CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE III

THE EXECUTIVE

<table>
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<th>Executive Power</th>
<th>1</th>
<th>Section 1. The executive power of the State is vested in the governor.</th>
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<td>Qualifications of Governor</td>
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<td>3</td>
<td>Section 2. The governor shall be at least thirty years of age and a qualified voter of the State. He shall have been a resident of Alaska at least seven years immediately preceding his filing for office, and he shall have been a citizen of the United States for at least seven years.</td>
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<td>Election</td>
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<td>5</td>
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<td>Term of Office</td>
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<td>Section 4. The term of office of the governor is four years, beginning at noon on the first Monday in December following his election and ending at noon on the first Monday in December four years later.</td>
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Limit on Tenure

Section 5. No person who has been elected governor for two full successive terms shall be again eligible to hold that office until one full term has intervened.

Dual Office Holding

Section 6. The governor shall not hold any other office or position of profit under the United States, the State or its political subdivisions.

Secretary of State: Duties

Section 7. There shall be a secretary of state. He shall have the same qualifications as the governor and serve for the same term. He shall perform such duties as may be prescribed by law and as may be delegated to him by the governor.

Election

Section 8. The secretary of state shall be nominated in the manner provided by law for nominating candidates for other elective offices. In the general election the votes cast for a candidate for governor shall be considered as cast also for the candidate for secretary of state running jointly with him. The candidate whose name appears on the ballot jointly with that of the successful candidate for governor is elected secretary of state.

Acting Governor

Section 9. In case of the temporary absence of the governor from office, the secretary of state serves as acting governor.

Succession: Failure to Qualify

Section 10. In case a governor-elect fails to qualify and assume office for any reason, the person
elected with him as secretary of state shall succeed to the office of governor for the full term.

Vacancy

Section 11. In case of a vacancy in the office of governor for any reason the secretary of state shall succeed to the office for the remainder of the term.

Absence

Section 12. Whenever for a period of six months a governor shall have been continuously absent from the State or shall have been unable to discharge the duties of his office by reason of mental or physical disability, the office shall be deemed vacant. The procedure for determining continuous absence and disability shall be prescribed by law.

Further Succession

Section 13. If for any reason the secretary of state is incapable of succeeding to the office of governor, the vacancy in the office of governor shall be filled as prescribed by law. No election of a secretary of state shall be held except at the time of electing a governor.

Title and Authority

Section 14. When the secretary of state or other officer succeeds to the office of governor, he shall have the title, powers, duties, and emoluments of that office.

Compensation

Section 15. The compensation of the governor and the secretary of state shall be prescribed by law and shall not be diminished during their term of office,
Section 16. The governor is responsible for the faithful execution of the laws. He may, by appropriate court action or proceeding brought in the name of the State, enforce compliance with any constitutional or legislative mandate, or restrain violation of any constitutional or legislative power, duty or right by any officer, department or agency of the State or any of its political subdivisions. This authority shall not be construed to authorize any action or proceeding against the legislature.

Section 17. Whenever the governor considers it in the public interest, he may convene the legislature, either house, or the two houses in joint session.

Section 18. The governor shall, at the beginning of each session, and may at other times, give the legislature information concerning the affairs of the State and recommend the measures he considers necessary.

Section 19. The governor is commander-in-chief of the armed forces of the State. He may call out these forces to execute the laws, suppress or prevent insurrection or lawless violence, or repel invasion. The governor, as provided by law, shall nominate and appoint all general and flag officers of the armed forces of
Martial Law

Section 20. The governor may proclaim martial law when the public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall not continue for longer than 20 days without the approval of a majority of the members of the legislature in joint session.

Executive Clemency

Section 21. Subject to procedure prescribed by law, the governor may grant pardons, commutations and reprieves, and may suspend and remit fines and forfeitures. This power shall not extend to impeachment. A parole system shall be provided by law.

Executive Branch: Principal Departments

Section 22. All executive and administrative offices, departments, and agencies of the state government and their respective functions, powers and duties shall be allocated by law among and within not more than twenty principal departments, so as to group them as far as practicable according to major purposes. Regulatory, quasi-judicial and temporary agencies may be established by law and need not be allocated within a principal department.

Reorganization

Section 23. The governor may make changes in the organization of the executive branch or in the
Supervision

Department Heads

Boards and Commissions

assignment of functions among its units which he considers necessary for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders, which shall become effective at the close of the next regular session of the legislature, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session.

Section 24. Each principal department shall be under the supervision of the governor.

Section 25. The head of each principal department shall be a single executive unless otherwise provided by law. He shall be nominated and appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the secretary of state. The heads of all principal departments shall be citizens of the United States.

Section 26. When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be nominated and appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law.
They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

Section 27. The governor may make appointments to fill vacancies occurring during a recess of the legislature in offices requiring confirmation by the legislature. The duration of such appointments shall be prescribed by law.
Dear President Egan:

Your Committee on Style and Drafting herewith presents its suggestions for redraft of substantive amendments made yesterday to the Article on the Executive.

Section 10. We recommend that the language, as amended on the floor, be retained.

Section 13. This section was amended on the floor to read as follows:

Section 13. Provision shall be made by law for succession to the office of governor and for an acting governor in the event that the secretary of state is unable to succeed to the office. Provision shall also be made for a person to serve as acting governor in the event that the secretary of state is unable to act as governor. No election of a secretary of state shall be held except at the time of electing a governor.

We recommend that the section be as follows:

Section 13. Provision shall be made by law for succession to the office of governor and for an acting governor in the event that the secretary of state is unable to succeed to the officer or act as governor. No election of a secretary of state shall be held except at the time of electing a governor.

Section 23. The end of section 23, after the word "orders" on line 4 of page 6, was amended on the floor to read as follows:
These orders shall become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session.

We recommend that the section be as follows:

The legislature shall have sixty days of a regular session, or a full session if of shorter duration, to disapprove these executive orders. Unless disapproved by resolution concurred in by a majority of the members in joint session, these orders become effective at a date thereafter to be designated by the governor.

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
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10 (Article III)

MR. PRESIDENT:

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

Section 10, page 2, strike the section and insert the following:
"Section 10. If the governor-elect dies, resigns or is disqualified, the secretary of state elected with him shall succeed to the office of governor for the full term. If the governor-elect fails to assume office for any other reason, the secretary of state elected with him shall serve as acting governor and shall succeed to the office if the governor-elect does not assume his office within six months of the beginning of the term."

Section 13, page 3, strike the section and insert the following:
"Section 13. Provision shall be made by law for succession to the office of governor in the event that the secretary of state is unable to succeed to the office. Provision shall also be made for a person to serve as acting governor in the event that the secretary of state shall be held except at the time of electing a governor."

Section 23, page 6, line 4, insert period after the word "orders", strike the balance of section and substitute the following:
"these orders shall become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session."

See attached Style and Drafting report.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 10 (Article III)

MR. PRESIDENT:

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

Section 14, lines 19 and 20, strike the words "or other officer".
AMENDMENT TO (COMMITTEE) PROPOSAL NO. **10** (Article III)

MR. PRESIDENT:

I move that (Committee) Proposal No. **10** (IIa) amended as follows:

"insert the words "filing for office" in the Executive article in place of the language now there, "prior to his election". ...."
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Messages to Legislature

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1. the State, subject to confirmation by a majority of
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