ALASKA CONSTITUTIONAL CONVENTION
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on The Legislature 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 H. McLaughlin
Katherine D. Nordale
January 23, 1956

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/5

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE II

THE LEGISLATURE

Legislative Power: Members

Section 1. The legislative power of the State is vested in a legislature consisting of a senate with a membership of twenty and a house of representatives with a membership of forty.

Members: Qualifications

Section 2. A member of the legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his filing for office. A senator shall be at least twenty-five years of age and a representative at least twenty-one years of age.

Election and Terms

Section 3. Legislators are elected at general elections. Their terms begin on the fourth Monday of the January following election unless otherwise provided by law. The term of representatives is two years. The term of senators is four years. One-half of the senators shall be elected every two years.

Vacancies
for the unexpired term as provided by law. If no provision is made, the governor fills the vacancy by appointment.

Section 5. During the term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member.

This section does not apply to employment by or election or succession of any person by governor, secretary.

Section 6. Legislators may not be held to answer before any other tribunal for any statement made or action taken in the exercise of their legislative duties.

Members attending, going to or returning from legislative sessions are not subject to civil process and are privileged from arrest except for felony or breach of the peace.

Section 7. Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation.

Section 8. The legislature shall convene each year on the fourth Monday in January, but the month and day may be changed by law.
Special Sessions

Section 9. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor legislation is limited to subjects designated in his proclamation calling the session or to subjects presented by him. Special sessions are limited to thirty days.

Adjournment

Section 10. Neither house may adjourn or recess for longer than three days unless the other concurs. If the two houses cannot agree on the time of adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature.

Interim Committees

Section 11. There shall be a legislative council. The legislature may establish other interim committees. The council and other interim committees may meet between legislative sessions. They may perform duties and employ personnel as provided by the legislature. Their members may receive an allowance for expenses while performing their duties.

Rules

Section 12. The houses of each legislature shall adopt uniform rules of procedure. Each house may choose its officers and employees. Each is the judge of the election and qualifications of its members. Each shall keep a journal of its proceedings. A majority
of the membership of each house constitutes a quorum to
do business, but a smaller number may adjourn from day
to day and may compel attendance of absent members. The
legislature may regulate lobbying.

Section 13. Every bill shall be confined to one sub-
ject unless it is an appropriation bill or one codifying,
revising or rearranging existing laws. Bills for appro-
priations shall be confined to appropriations. The sub-
ject of each bill shall be expressed in the title. The
enacting clause shall be: "Be it enacted by the legisla-
ture of the State of Alaska."

Section 14. The legislature shall establish the pro-
cedure for enactment of bills into law. No bill may be-
come law unless it has passed three readings in each
house on separate days, except that any bill may be ad-
vanced from second to third reading on the same day by
concurrence of three-fourths of the house considering it.
No bill may become law without an affirmative vote of a
majority of the membership of each house. The yeas and
nays on final passage shall be entered in the journal.

Section 15. The governor may veto bills passed by
the legislature. He may by veto strike or reduce items
in appropriation bills. He shall return any vetoed bill,
with a statement of his objections, to the house of origin.

Form of
Bills

Passage of
Bills

Veto
Section 16. Upon receipt of a veto message, the legislature shall meet immediately in joint session and reconsider passage of the vetoed bill or item. Appropriation bills or items and bills dealing with taxation or affecting expenditures, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature. Other vetoed bills become law by affirmative vote of two-thirds of the membership of the legislature. The vote on reconsideration of a vetoed bill shall be entered on the journals of both houses.

Section 17. A bill becomes law if, while the legislature is in session, the governor neither signs nor vetoes it within fifteen days, Sundays excepted, after its delivery to him. If the legislature is not in session and the governor neither signs nor vetoes a bill within twenty days, Sundays excepted, after its delivery to him, the bill becomes law.

Section 18. Laws passed by the legislature, except general appropriation acts, do not become effective until ninety days after adjournment of the session at which enacted. The legislature may, by concurrence of two-thirds of the membership of each house, provide for an earlier effective date, in case of emergency. The emergency must be expressed in the act.
Section 19. The legislature shall pass no local or special act if a general act can be made applicable. Whether a general act can be made applicable shall be subject to judicial determination. Local acts necessitating appropriations by a political subdivision may not become effective unless approved by a majority of the qualified voters voting thereon in the subdivision affected.

Section 20. All civil officers of the State are subject to impeachment by the legislature. Impeachment originates in the senate and must be approved by a two-thirds vote of its members. The motion for impeachment shall list fully the basis for the proceeding. Trial on impeachment is conducted by the house of representatives. A supreme court justice designated by the court presides at the trial. Concurrence of two-thirds of the members of the house is required for a judgment of impeachment. The judgment may not extend beyond removal from office, but shall not prevent proceedings in the courts on the same or related charges.

Section 21. The legislature shall establish procedures for suits 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, Line 4, Begin the section with the following by inserting ahead of "During— the following—"

No legislator shall hold any other office or position of profit under the United States or the state—
MR. PRESIDENT:

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

Sect 5, page 2, beginning online 9- strike line 9 and 10 and insert the following.

"This section does not prohibit the election of any person as governor, secretary of state or member of a constitutional convention or the employment of any person by a constitutional convention, or election to Congress."
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

Page 2, Section 6, Line 12— after the word "made"—strike the words or action taken. On line 13, strike the period after "duties" and add, "while the legislature is in session."
MR. PRESIDENT:

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

Section 12, page 4, line 4—change "may" to "shall".
MR. PRESIDENT:

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

Page 5, Section 16, beginning on line 4, strike the words "— and bills dealing with taxation or affecting expenditures—". Insert in lieu, the following words— "— or bills to raise revenue—".
AMENDMENT TO (COMMITTEE) PROPOSAL NO._______

MR. PRESIDENT:

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

Lines 18-19 strike "except jail appjen acts, do not"

Line 19 strike "until"

Line 20 substitute "inustainment" for "adjournment" place period after "sustainment" strike balance of sentence.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5

MR. PRESIDENT:

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

See 18. as amended by Riley Amendment,
line 12 - change "earlier" to "another"
line 23 - put period after word "date"
+ strike balance of section.

Accepted
Voice vote
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5 (Article II)

MR. PRESIDENT:

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

Section 5, page 2, beginning on line 9, strike lines 9 and 10 and insert the following: "This section does not prohibit the election of any person as governor, secretary of state or member of a constitutional convention or the employment of any person by a constitutional convention or election to the Congress."

Section 5, page 2, **beginning**, add to above amendment: after "election" on line 1: "appointment or succession".

Page 2, Section 6, line 12, after the word "made" strike the words "or action taken". On line 13, strike the period after "duties" and add "while the legislature is in session".

Section 12, page 4, line 4, change "may" to "shall".

Page 5, Section 16, beginning on line 4, strike the words "and bills dealing with taxation or affecting expenditures" and insert in lieu thereof the following: "and bills to raise revenue".

Page 5, lines 18 and 19, strike "except general appropriation acts, do not"; line 19, strike "until"; line 20, substitute "enactment" for "adjournment"; place period after "enactment" and strike the balance of the sentence.

Section 18, lines 22 and 23, change "earlier" to "another"; line 23, put period after word "date" and strike balance of the section.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 5 (Article II)

MR. PRESIDENT:

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

Section 5. No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state or member of Congress. This section shall not apply to employment by or election to a constitutional convention."

"Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature."
ALASKA CONSTITUTIONAL CONVENTION

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of amendments to the Article on the Legislature which was recommitted to us last night.

Section 5. This section was amended on the floor to read as follows:

Section 5. No legislator shall hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section does not prohibit the election, appointment or succession of any person as governor, secretary of state, or member of a constitutional convention, or the employment of anyone by a constitutional convention, or election to the Congress.

We recommend that the section be as follows:

Section 5. No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state or member of Congress. This section shall not apply to employment by or election to a constitutional convention.

Style & Drafting/Article II

Accepted 1/26/56
Section 6. We recommend that the language, as amended on the floor, be retained.

Section 12. We recommend that the language, as amended on the floor, be retained.

Section 16. The second sentence in this section was amended on the floor to read as follows:

Appropriation bills or items and bills to raise revenue, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature.

We recommend that the sentence be as follows:

Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature.

Section 18. We recommend that the language, as amended on the floor, be retained.

Respectfully submitted,

George Sundborg, Chairman
R. Rolland Armstrong
Edward V. Davis
Victor Fischer
Mildred R. Hermann
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Maurice T. Johnson
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Katherine D. Nordale
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ARTICLE II

THE LEGISLATURE

Legislative Power; Membership

Section 1. The legislative power of the State is vested in a legislature consisting of a senate with a membership of twenty and a house of representatives with a membership of forty.

Members: Qualifications

Section 2. A member of the legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his filing for office. A senator shall be at least twenty-five years of age and a representative at least twenty-one years of age.

Election and Terms

Section 3. Legislators are elected at general elections. Their terms begin on the fourth Monday of the January following election unless otherwise provided by law. The term of representatives is two years. The term of senators is four years. One-half of the senators shall be elected every two years.

Vacancies

Section 4. A vacancy in the legislature is filled
1 for the unexpired term as provided by law. If no pro-
2 vision is made, the governor fills the vacancy by appoint-
3 ment.

Disqualifi-
4 Section 5. During the term for which elected and
5 cations
6 for one year thereafter, no legislator may be nominated,
7 elected or appointed to any other office or position of
8 profit which has been created, or the salary or emolu-
9 ments of which have been increased, while he was a member.
10 This section does not apply to employment by or election
11 to a constitutional convention.

Immunities
12 Section 6. Legislators may not be held to answer
13 before any other tribunal for any statement made or ac-
14 tion taken in the exercise of their legislative duties.
15 Members attending, going to or returning from legislative
16 sessions are not subject to civil process and are pri-
17 vileged from arrest except for felony or breach of the
18 peace.

Salary and
19 Section 7. Legislators shall receive annual salaries.
Expenses
20 They may receive a per diem allowance for expenses while
21 in session and are entitled to travel expenses going to
22 and from sessions. Presiding officers may receive addi-
23 tional compensation.

Regular
23 Section 8. The legislature shall convene each year
Sessions
24 on the fourth Monday in January, but the month and day
25 may be changed by law.
Section 9. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor legislation is limited to subjects designated in his proclamation calling the session or to subjects presented by him. Special sessions are limited to thirty days.

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of the membership of each house constitutes a quorum to do business, but a smaller number may adjourn from day to day and may compel attendance of absent members. The legislature may regulate lobbying.

Section 13. Every bill shall be confined to one subject unless it is an appropriation bill or one codifying, revising or rearranging existing laws. Bills for appropriations shall be confined to appropriations. The subject of each bill shall be expressed in the title. The enacting clause shall be: "Be it enacted by the legislature of the State of Alaska."

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