

SJR

2

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 1-21-87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: JUDICIARY

\*\*FISCAL NOTE(S) ATTACHED 0 \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/19/87

DATE TURNED INTO OFFICE 1-28-87

Mr. President:

STATE AFFAIRS

Committee considered SJR 2

Proposing an amendment to the Constitution of the State of Alaska  
relating to the rights of states.

and recommended:

replace with CS \_\_\_\_\_  same title  
 attached amendment(s) and  new title

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*William T. King - No Rec.*  
*Paul Vell - No Rec.*  
*Jan Fuchs - No Rec.*

*[Signature]*  
Chairman signature and recommendation

Committee Backup Attached

SENATE JOINT RESOLUTION 2

Proposing an amendment to the Constitution of the State of  
Alaska relating to the rights of states

1/19/87 SJR 2

1/28/87 Memorandum from Senator Coghill regarding a  
summary of background for SJR 2

Copy of ARTICLE 1, SECTION 2, of the Alaska Constitution

Senator John B. (Jack) Coghill  
Alaska State Legislature

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January 28, 1987

TO: All Members of the Senate  
State Affairs Committee

FROM: Senator Jack Coghill

RE: SJR 2

This amendment to the Alaska Constitution will help clarify the philosophy and the powers of our state government in the federal union.

SJR 2 is based on 24 months of study by the Alaska Statehood Commission. The commission, of which I was chairman, was enacted by a vote of the people in 1980 to study Alaska's relationship to the United States. The final product was a report which set forth a plan of action to deal with the federal government.

SJR 2 gives the federal government notice that the State of Alaska will not allow usurpation of the powers afforded the states' by the U.S. Constitution.

The resolution is modeled after Article 1, Section 1 of the Texas Constitution. Texas, which came into the Union as a previously sovereign nation, preserved the maximum amount of powers a state can in the federal union.

This issue is still topical today. The federal/state power dilemma confronts us in land selections, management of fish and game, right-of-way access and our fisheries.

Now, more than ever, we should take an active role in our relationship with the federal government.

# The Constitution of the State of Alaska

## ARTICLE I

### DECLARATION OF RIGHTS

#### Inherent Rights

SECTION 1. This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and to the State.

#### Source of Government

SECTION 2. All political power is inherent in the people. All government originates with the people, is founded upon their will only, and is instituted solely for the good of the people as a whole.

#### Civil Rights

SECTION 3. No person is to be denied the enjoyment of any civil or political right because of race, color, creed, sex, or national origin. The legislature shall implement this section.

(The amendment to this section was approved by the voters of the state August 22, 1972 and became effective October 14, 1972. It added the word "sex" to this section.)

#### Freedom of Religion

SECTION 4. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof.

#### Freedom of Speech

SECTION 5. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.