Section 14, Article XII,
Style & Drafting, Feb 2, 1956,
given to J. Fitzgerald on
Fish Trap issue, June 1959,
Dec 1
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article XII
February 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

Disclaimer
and Agreement

1 Section 14. The State of Alaska and its people
2 forever disclaim all right and title in or to any
3 property belonging to the United States, or subject
4 to its disposition, and not granted or confirmed to
5 the State or its political subdivisions, by or under
6 the act admitting Alaska to the Union. The State and
7 its people further disclaim all right or title in or
8 to any property the right or title to which may be
9 held by or for any Indian, Eskimo or Aleut, or com-
10 munity thereof, as that right or title is defined in
11 the act of admission. The State and its people agree
12 that, unless otherwise provided by Congress, the
13 property, as described in this section, shall remain
14 subject to the absolute disposition of the United
15 States. They further agree that no taxes will be
16 imposed upon any such property, until otherwise pro-
17 vided by the Congress. This tax exemption shall not
18 apply to property held by individuals in fee without
19 restrictions on alienation.
ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

Section 14. The State of Alaska and its people forever disclaim all right and title in or to any property belonging to the United States, or subject to its disposition, and not granted or confirmed to the State or its political subdivisions, by or under the act admitting Alaska to the Union. The State and its people further disclaim all right or title in or to any property the right or title to which may be held by or for any Indian, Eskimo or Aleut, or community thereof, as that right or title is defined in the act of admission. The State and its people agree that, unless otherwise provided by Congress, the property, as described in this section, shall remain subject to the absolute disposition of the United States. They further agree that no taxes will be imposed upon any such property, until otherwise provided by the Congress. This tax exemption shall not apply to property held by individuals in fee without restrictions on alienation.
Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on General and Miscellaneous for consideration by the Convention.

Respectfully submitted,

George Sundborg, Chairman
R. Rolland Armstrong
Edward V. Davis
Victor Fischer
Mildred R. Hermann
James J. Hurley
Maurice T. Johnson
George M. McLaughlin
Katherine D. Nordale
ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

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

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

Section 3. No person who advocates, or who aids or belongs to any party or organization or association which advocates, the overthrow by force or violence of the government of the United States or of the State shall be qualified to hold any public office of trust or profit under this constitution.
Section 4. All public officers, before entering upon the duties of their offices, shall take and subscribe to the following oath or affirmation:

"I do solemnly swear, or affirm, that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as ___ to the best of my ability". The legislature may prescribe further oaths or affirmations.

Section 5. The State and its political subdivisions may cooperate with the United States and its territories and with other states and their political subdivisions on matters of common interest. The respective legislative bodies may make appropriations for this purpose. The governor shall act as the agent of the State in all intergovernmental relations involving the State.

Section 6. Titles and subtitles shall not be used in construing this constitution. Personal pronouns used in this constitution shall be construed as including persons of both sexes.

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

Section 8. The provisions of this constitution
Self-executing 1 shall be construed to be self-executing whenever possible.

Law-Making Powers

| Section 9 | As used in this constitution, the terms "by law" and "by the legislature", or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI. |

Office of Profit

| Section 10 | Service in the armed forces of the United States or of the State is not an office or position of profit as the term is used in this constitution. |

Consent to Enabling Act

| Section 11 | All provisions of the act admitting Alaska to the Union which reserve rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property, are consented to fully by the State and its people. |

State University

| Section 12 | The University of Alaska is hereby established as the state university and constituted a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be |
Section 13. The University of Alaska shall be governed by a board of regents. The regents shall be nominated and appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.
RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

GENERAL AND MISCELLANEOUS PROVISIONS

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

Section 2. Membership in any employees' retirement system of the State or any political subdivision thereof shall be a contractual relationship, the accrued benefits of which shall not be diminished or impaired.

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

Section 4. All public officers, before entering upon the duties of their respective offices, shall take
and subscribe to the following oath or affirmation "I
do solemnly swear (or affirm) that I will support and
defend the Constitution of the United States, and the
Constitution of the State of Alaska, and that I will
faithfully discharge my duties as _______________
to the best of my ability". The legislature may pre-
scribe further oaths or affirmations.

Section 5. The State and its political subdivi-
sions may cooperate with the United States and its
territories and with other states and their political
subdivisions on matters of common interest. The res-
pective legislative bodies may appropriate such sums
as may be necessary for this purpose. In all inter-
governmental relations involving the state, the Gover-
nor shall act as the agent of the state.

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

Section 7. Titles, subtitles and marginal titles are not to be used for purposes of interpreting this Constitution.

Section 8. In this Constitution the personal pronoun is to be interpreted to include persons of both sexes.

Section 9. The enumeration in this Constitution of specified powers is not to be interpreted as a limitation upon the powers of the state government.

Section 10. The provisions of this Constitution are to be interpreted as self-executing whenever possible.

Section 11. Service in the armed forces of the United States or of the State is not an office or position of profit as the term is used in this Constitution.

Section 12. The state of Alaska and its people do agree that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of the Act of Admission of this state, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights) the right or title to which may be held by any Indians.
Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe and except when held by individual natives in fee without restrictions on alienation; and that no taxes shall be imposed by the State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restriction on alienation.

Section 13. All provisions of the Act admitting Alaska to the Union which reserves rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property made to Alaska, are consented to fully by the state of Alaska and its people.
Report of the Committee on Ordinances and Transitional Measures

Honorable William A. Egan
Alaska Constitutional Convention

Dear President Egan:

Your committee on Ordinances and Transitional Measures submits herewith a proposal for consideration of the Convention. These are additional miscellaneous matters that can appropriately be considered in conjunction with Committee Proposal No. 12 on "General and Miscellaneous Provisions".

Respectfully submitted,

Robert J. McNealy, Chairman
James Hurley
Herb Hilscher
Seaborn J. Buckalew
Yule F. Kilcher
William W. Knight
W. W. Laws
B. D. Stewart
H. R. VanderLeest

Committee Proposal No. 16
Constitutional Convention of Alaska

COMMITTEE PROPOSAL NO. 16

Introduced by Committee on Ordinances and Transitional Measures

GENERAL AND MISCELLANEOUS PROVISIONS

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

Disclaimer Regarding Native Lands

Section 1. The state of Alaska and its people do agree that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of the Act of Admission of this state, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights) the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of.

Committee Proposal No. 16
under its authority, except to such extent as the
Congress has prescribed or may hereafter prescribe
and except when held by individual natives in fee
without restriction on alienation; and that no
taxes shall be imposed by the State upon any lands
or other property now owned or hereafter acquired
by the United States or which, as hereinabove set
forth, may belong to said natives, except to such
extent as the Congress has prescribed or may here­
after prescribe, and except when held by individual
natives in fee without restriction on alienation;
and no legislative act by the State of Alaska shall
be taken thereon. Nothing in this section shall
prevent this state from accepting any payments in
lieu of taxes that may be authorized by the Congress.
The foregoing ordinance shall be irrevocable with­
out the consent of the United States and the people
of this State.

Section 2. The State of Alaska and its people
hereby consent to all and singular the provisions
of the Enabling Act that is passed by Congress and
approved by the President for the admission of
Alaska into the Union of States.

Section 3. The University of Alaska is hereby
established as the state university and constituted
1 a body corporate to continue uninterrupted in all respects as provided by law.
ALASKA CONSTITUTIONAL CONVENTION

Report of the Style and Drafting Committee

Honorable William A. Egan
Alaska Constitutional Convention

Dear President Egan:

Your committee on Style and Drafting submits herewith a proposal for consideration by the Convention. The proposal covers the subjects which the Committee Chairmen asked this Committee to consider (see Convention/16).

It would be appropriate for the Convention to consider this proposal in conjunction with Committee Proposal No. 12 on "General and Miscellaneous Provisions".

Respectfully submitted,

George Sundborg, Chairman
R. Rolland Armstrong
Edward V. Davis
Victor Fischer
Hildred R. Hermann
James J. Hurley
Maurice T. Johnson
George H. McLaughlin
Katherine D. Nordale

Committee Proposal No. 15
Section 1. Titles, subtitles and marginal titles are not to be used for purposes of interpreting this Constitution.

Section 2. In this Constitution the personal pronoun is to be interpreted to include persons of both sexes.

Section 3. The enumeration in this Constitution of specified powers is not to be interpreted as a limitation upon the powers of the state government.

Section 4. The provisions of this Constitution are to be interpreted as self-executing whenever possible.
ALASKA CONSTITUTIONAL CONVENTION

Report of the Committee on Executive Branch

Honorable 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 entitled General and Miscellaneous Provisions;
although these provisions are of particular interest to
this committee, they were not included in the proposed
Article on the Executive Branch because they have appli-
cation also to the other branches of government.

A commentary is also attached which explains the
purpose of each section.

Respectfully submitted,
Victor Rivers, Chairman
Frank Barr
John C. Boswell
Thomas C. Harris
Maynard D. Londborg
Katharine Nordale
H. R. VanderLeest
Constitutional Convention
Committee Proposal/12
December 16, 1955

ALASKA CONSTITUTIONAL CONVENTION
COMMITTEE PROPOSAL NO. 12
Introduced by Committee on Executive Branch
Article Containing General and Miscellaneous Provisions

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

Merit Principle Employees Retirement Disqualification
1 Section 1. The legislature shall provide for a system under which the employment of persons by the State shall be governed by the merit principle.
2
3

Employees Retirement Disqualification
4 Section 2. Membership in any employees' retirement system of the State or any political subdivision thereof shall be a contractual relationship, the accrued benefits of which shall not be diminished or impaired.
5
6
7
8

Disqualification for Disloyalty
9 Section 3. No person who advocates, or who aids or belongs to any party, organization or for Disloyalty
10 association which advocates, the overthrow by force
11 of violence of the government of this State or of the United States shall be qualified to hold any public office or employment.
12
13
14

Oath of Office
15 Section 4. All public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation
16
17

COMMITTEE PROPOSAL NO. 12
"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as __________________ to the best of my ability".

The legislature may prescribe further oaths or affirmations.

Section 5. The State and its political subdivisions may cooperate with the United States and its territories and with other states and their political subdivisions on matters of common interest and, to the extent consistent with the laws of the United States, with foreign nations. The respective legislative bodies may appropriate such sums as may be necessary for this purpose. In all intergovernmental relations involving the state, the Governor shall act as the agent of the state.
Commentary on the Article on General and Miscellaneous Provisions

Section 1. Merit Principle: Only employment in certain Federally aided programs of the Territory is now governed by the merit principle. This section would call upon the legislature to establish a system under which employment generally by the state would be governed by the merit principle. A system governed by the merit principle would be one, for example, which comprehended professional, technical, clerical, and administrative positions of the state government. The positions comprehended within the system would be classified according to duties and responsibilities. Salary ranges would be established for the various classes of positions. Appointments would be made according to merit and fitness which would be ascertained, so far as practicable, by competitive examinations.

Section 2. Employee's Retirement. This will assure state and municipal employees who are now tied into various retirement plans that their benefits under these plans will not be diminished or impaired when the Territory becomes a state.

Section 3. Disqualification for Disloyalty. This conforms with the language of the Congressional enabling bills.
Section 4. Oath of Office. The oath is self-explanatory.

Section 5. Intergovernmental Relations. This provision is recommended mainly in order to make it clear that the state can participate in cooperative programs such as the Western Interstate Compact on Higher Education even though such programs may involve the expenditure of public funds outside the state. Some states have had to amend their constitutions in order to participate in such programs.

This provision would also authorize local government units in Alaska to cooperate with Federal agencies on grant-in-aid programs such as housing and airport construction. Local government units could maintain direct relations with Federal agencies, but the Governor would serve as agent for the state in developing the intergovernmental relations of state agencies.

In view of the close relationships which Alaska will have with the neighboring Canadian provinces, explicit authority is granted to the state to cooperate with foreign nations to the extent consistent with the laws of the United States.