghill, Cross, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nolan, Poulsen, Reader, Riley, V. Rivers, R. Robertson, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Wien

Absent: 2 - V. Fischer, White

and so the amendment failed.

Mr. Davis asked that the delegates be careful about offering amendments which are not necessary since the Committee on Style and Drafting is governed by the action of the body.

Mr. Johnson moved that the Convention recess until 1:30 and asked unanimous consent.

The following committee meeting announcements were made: Ordinances on recess; Executive Branch at 12:45 p.m.; Resources in the lobby of the Northward Building, rather than the Polaris, on Sunday at 2 p.m.; Style and Drafting Sunday at 1 p.m. at Apt. 1013 Polaris. Engrossment and Enrollment at 1 p.m. today; Rules on recess; Administration at 1 p.m.; Finance at 12:30 Sunday in the Northward Building lobby.

There being no objection, the Convention recessed for lunch until 1:30 p.m.

#### AFTER RECESS

Mrs. Sweeney asked unanimous consent to revert to Committee reports. There being no objection, it was so ordered.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment to whom was referred Committee Proposal No. 5 had compared it with the original and found it correctly engrossed and the enrolled copies correctly enrolled except that on line 14, page 4, "house" should be "houses". Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment be adopted. There being no objection, it was so ordered.

Committee Proposal No. 5 was referred to the Committee on Style and Drafting.

Consideration of Committee Proposal No. 10a continued.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment to Section 5: page 2, line 14, strike the word "term" and insert in lieu thereof the word "tenure". There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following Committee amendment to Section 7: page 3, line 17, strike the word "impeachment", after the word "his" insert the word "title". After discussion, Mr. V. Rivers asked unanimous consent to amend his amendment by inserting "title," between "the" and "powers" on line 11. There being no objection it was so ordered. There being no objection to the adoption of the amended amendment, it was so ordered.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment to Section 8: Page 4, line 4, after the word "acting" strike through the word "term" on line 15 and substitute the following "A vacancy in the office of governor shall be prescribed by law." There being no objection, it was so ordered.

Mr. V. Rivers moved the adoption of the following amendment to Section 16: Page 7, line 18, place a period after the word "governor"; strike down to "successors" on line 20. The President declared a short recess.

#### AFTER RECESS

Mr. V. Rivers asked unanimous consent to withdraw his amendment to Section 16. There being no objection, it was so ordered.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following amendment to Section 16: page 7, line 18, strike from word "governor" through "successors" on line 20. delete "Senate" and insert "legislature in joint session". Mr. R. Rivers seconded. Mr. Johnson objected. On voice vote the amendment was adopted.

Mr. Sundborg presented the following amendment: Section 10, page 5, strike lines 16 through 20. Mr. Buckalew moved its adoption. Mr. Sundborg seconded. After discussion by Mr. Sundborg, Miss Awes, Mr. Barr, and Mr. Riley, the question was called. On voice vote the amendment was adopted.

Mr. Cooper asked a question regarding Section 11. Discussion was held on the question of confirming appointments by the legislature.

The President declared a short recess.

#### AFTER RECESS

Mr. V. Rivers stated he believed the body should take action to adopt a policy regarding confirmation of appointments throughout the Constitution.

The President stated he believed the Convention should make a definite decision and settle the matter as concerns this problem in all the articles.

Mr. V. Rivers moved and asked unanimous consent that the group express as a policy the intent that confirmation of appointments shall be made by the legislature in joint session, and Committee Proposal No. 10a would be corrected to conform with the policy. Mr. Riley seconded. Mr. Johnson objected. After a discussion by Mr. Hellenthal,

Mr. Johnson, Mr. Barr, Mr. Londborg, Mr. Harris, Mr. Riley, Mr. McNealy, Mr. Nolan, Mrs. Fischer, Mr. McNees, Mr. Cooper, Mr. V. Fischer, and Mrs. Nordale, Mr. Cooper rose to speak on a matter of personal privilege.

After Mr. Barr and Mr. Hellenthal spoke on the motion, Mr. V. Rivers asked unanimous consent to withdraw the motion. Mr. R. Rivers objected.

The President declared a short recess.

#### AFTER RECESS

Mr. V. Rivers moved to withdraw his motion. Mr. Doogan seconded. On voice vote the motion was ordered withdrawn.

Mr. Hellenthal moved that where, in Committee Proposal No. 10a, confirmation of a gubernatorial appointment is required of either or both houses of the legislature or both houses jointly, then in those cases it shall be the policy of this body that such confirmation be made by both houses of the legislature in joint assembly. Mr. Taylor seconded. On voice vote the motion was adopted.

Mr. Kilcher moved and asked unanimous consent for the adoption of the following amendment to Section 16: page 6, line 6, strike "or invasion or imminent danger thereof" and substitute "and actual or imminent invasion". Mr. Taylor objected. Mr. Knight seconded. Miss Awes asked for a recess to check the language with the similar provision of the Bill of Rights. There being no objection, it was so ordered.

#### AFTER RECESS

After discussion by Miss Awes, Mr. Marston, Mrs. Sweeney, Mr. R. Rivers and Mr. Hellenthal, Mr. Kilcher asked unanimous consent to amend his amendment by changing the word "and" to "or". There being no objection, it was so ordered. On voice vote the amended amendment was adopted.

Mr. Sundborg inquired whether the Convention had read the boundaries of the election districts in Committee Proposal No. 14. Mr. Hellenthal stated that this language was not ready as yet.

Mr. Sundborg asked unanimous consent that the record show that Committee Proposal No. 14 was ordered to the Committee on Engrossment and Enrollment, subject to a later addition describing the election districts. There being no objection, it was so ordered.

Mr. Cross moved the adoption of the following amendment to Section 13 of Committee Proposal No. 10a: line 10, after the word "governor" add the words "subject to procedure prescribed by law". Mr. Marston seconded. After discussion by Mr. Cross, Mr. Johnson, Mr. Gray, Mr. R. Rivers, and Mr. Barr, the question was called. On voice vote the amendment was adopted.

Mr. V. Fischer moved the adoption of the following amendment to Section 13: strike the third sentence. Mr. Hurley seconded. On voice vote the amendment was adopted.

Mr. Barr moved the adoption of the following amendment: Page 6, line 16, after Section 13 insert a new Section 14, and renumber the following Sections accordingly --

"An Attorney General shall be elected at the same time and in the same manner as the Governor, and his term of office shall be four years. He shall be the chief law officer of the State, shall represent the State in all courts of law, and shall see that all laws are uniformly and adequately enforced throughout the State.

He shall be legal advisor to the Legislature and all State officers, and shall perform such other duties as may be prescribed by law. He shall be responsible to the Governor and the Legislature for the faithful performance of his duties.

The Attorney General shall receive for his services a compensation fixed by the Legislature which shall not be increased or diminished during his term of office. He shall devote his full time to his office and shall not receive any salary, fees or other compensation from any other source.

In case of vacancy in the office of Attorney General for any cause, the Governor shall appoint his successor to complete the term of office with the consent of a majority of both Houses of the Legislature in joint session assembled, or, when not in session, a poll of the members may be taken by mail by the President of the Senate and Speaker of the House."

Mr. Knight seconded. After discussion by Mr. Barr, Mr. Marston, Mr. Hellenthal, Mr. Nolan, Mr. McLaughlin, Mr. Stewart, Mr. R. Rivers, and Mr. Robertson, Mr. Barr closed the argument. Mr. Hellenthal requested a roll call. The roll was called with the following result:

Yeas: 12 - Barr, Collins, H. Fischer, Laws, McNealy, Metcalf, Nolan, Robertson, Smith, Sweeney, Taylor, Walsh

Nays: 40 - Armstrong, Awes, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, White, Mr. President.

Absent: 3 - Coghill, VanderLeest, Wien

and so the amendment failed.

Mr. Hurley spoke on a matter of personal privilege.

Mr. Sundborg spoke on a matter of personal privilege regarding the problem of Style and Drafting as concerns the office of attorney general.

Mr. Sundborg moved that the rules be suspended and that the Committee on Style and Drafting be empowered to make a substantive amendment to provide that wherever the words "attorney general" appear that they be changed to "secretary of state".

Mr. V. Rivers spoke under personal privilege.

Mr. Sundborg stated he would withhold making the motion until the second reading of Committee Proposal No. 10a had been completed.

Mr. Buckalew moved the adoption of the following amendment to Section 14: line 23, strike "and quasi", line 24 strike "judicial". After discussion by Mr. Buckalew, Mr. V. Fischer, Mr. Hellenthal, Mr. McLaughlin, Mr. Gray, Mr. V. Rivers, Mr. Hurley, Mr. Davis, Mr. Emberg, Mr. McNealy, Mr. Peratrovich, Mr. R. Rivers and Miss Awes, the question was called. The roll was called with the following result:

Yeas: 17 - Armstrong, Barr, Buckalew, Coghill, Davis, Doogan,  
Emberg, Hurley, Johnson, Lee, McNealy, Nolan,  
Peratrovich, Riley, Robertson, White, Mr. President

Nays: 36 - Awes, Boswell, Collins, Cooper, Cross, H. Fischer,  
V. Fischer, Gray, Harris, Hellenthal, Hermann,  
Hilscher, Hinckel, Kilcher, King, Knight, Laws,  
Londborg, McCutcheon, McLaughlin, McNees, Marston,  
Metcalf, Nerland, Nordale, Poulsen, Reader, R. Rivers,  
V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney,  
Taylor, Walsh

Absent: 2 - VanderLeest, Wien

and so the amendment failed.

Mr. Kilcher served notice of his intention to reconsider his vote on Mr. Buckalew's amendment to Section 14.

Mr. Sundborg asked unanimous consent that the Convention adjourn until 9 a.m. Monday.

Mr. Rosswog announced a meeting of the Committee on Local Government at 1 p.m. Sunday at Apt. 19, Alaskan Inn.

There being no objection to the unanimous consent request, the Convention adjourned at 3:50 p.m. until Monday at 9 a.m.

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THOMAS B. STEWART  
Secretary

Attested:

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WILLIAM A. EGAN  
President