Constitutional Convention
Committee Proposal/5/Enrolled
January 12, 1956

Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 5

Introduced by Committee on Legislative Branch

LEGISLATIVE POWERS AND DUTIES

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

ARTICLE ON LEGISLATIVE BRANCH

<table>
<thead>
<tr>
<th>Legislative Power</th>
<th>Section 1. The legislative power and authority of the state is vested in a legislature, which consists of a Senate and a House of Representatives.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qualifications of Members</td>
<td>Section 2. A senator shall be at least 25 years of age and have resided in Alaska at least 3 years, and in the district to be represented at least one year, immediately prior to filing for office, and shall otherwise be a qualified elector.</td>
</tr>
<tr>
<td>Election; Terms</td>
<td>Section 3. Members of the legislature shall be elected on the day provided for general elections, and their terms of office shall begin on the fourth Monday of the following January unless otherwise provided by law. The</td>
</tr>
</tbody>
</table>
Vacancies

Section 4. Any vacancy in the legislature shall be filled for the unexpired term in such manner as may be prescribed by law, or, if no provision be made by law, by appointment by the governor for the unexpired term.

Disqualifications

Section 5. No member of the legislature shall be nominated, elected or appointed to any other office which has been created, or the salary or emoluments of which have been increased while he was a member of the legislature, during the term for which he was elected and for one year after the expiration of such term. This section shall not apply to positions of employment in or elections to any constitutional convention.

Privileges of Members

Section 6. No member of the legislature shall be held to answer before any other tribunal for any statement made or action taken in the exercise of his legislative functions; and members of the legislature shall, in all cases except felony or breach of the peace, be privileged from arrest and not subject to civil process during their attendance at the
Salary and Travel Expense

Section 7. Each member of the legislature shall receive an annual salary and shall be entitled to travel expenses in going to and returning from sessions. The presiding officers of the respective houses may receive an additional salary, and members of the legislature may receive a per diem allowance for expenses while in session, as the legislature may direct.

Section 8. The legislature shall convene on the fourth Monday in January each year unless otherwise provided by law. Neither house may adjourn or recess for a period longer than three days without the concurrence of the other. If the two houses cannot agree on the time of adjournment, the Governor may, on the same being certified to him by one of the houses, adjourn the legislature, subject to the provisions of Section 9 hereof.

Section 9. Special sessions may be called by the Governor. Special sessions may be ordered by a vote of two-thirds of the legislators, through a poll conducted by the legislative council or as otherwise prescribed by law, which shall cause the legislature to assemble in special session. When the legislature is convened in special session by the Governor there
shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session, or presented to them by the Governor. No special session shall be of longer duration than thirty days.

Section 10. There shall be a legislative council and such other interim committees as the legislature may establish. The council and other committees may meet between sessions and perform such duties and employ other persons as the legislature may direct or permit. Members of the council and other committees may receive an allowance for expenses during the performance of their duties.

Section 11. The Houses of each legislature shall adopt uniform rules of procedure. Each house shall have the power to choose its officers and employees, shall be the judge of the elections and qualifications of its members; and each house shall keep a journal of its proceedings. A majority of the members to which each house is entitled shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may compel the attendance of absent members. The legislature shall have the power to regulate lobbying.

Section 12. The legislature shall direct by law
in what manner suits may be brought against the state.

Section 13. All civil officers of this state shall be liable for impeachment by the legislature. A motion for impeachment shall arise in the Senate and shall be by two-thirds vote of all the Senators. Such motion shall list fully the basis for the proceeding. The trial on impeachment shall be conducted before the house of representatives, and a Justice of the Supreme Court designated by the Court shall preside. A vote of two-thirds of all the members of the house of representatives is required to render a judgement of impeachment. Judgement of impeachment shall not extend beyond removal from office, but shall not prevent punishment of such officer by the courts on charges growing out of the same matter.

Section 14. The governor shall have the power to veto bills passed by the legislature. The governor may veto appropriation bills by item, by striking or reducing specific appropriations. If the governor vetoes a bill he shall return it to the house of origin together with his objections. The legislature sitting as one body shall immediately reconsider the passage of the bill. Bills not carrying appropriations or affecting the expenditure of monies shall become law by a two-
thirds vote of the total number of legislators
to which the state is entitled. Bills carrying
appropriations, dealing with taxation or affecting
payments of monies under existing statutes, or an
item or items in the general appropriations bill shall
become law upon the affirmative vote of three-fourths
of the total number of legislators to which the state
is entitled. The vote on reconsideration of a vetoed
bill shall be entered on the journals of both houses.
While the legislature is in session, if the Governor
neither signs nor vetoes a bill within fifteen days
(Sundays excepted) after it is delivered to him, it
shall become law without his signature. If the
legislature is not in session and the Governor neither
signs nor vetoes a bill within twenty days (Sundays
excepted) after it has been presented to him, the
same shall be law in like manner as if he had signed
it.

Section 15. The legislature shall establish the
procedure for enactment of bills into law, and no
bill shall become law without an affirmative vote of
a majority of the membership of each house, and the
yeas and nays on final passage shall be entered in
the journal. Every bill, except bills for appropria-
tions and bills for codification, revision, or
rearrangement of existing laws, shall be confined to one subject, which shall be expressed in the title.

Bills for appropriations shall be confined to appropriations. The enacting clause of each law shall be, "Be it enacted by the legislature of the State of Alaska."

No bill shall become law unless it shall pass three readings in each house on separate days except that any bill may be advanced from second to third reading by a three-fourths majority of the house having the bill under consideration.

Section 16. No law passed by the legislature, except the general appropriation act, shall take effect until ninety days after the adjournment of the session at which it was enacted, unless in case of emergency, which emergency must be expressed in the act, the legislature shall, by a vote of two-thirds of all the members of each house, otherwise direct.

Section 17. The legislature shall pass no local or special act in any case where a general act can be made applicable, and whether a general act can be made applicable shall be a matter for judicial determination. No local act calling for use of funds to be appropriated by a political subdivision shall take effect until approved by a majority of the qualified voters voting thereon in the district to be affected.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 16. Line 11:
After period add the following:

"The enacting clause of each law shall be, "Be it enacted by the legislature of the state of Alaska." No bill shall become law unless it shall pass three readings in each house, or separate days."

Not all amendment
Page 3, Section 8, line 14, add the following at the end of this section: "If the two houses cannot agree on the time of adjournment, the Governor may, on the same being certified to him by one of the houses, adjourn the legislature, subject to the provisions of Section 9 hereof."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 9, pg. 3, line 17, strike the word "directed" and insert the word "conducted".
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

P. 3, line 18

strike "after council and after council"

and insert "or as otherwise prescribed by law;"

[Signature]

Constitutional Convention
By
Date

[Note: Adopted]
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 7

MR. PRESIDENT:

I move that (Committee) Proposal No. 7 be amended as follows:

Sec. 11

Line 7 delete second "of"

insert "to which"

and after "house"

"is entitled"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 12, line 17 strike the words "and in what court" and in line 18 strike the words "is agency thereof."
AMENDMENT TO (COMMITTEE) PROPOSAL NO._______

MR. PRESIDENT:

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

Strike "representatives" and insert "origin".
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 15, line 20, after the word "shall" insert the word "immediately"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 15, page 5, line 17 after period insert the following sentence: The governor may veto appropriation bills by item, by striking or reducing specific appropriations.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

"... in each house in separate days."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 16, line 16

Delete first "a" and insert "an affirmative"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

Mr. President:

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

Section 16

Add to Mr. Johnson's amendment strike period, and

"except that any bill may be advanced from second to third reading by a three-fourths majority of the house having the bill under consideration."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 18, line 8

after the words "to local act"

insert: "calling for use of funds to be appropriated by a political subdivision"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Strike section 25 to be taken up with the appointment article.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. ________

MR. PRESIDENT:

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

Add to Mr. Johnson's amendment:

Strike period, add "unless ordered by a three-fourths majority of the house."

(Except that any bill may be passed from second to third reading by a three-fourths majority of the house, having the bill under consideration.)
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 12, line 17 strike "in what Court"

and in line 18 strike the words "or agencies thereof"

so that the section reads:

"The legislature shall direct by law in what manner suits may be brought against the state"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

PAGE 2

SECTION 5.

strike second sentence
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 5 - Line 8.

Delete word "hold" and substitute "be nominated, elected, or appointed to"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

I move that (Committee Proposal No. 5 be amended as follows:

Page 3, Section 8, Line 14 Add the following at the end of this section: "If the two houses cannot agree on the time of adjournment, the Governor may, on the same being certified to him by one of the houses, adjourn the legislature to such time as he shall think proper but not beyond the day set for the opening of the next regular session," subject to the provisions of Section 9 hereof.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Delete section 24 and refer to Finance and Taxation
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Strike Section 23 and refer to Ordinance Finance and Taxation.

adopted well said
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Strike Section 22

adopted 6/2
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:
I move that (Committee) Proposal No. 5 be amended as follows:

[Handwritten: Strike section 21]
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 6

MR. PRESIDENT:

I move that (Committee) Proposal No. 6 be amended as follows:

1. strike section 19.

2. and refer to Finance and Taxation

adopted 4/10
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Sec. 18.

Line 8

after the words "No local act"
insert: "calling for use of funds to be appropriated by a political subdivision"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

See page 1, line 17: after the period insert the following: The governor may veto appropriation bills by item, by striking or reducing specific appropriations.
Amendment No. ______

Constitutional Convention

By Robertson

Date January 11, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. [5]

MR. PRESIDENT:

I move that (Committee) Proposal No. [5] be amended as follows:

Section 16, Line 16,

delete first "a" and insert "an affirmative."

Robertson
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 15, Line 20 - after the word "shall",

insert the word "immediately".
AMENDMENT TO (COMMITTEE) PROPOSAL NO.  

MR. PRESIDENT:

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

fine it after word "state" add the words "except members of Boards."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 1, line 3, strike "not more than" and on line 4, strike "not more than"

Section 5, line 15, after the word "office", insert the words "in the Congress of the United States"
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section One.

Prop One, line 3, strike the words "of not more than 20 members" on line 4 strike of "not more than 40 members" so that Section One reads:

The legislative power and authority of the State is vested in a Legislature, which consists of a Senate and a House of Representatives."
AMENDMENT NO. ______

Constitutional Convention
By [Signature]
Date Jan 10, 1955

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

"After the word "January" on line 18 of Page 1 and after the words "January" on line 12, Page 3, insert the words "unless otherwise provided by law"."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 5, line 8
Delete word "held" and substitute "be nominated, elected, or appointed to"
Amendment No. ______

Constitutional Convention
By ______
Date ______

AMENDMENT TO (COMMITTEE) PROPOSAL NO. ______

MR. PRESIDENT:

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

[Addenda: page 5, Section 5 - page 2, strike second sentence]
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

That following the word "arrest" in line 25, Section 6 (page 20 of proposal) the following be inserted:

"and not subject to civil process"
Amendment No. ______  Constitutional Convention

By BUCKALEW

Date Jan. 10, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

See 7 Line 4 Strike all material seen following the first No. 5 Amending up to land in lioring. Wins "Governo" line 5

Adopted roll call
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Section 7, line 4, strike all material following the first word "salary" up to and including the word "government" on line 5.