

CONSTITUTIONAL CONVENTION 400
Articles I to XV - First Style &
Drafting Reports

STYLE AND DRAFTING ARTICLES
First Reports

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NOTE: Final arrangement of articles and ordinances appears in the report of the Style and Drafting Committee dated February 3, 1956. (Folder No. 410)

Constitutional Convention
Committee Proposal/7/Enrolled
Style and Drafting
January 25, 1956

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 Preamble and the Article on Bill of Rights
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

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article I
January 25, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

PREAMBLE

We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil and religious liberty, do ordain and establish this constitution for the State of Alaska.

ARTICLE I

DECLARATION OF RIGHTS

Inherent
Rights

1 Section 1. This constitution is dedicated to the
2 principles that all persons have a natural right to
3 life, liberty, the pursuit of happiness and the enjoy-
4 ment of the rewards of their own industry; that all
5 persons are equal and entitled to equal rights, oppor-
6 tunities and protection under the law; and that all
7 persons have corresponding obligations to the people
8 and to the State.

Source of
Government

9 Section 2. All political power is inherent in
10 the people. Government derives from the consent of the
11 governed and exists solely for the common good.

Civil Rights 1 Section 3. No person is to be denied any civil or
2 political right because of race, color, creed, or
3 national origin. The legislature shall implement
4 this section.

Freedom of Religion 5 Section 4. No law shall be made respecting an
6 establishment of religion, or prohibiting the free
7 exercise thereof.

Freedom of Speech 8 Section 5. Every person may freely speak, write,
9 and publish on all subjects, being responsible for the
10 abuse of that right.

Assembly; Petition 11 Section 6. The right of the people peaceably to
12 assemble, and to petition the government shall never
13 be abridged.

Due Process 14 Section 7. No person shall be deprived of life,
15 liberty, or property, without due process of law. The
16 right of all persons to fair and just treatment in the
17 course of legislative and executive investigations
18 shall not be infringed.

Grand Jury 19 Section 8. No person shall be held to answer for
20 a capital, or otherwise infamous crime, unless on a
21 presentment or indictment of a grand jury, except in
22 cases arising in the armed forces in time of war or
23 public danger. Indictment may be waived by the accused,
24 in which case the prosecution shall be by information.
25 The grand jury consists of at least twelve citizens,

1 a majority of whom concurring may return an indictment.
2 The power of grand juries to investigate and make recom-
3 mendations concerning the public welfare or safety
4 shall never be suspended.

Double Jeop-
ardy; Self-
Incrimination

5 Section 9. No person shall be put in jeopardy
6 twice for the same offense. No person shall be compelled
7 in any criminal proceeding to be a witness against
8 himself.

Treason

9 Section 10. Treason against the State consists
10 only in levying war against it, or in adhering to its
11 enemies, giving them aid and comfort. No person shall
12 be convicted of treason, unless on the testimony of two
13 witnesses to the same overt act, or on confession in
14 open court.

Rights of
Accused

15 Section 11. In all criminal prosecutions the
16 accused has the right to a speedy and public trial, by
17 an impartial jury of twelve, except that the legislature
18 may provide for a jury of not more than twelve nor less
19 than six in courts not of record. The accused is entitled
20 to be informed of the nature and cause of the accusa-
21 tion; to be released on bail, except for capital
22 offenses when the proof is evident or the presumption
23 great; to be confronted with the witnesses against him;
24 to have compulsory process for obtaining witnesses in
25 his favor, and to have the assistance of counsel for
26 his defense.

Excessive
Punishment

1 Section 12. Excessive bail shall not be required,
2 nor excessive fines imposed, nor cruel and unusual
3 punishments inflicted. Penal administration shall be
4 based on the principle of reformation and the need for
5 protecting the public.

Habeas Corpus

6 Section 13. The privilege of the writ of habeas
7 corpus shall not be suspended, unless when in cases of
8 rebellion or actual or imminent invasion, the public
9 safety requires it.

Searches
and
Seizures

10 Section 14. The right of the people to be secure
11 in their persons, houses and other property, papers,
12 and effects, against unreasonable searches and seizures,
13 shall not be violated. No warrants shall issue, but
14 upon probable cause, supported by oath or affirmation,
15 and particularly describing the place to be searched,
16 and the persons or things to be seized.

Prohibited
State Action

17 Section 15. No bill of attainder or ex post facto
18 law shall be passed. No law impairing the obligation
19 of contracts, and no law making any irrevocable grant
20 of special privileges or immunities shall be passed.
21 No conviction shall work corruption of blood or
22 forfeiture of estate.

Right to
Bear Arms

23 Section 16. A well-regulated militia being neces-
24 sary to the security of a free state, the right of the
25 people to keep and bear arms shall not be infringed.

Quartering
Soldiers

1 Section 17. No member of the armed forces shall
2 in time of peace be quartered in any house without the
3 consent of the owner or occupant, or in time of war
4 except as prescribed by law. The military shall be in
5 strict subordination to the civil power.

Civil Suits;
Trial by Jury

6 Section 18. In suits at common law, where the
7 amount in controversy exceeds two hundred fifty dollars,
8 the right of trial by a jury of twelve shall be preserved.
9 The legislature may provide for a jury of not less than
10 six in courts not of record. The legislature may pro-
11 vide for a verdict by not less than three-fourths of
12 the members of any jury in a common law suit.

Imprisonment
For Debt

13 Section 19. There shall be no imprisonment for
14 debt, except in case of absconding debtors.

Eminent
Domain

15 Section 20. Private property shall not be taken
16 or damaged for public use without just compensation.

Construction

17 Section 21. The enumeration of rights in this
18 constitution does not impair or deny others retained
19 by the people.

Constitutional Convention
Committee Proposal/5/Enrolled
Style and Drafting
January 24, 1956

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	1	Section 1. The legislative power of the State is
Power; Mem-	2	vested in a legislature consisting of a senate with a
bership	3	membership of twenty and a house of representatives with
	4	a membership of forty.
Members:	5	Section 2. A member of the legislature shall be a
Qualifica-	6	qualified voter who has been a resident of Alaska for at
tions	7	least three years and of the district from which elected
	8	for at least one year, immediately preceding his filing
	9	for office. A senator shall be at least twenty-five
	10	years of age and a representative at least twenty-one
	11	years of age.
Election	12	Section 3. Legislators are elected at general elec-
and Terms	13	tions. Their terms begin on the fourth Monday of the
	14	January following election unless otherwise provided by
	15	law. The term of representatives is two years. The
	16	term of senators is four years. One-half of the senators
	17	shall be elected every two years.
Vacancies	18	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-
cations

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

Immunities

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

Salary and

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

Special Sessions 1 Section 9. Special sessions may be called by the
2 governor or by vote of two-thirds of the legislators.
3 The vote may be conducted by the legislative council or
4 as prescribed by law. At special sessions called by the
5 governor legislation is limited to subjects designated in
6 his proclamation calling the session or to subjects pre-
7 sented by him. Special sessions are limited to thirty
8 days.

Adjournment 9 Section 10. Neither house may adjourn or recess for
10 longer than three days unless the other concurs. If the
11 two houses cannot agree on the time of adjournment and
12 either house certifies the disagreement to the governor,
13 he may adjourn the legislature.

Interim Committees 14 Section 11. There shall be a legislative council.
15 The legislature may establish other interim committees.
16 The council and other interim committees may meet between
17 legislative sessions. They may perform duties and employ
18 personnel as provided by the legislature. Their members
19 may receive an allowance for expenses while performing
20 their duties.

Rules 21 Section 12. The houses of each legislature shall
22 adopt uniform rules of procedure. Each house may choose
23 its officers and employees. Each is the judge of the
24 election and qualifications of its members. Each shall
25 keep a journal of its proceedings. A majority

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

Form of
Bills

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

Passage of
Bills

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

Veto

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

Action Upon 1 Section 16. Upon receipt of a veto message, the
Veto 2 legislature shall meet immediately in joint session and re-
3 consider passage of the vetoed bill or item. Appropria-
4 tion bills or items and bills dealing with taxation or
5 affecting expenditures, although vetoed, become law by
6 affirmative vote of three-fourths of the membership of the
7 legislature. Other vetoed bills become law by affirmative
8 vote of two-thirds of the membership of the legislature.
9 The vote on reconsideration of a vetoed bill shall be en-
10 tered on the journals of both houses.

Bills Not 11 Section 17. A bill becomes law if, while the legis-
Signed 12 lature is in session, the governor neither signs nor vetoes
13 it within fifteen days, Sundays excepted, after its de-
14 livery to him. If the legislature is not in session and
15 the governor neither signs nor vetoes a bill within twenty
16 days, Sundays excepted, after its delivery to him, the
17 bill becomes law.

Effective 18 Section 18. Laws passed by the legislature, except
Date 19 general appropriation acts, do not become effective until
20 ninety days after adjournment of the session at which en-
21 acted. The legislature may, by concurrence of two-thirds
22 of the membership of each house, provide for an earlier
23 effective date in case of emergency. The emergency must
24 be expressed in the act.

Local or 1 Section 19. The legislature shall pass no local or
Special 2 special act if a general act can be made applicable.
Acts 3 Whether a general act can be made applicable shall be sub-
4 ject to judicial determination. Local acts necessitating
5 appropriations by a political subdivision may not become
6 effective unless approved by a majority of the qualified
7 voters voting thereon in the subdivision affected.

Impeachment 8 Section 20. All civil officers of the State are sub-
9 ject to impeachment by the legislature. Impeachment origi-
10 nates in the senate and must be approved by a two-thirds
11 vote of its members. The motion for impeachment shall list
12 fully the basis for the proceeding. Trial on impeachment
13 is conducted by the house of representatives. A supreme
14 court justice designated by the court presides at the
15 trial. Concurrence of two-thirds of the members of the
16 house is required for a judgment of impeachment. The
17 judgment may not extend beyond removal from office, but
18 shall not prevent proceedings in the courts on the same or
19 related charges.

Suits 20 Section 21. The legislature shall establish procedures
Against 21 for suits against the State.
the State

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Article III/ Executive
Style and Drafting
January 26, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE III

THE EXECUTIVE

Executive Power	1	Section 1. The executive power of the State is
	2	vested in the governor.
Qualifica- tions of Governor	3	Section 2. The governor shall be at least thirty
	4	years of age and a qualified voter of the State. He
	5	shall have been a resident of Alaska at least seven
	6	years immediately preceding his filing for office,
	7	and he shall have been a citizen of the United States
	8	for at least seven years.
Election	9	Section 3. The governor is chosen by the qualified
	10	voters of the State at a general election. The candi-
	11	date receiving the greatest number of votes shall be
	12	governor.
Term of Office	13	Section 4. The term of office of the governor is
	14	four years, beginning at noon on the first Monday in
	15	December following his election and ending at noon on
	16	the first Monday in December four years later.

Limit on Tenure	1	Section 5. No person who has been elected governor
	2	for two full successive terms shall be again eligible,
	3	to hold that office until one full term has intervened.
Dual Office Holding	4	Section 6. The governor shall not hold any other
	5	office or position of profit under the United States,
	6	the State or its political subdivisions.
Secretary of State: Duties	7	Section 7. There shall be a secretary of state.
	8	He shall have the same qualifications as the governor
	9	and serve for the same term. He shall perform such
	10	duties as may be prescribed by law and as may be dele-
	11	gated to him by the governor.
Election	12	Section 8. The secretary of state shall be nomi-
	13	nated in the manner provided by law for nominating
	14	candidates for other elective offices. In the general
	15	election the votes cast for a candidate for governor
	16	shall be considered as cast also for the candidate for
	17	secretary of state running jointly with him. The
	18	candidate whose name appears on the ballot jointly with
	19	that of the successful candidate for governor is elected
	20	secretary of state.
Acting Governor	21	Section 9. In case of the temporary absence of
	22	the governor from office, the secretary of state serves
	23	as acting governor.
Succession: Failure to Qualify	24	Section 10. In case a governor-elect fails to
	25	qualify and assume office for any reason, the person

1 elected with him as secretary of state shall succeed to
2 the office of governor for the full term.

Vacancy

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

Absence

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

Further
Succession

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

Title and
Authority

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

Compensa-
tion

23 Section 15. The compensation of the governor and
24 the secretary of state shall be prescribed by law and
25 shall not be diminished during their term of office,

1 unless by general law applying to all salaried officers
2 of the State.

Governor:
Authority

3 Section 16. The governor is responsible for the
4 faithful execution of the laws. He may, by appropriate
5 court action or proceeding brought in the name of the
6 State, enforce compliance with any constitutional or
7 legislative mandate, or restrain violation of any
8 constitutional or legislative power, duty or right by
9 any officer, department or agency of the State or any
10 of its political subdivisions. This authority shall
11 not be construed to authorize any action or proceeding
12 against the legislature.

Convening
Legislature

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

Messages
to
Legislature

16 Section 18. The governor shall, at the beginning
17 of each session, and may at other times, give the legis-
18 lature information concerning the affairs of the State
19 and recommend the measures he considers necessary.

Military
Authority

20 Section 19. The governor is commander-in-chief
21 of the armed forces of the State. He may call out these
22 forces to execute the laws, suppress or prevent insur-
23 rection or lawless violence, or repel invasion. The
24 governor, as provided by law, shall nominate and appoint
25 all general and flag officers of the armed forces of

1 the State, subject to confirmation by a majority of
2 the members of the legislature in joint session. He
3 shall appoint and commission all other officers.

Martial
Law

4 Section 20. The governor may proclaim martial
5 law when the public safety requires it in case of
6 rebellion or actual or imminent invasion. Martial
7 law shall not continue for longer than 20 days without
8 the approval of a majority of the members of the legis-
9 lature in joint session.

Executive
Clemency

10 Section 21. Subject to procedure prescribed by
11 law, the governor may grant pardons, commutations and
12 reprieves, and may suspend and remit fines and for-
13 feitures. This power shall not extend to impeachment.
14 A parole system shall be provided by law.

Executive
Branch:
Principal
Departments

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

Reorganiz-
ation

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

1 assignment of functions among its units which he con-
2 siderers necessary for efficient administration. Where
3 these changes require the force of law, they shall be
4 set forth in executive orders which shall become
5 effective at the close of the next regular session of
6 the legislature, unless disapproved by a resolution
7 concurred in by a majority of the members of the legis-
8 lature in joint session.

Supervision

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

Department
Heads

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

Boards and
Commissions

20 Section 26. When a board or commission is at
21 the head of a principal department or a regulatory or
22 quasi-judicial agency, its members shall be nominated
23 and appointed by the governor, subject to confirmation
24 by a majority of the members of the legislature in
25 joint session, and may be removed as provided by law.

1 They shall be citizens of the United States. The board
2 or commission may appoint a principal executive officer
3 when authorized by law, but the appointment shall be
4 subject to the approval of the governor.

Recess
Appointments

5 Section 27. The governor may make appointments
6 to fill vacancies occurring during a recess of the
7 legislature in offices requiring confirmation by the
8 legislature. The duration of such appointments shall
9 be prescribed by law.

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/2
Enrolled/Style and Drafting
January 18, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 2

Introduced by Committee on Judiciary Branch

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

THE JUDICIARY

Judicial
Power and
Jurisdiction

1 Section 1. The judicial power of the State
2 is vested in a Supreme Court, a Superior Court,
3 and courts established by law. The jurisdiction
4 of courts shall be prescribed by law. The courts
5 constitute a unified judicial system for opera-
6 tion and administration. Judicial districts shall
7 be established by law.

Supreme
Court

8 Section 2. The Supreme Court is the highest
9 court of the State, with final appellate jurisdic-
10 tion, and consists of three justices, one of
11 whom is Chief Justice. The number of justices
12 may be increased by law upon the request of the
13 Supreme Court.

Superior
Court

14 Section 3. The Superior Court is the trial
15 court of general jurisdiction and consists of

1 five judges. The number of judges may be changed
2 by law.

Qualifications
of Justices
and Judges

3 Section 4. Supreme Court justices and
4 Superior Court judges shall be citizens of the
5 United States and of the state, licensed to
6 practice law in the State, and possessing any
7 additional qualifications prescribed by law.
8 Judges of other courts shall be selected in a
9 manner, for terms, and with qualifications pres-
10 cribed by law.

Nomination
and
Appointment

11 Section 5. The Governor shall fill any
12 vacancy in an office of Supreme Court Justice or
13 Superior Court Judge by appointing one of two or
14 more persons nominated by the Judicial Council.

Approval or
Rejection

15 Section 6. Each Supreme Court Justice and
16 Superior Court Judge shall be subject to approval
17 or rejection on a nonpartisan ballot at the first
18 general election held more than three years
19 after his appointment. . Thereafter each Supreme
20 Court Justice shall be subject to approval or
21 rejection in a like manner every tenth year and
22 each Superior Court Judge every sixth year.

Vacancy

23 Section 7. The office of any Supreme Court
24 Justice or Superior Court Judge becomes vacant
25 ninety days after the election at which he is

1 rejected by a majority vote or for which he fails
2 to file his declaration of candidacy to succeed
3 himself.

Judicial
Council

4 Section 8. The Judicial Council consists of
5 seven members. Three attorney members shall be
6 appointed for six-year terms by the governing body
7 of the organized state bar. Three non-attorney
8 members shall be appointed for six-year terms by
9 the Governor subject to confirmation by a majority
10 of the members of the Legislature in joint session.
11 Vacancies shall be filled for the unexpired term
12 in like manner. Appointments shall be made with
13 due consideration to area representation and with-
14 out regard to political affiliation. The Chief
15 Justice of the Supreme Court is ex-officio the
16 seventh member and chairman of the Judicial
17 Council. No member of the Judicial Council, ex-
18 cept the Chief Justice, may hold any other office
19 or position of profit under the United States or
20 the State. The Judicial Council shall act by
21 concurrence of four or more members according to
22 rules which it adopts.

Additional
Duties

23 Section 9. The Judicial Council shall con-
24 duct studies for improvement of the administration
25 of justice and make reports and recommendations

1 to the Supreme Court and to the Legislature at
2 intervals of not more than two years. The
3 Judicial Council shall perform other duties
4 assigned by law.

Incapacity
of Judges

5 Section 10. Whenever the Judicial Council
6 certifies to the Governor that a Supreme Court
7 Justice appears to be so incapacitated as sub-
8 stantially to prevent him from performing his
9 judicial duties, the Governor shall appoint a
10 board of three persons to inquire into the
11 circumstances and may, on the board's recommenda-
12 tion, retire the justice. Whenever a judge of
13 another court appears to be so incapacitated as
14 substantially to prevent him from performing
15 his judicial duties, the Judicial Council shall
16 recommend to the Supreme Court that the judge
17 be placed under early retirement. After notice
18 and hearing, the Supreme Court by majority vote
19 of its members may retire the judge.

Retirement

20 Section 11. Justices and judges shall be
21 retired at the age of seventy except as provided
22 in this Article. The basis and amount of
23 retirement pay shall be prescribed by law. Re-
24 tired judges shall render no further service on
25 the bench except for special assignments as
26 provided by court rule.

Impeachment 1 Section 12. Impeachment of any justice or
2 judge for malfeasance or misfeasance in the
3 performance of his official duties shall be
4 according to procedure prescribed for civil
5 officers.

Compensation 6 Section 13. Justices, judges, and members
7 of the Judicial Council shall receive compensa-
8 tion prescribed by law. Compensation of
9 justices and judges shall not be diminished
10 during their terms of office, unless by general
11 law applying to all salaried officers of the
12 State.

Restrictions 13 Section 14. Supreme Court justices and
14 Superior Court judges while holding office may
15 not practice law, hold office in a political
16 party, or hold any ^{other} office or position of profit
17 under the United States, the State or its
18 political subdivisions. Any Supreme Court
19 justice or Superior Court judge filing for
20 elective public office forfeits his judicial
21 position.

Rule-
making
Power 22 Section 15. The Supreme Court shall **make**
23 and promulgate rules governing the administra-
24 tion of all courts. It shall make and promulgate
25 rules governing practice and procedure in civil

1 and criminal cases in all courts, which rules
2 may be changed by the Legislature by two-thirds
3 vote of the members elected to each house.

Court
Administra-
tion

4 Section 16. The Chief Justice of the Supreme
5 Court shall be the administrative head of all
6 courts. He may assign judges from one court or
7 division thereof to another for temporary service.
8 The Chief Justice shall, with the approval of
9 the Supreme Court, appoint an administrative
10 director to serve at his pleasure and to super-
11 vise the administrative operations of the judicial
12 system.

Office
of
Profit

13 Section 17. Service in the armed forces of the
14 United States or of the State is not an office
15 or position of profit as the term is used in this
16 Constitution.

First
Judicial
Council
(Transi-
tional)

17 Section 18. The first members of the
18 Judicial Council shall, notwithstanding Section 8,
19 Article _____, be appointed for terms as follows:
20 three attorney members for one, three and five
21 years respectively, and three non-attorney members
22 for two, four and six years respectively. The
23 six members so appointed shall submit to the
24 Governor nominations to fill the initial vacancies
25 on the Supreme Court, including the office of

- 1 Chief Justice. Once the Chief Justice is appointed,
- 2 he shall assume his seat on the Judicial Council.

Constitutional Convention
Committee Proposal/1/Enrolled
Style and Drafting
January 23, 1956

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 Suffrage
and Elections 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

Constitutional Convention
Article/5
January 23, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

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

ARTICLE V

SUFFRAGE AND ELECTIONS

Qualified
Voters

1 Section 1. Every citizen of the United States who
2 is at least nineteen years of age, qualified to vote
3 under this article and not barred by any other provision
4 of law may vote in any state or local election. He
5 shall have been, immediately preceding the election, for
6 one year a resident of Alaska and for thirty days a
7 resident of the election district in which he seeks to
8 vote. He shall be able to read or speak the English
9 language as prescribed by law, unless prevented by
10 physical disability.

Disquali-
fications

11 Section 2. No person may vote who has been con-
12 victed of a felony involving moral turpitude unless his
13 civil rights have been restored. No person may vote who
14 has been judicially determined to be of unsound mind
15 unless the disability has been removed.

Methods of Voting; Election Contests 1 Section 3. Methods of voting, including absentee voting, shall be prescribed by law. Secrecy of voting shall be preserved. The procedure for determining election contests, with right of appeal to the courts, shall be prescribed by law.

Voting Precincts; Registration 6 Section 4. The legislature may provide a system of permanent registration of voters and may establish voting precincts within election districts.

General Elections 9 Section 5. General elections shall be held on the second Tuesday in October of every even numbered year, but the month and day may be changed by law.

Special Voting Provision (Transitional) 12 Section 6. Citizens who legally voted in the general election of November 4, 1924, and who fulfill the residence requirements for voting, shall be entitled to vote notwithstanding the provisions of Article V, Section 1 of this Constitution.

Constitutional Convention
Style and Drafting/Article VI
(Committee Proposal/14/Enrolled)
January 28, 1956

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 Legislative Apportionment 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

REPORT OF THE STYLE & DRAFTING COMMITTEE

Constitutional Convention
Style & Drafting/Article VI
January 27, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VI

LEGISLATIVE APPORTIONMENT

Election
Districts

1 Section 1. Members of the house of representatives
2 are elected by the qualified voters of the respective
3 election districts. Until reapportionment, election
4 districts and the number of representatives to be elec-
5 ted from each district shall be as set forth in Section
6 2 of Article XV.

Senate
Districts

7 Section 2. Members of the senate are elected by
8 the qualified voters of the respective senate districts.
9 Senate districts shall be as set forth in Section 1 of
10 Article XV, subject to changes authorized in this article.

Reapportion-
ment of
House

11 Section 3. The governor shall reapportion the
12 house of representatives immediately following the offi-
13 cial reporting of each decennial census of the United
14 States. Reapportionment shall be based upon civilian
15 population within each election district as reported by
16 the census.

Method

1 Section 4. Reapportionment shall be by the method
2 of equal proportions, except that each election district
3 having the major fraction of the quotient obtained by
4 dividing total civilian population by forty shall have
5 one representative.

Combining
Districts

6 Section 5. Should the total civilian population
7 within any election district fall below one-half of the
8 quotient, the district shall be attached to an election
9 district within its senate district and the reapportion-
10 ment for the new district shall be determined as provided
11 in this article.

Redistrict-
ing:

12 Section 6. The governor may further redistrict by
13 changing the size and area of election districts, subject
14 to the limitations of this section. Each new district
15 so created shall be formed of contiguous and compact
16 territory containing as nearly as practicable a relative-
17 ly integrated socio-economic area. Each shall contain
18 a population at least equal to the quotient obtained by
19 dividing the total civilian population by forty. Consid-
20 eration may be given to local government boundaries.
21 Drainage and other geographic features shall be used in
22 describing boundaries wherever possible.

Modifica-
tion of
Senate Dis-
tricts

23 Section 7. The Southeastern, Southcentral, Central
24 and Northwestern senate districts, described in Section 2
25 of Article XV, may be modified to reflect changes in

1 election districts. A district, although modified, shall
2 retain its total number of senators and its approximate
3 perimeter.

Reapportion-
ment Board

4 Section 8. The governor shall appoint a reappor-
5 tionment board to act in an advisory capacity to him.
6 It shall consist of five members, none of whom may be
7 public employees or officials. At least one member each
8 shall be appointed from the Southeastern, Southcentral,
9 Central and Northwestern senate districts. Appointments
10 shall be made without regard to political affiliation.
11 Board members shall be compensated.

Organization

12 Section 9. The board shall elect one of its members
13 chairman and may employ temporary assistants. Concurr-
14 ence of three members is required for a ruling or deter-
15 mination, but a lesser number may conduct hearings or
16 otherwise act for the board. Deliberation and decision
17 of the board shall be free from political considerations.

Reapportion-
ment Plan
and Procla-
mation

18 Section 10. Within ninety days following the
19 official reporting of each decennial census, the board
20 shall submit to the governor a plan for reapportionment
21 and redistricting as provided in this article. Within
22 ninety days after receipt of the plan, the governor shall
23 issue a proclamation of reapportionment and redistrict-
24 ing. An accompanying statement shall explain any change
25 from the plan of the board. The reapportionment and re-

1 districting shall be effective for the election of mem-
2 bers of the legislature until after the official report-
3 ing of the next decennial census.

Enforcement

4 Section 11. Any qualified voter may apply to the
5 superior court to compel the governor, by mandamus or
6 otherwise, to perform his reapportionment duties or to
7 correct any error in redistricting or reapportionment.
8 Application to compel the governor to perform his re-
9 apportionment duties must be filed within thirty
10 days of the expiration of either of the two ninety-
11 day periods specified in this article. Application to
12 compel correction of any error in redistricting or reap-
13 portionment must be filed within thirty days following
14 the proclamation. Original jurisdiction in these matters
15 is hereby vested in the superior court. On appeal, the
16 cause shall be reviewed by the supreme court upon the
17 law and the facts.

Election of
First Sen-
ators
(Transi-
tional)

18 Section 12. At the first state general election
19 one senator shall be chosen for a two-year term from each
20 of the following senate districts, described in Section
21 2 of Article XV: A, B, C, D, E, G, I, J, L, N, AND O.
22 At the same election one senator shall be chosen for a
23 four-year term from each of the following senate dis-
24 tricts, described in Section 2 of Article XV: A, C, E,

1 F, H, J, K, M, N, and P. If the first state general
2 election is held in an odd numbered year, the terms
3 set forth in this section shall be increased by one year.

Election of
First Repre-
sentatives
(Transi-
tional)

4 Section 13. If the first state general election
5 is held in an odd numbered year, the term of members
6 chosen for the house of representatives at this election
7 shall be three years.

First Re-
apportionment
(Transi-
tional)

8 Section 14. The first reapportionment of the house
9 of representatives shall be made immediately following
10 the official reporting of the 1960 decennial census, or
11 after the first regular legislative session if the
12 session occurs thereafter, notwithstanding the provision
13 as to time in Section 3 of Article VI. All other pro-
14 visions of Article VI shall apply in the first reappor-
15 tionment.

Constitutional Convention
Committee Proposal/7/Enrolled
Style and Drafting
January 25, 1956

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 Health, Education and Welfare 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

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Article VII
Style and Drafting
January 25, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VII

HEALTH, EDUCATION AND WELFARE

Public
Education

1 Section 1. The legislature shall by general law
2 establish and maintain a system of public schools open
3 to all children of the State and may provide for other
4 public educational institutions. Schools and institu-
5 tions so established shall be free from sectarian
6 control. No money shall be paid from public funds for
7 the direct benefit of any religious or other private
8 educational institution.

Public
Health

9 Section 2. The legislature shall provide for the
10 promotion and protection of public health.

Public
Welfare

11 Section 3. The State may provide for public welfare
12 for persons unable to maintain a standard of living
13 compatible with health and human dignity.

Style and Drafting/Article VII

Constitutional Convention
Committee Proposal/8/a
Style & Drafting/Article VIII
January 30, 1956

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 re-draft of the Article on Natural Resources 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

REPORT OF THE STYLE AND DRAFTING COMMITTEE

Constitutional Convention
X/Resources/8/a
Style and Drafting/Article VIII
January 29, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VIII

NATURAL RESOURCES

Statement
of Policy

1 Section 1. It is the policy of the State to en-
2 courage the settlement of its land and the development
3 of its resources by making them available for maximum
4 use consistent with the public interest.

General
Authority

5 Section 2. The legislature shall provide for the
6 utilization, development and conservation of all natural
7 resources belonging to the State, including land and
8 waters, for the maximum benefit of its people.

Common
Use

9 Section 3. Wherever occurring in their natural
10 state, fish, wildlife, and waters are reserved to the
11 people for common use.

Sustained
Yield

12 Section 4. Fish, forests, wildlife, grasslands and
13 all other replenishable resources belonging to the State
14 shall be utilized, developed and conserved on the sus-
15 tained yield principle, subject to preferences among
16 beneficial uses.

Facilities and Improvements 1 Section 5. The legislature may provide for facilities and
2 ties, improvements and services to assure greater utilization,
3 zation, development, reclamation and settlement of lands,
4 and to assure fuller utilization and development of the
5 fisheries, wildlife and waters.

State Public Domain 6 Section 6. Lands and interests therein, including
7 submerged and tidal lands, possessed or acquired by the
8 the State, and not used or intended exclusively for governmental
9 purposes, constitute the state public domain.
10 The legislature shall provide for the selection of lands
11 granted to the State by the United States, and for the
12 administration of the state public domain.

Special Purpose Sites 13 Section 7. The legislature may provide for the acquisition
14 of sites, objects and areas of natural beauty
15 or of historic, cultural, recreational or scientific
16 value. It may reserve them from the public domain and
17 provide for their administration and preservation for the
18 use, enjoyment and welfare of the people.

Leases 19 Section 8. The legislature may provide for the
20 leasing of and the issuance of exploration permits to any
21 part of the public domain or interest therein, subject
22 to reasonable concurrent uses. Leases and permits shall
23 provide, among other conditions, for payment by the
24 party at fault for damage or injury arising from non-
25 compliance with terms governing concurrent use and for

1 forfeiture in the event of breach of conditions.

Sales and
Grants

2 Section 9. Subject to the provisions of this section,
3 the legislature may provide for the sale or grant of state
4 lands, or interests therein, and establish sales procedures.
5 All sales or grants shall contain reservations to the
6 State of all resources as may be required by Congress or
7 the State and shall provide for access to these resources.
8 Reservation of access shall not impair the owners' use,
9 prevent the control of trespass, nor preclude compensation
10 for damage.

Public
Notice

11 Section 10. No disposals or leases of state lands,
12 or interests therein, shall be made without prior public
13 notice and other safeguards of the public interest as
14 may be prescribed by law.

Mineral
Rights

15 Section 11. Discovery and appropriation shall be
16 the basis for establishing a right in those minerals
17 reserved to the State which, upon the date of ratification
18 of this constitution by the people of Alaska, were subject
19 to location under the federal mining laws. Prior discovery,
20 location and filing, as prescribed by law, shall establish
21 a prior right to these minerals and also a prior right to
22 permits, transferable licenses and leases for their
23 extraction and processing. Continuation of these rights
24 shall depend upon the performance of annual labor, the
25 payment of fees, rents or royalties, or upon other

1 requirements as may be prescribed by law. Surface uses
2 of land by a mineral claimant shall be limited to those
3 necessary for the extraction and basic processing of the
4 mineral deposits. The granting of deeds or patents to
5 mineral lands may be authorized by the State unless
6 prohibited by Congress. The provisions of this section
7 shall apply to all other minerals reserved to the State
8 which by law are declared subject to appropriation.

Leases and
Permits

9 Section 12. The legislature shall provide for the
10 issuance, types and terms of leases for coal, oil, gas,
11 oil shale, sodium, phosphate, potash, sulfur, pumice and
12 other minerals as may be prescribed by law. Leases and
13 permits giving the exclusive right of exploration for
14 these minerals for specific periods and areas, subject
15 to reasonable concurrent exploration as to different
16 classes of minerals, may be authorized by law. Like
17 leases and permits giving the exclusive right of prospect-
18 ing by geophysical, geochemical and similar methods for
19 all minerals may also be authorized by law.

Water
Rights

20 Section 13. All surface and subsurface waters re-
21 served to the people for common use, except mineral and
22 medicinal waters, are subject to appropriation. Priority
23 of appropriation shall give prior right. Except for
24 public water supply, an appropriation of water shall be
25 limited to stated purposes and subject to preferences

1 among beneficial uses, concurrent or otherwise, as
2 prescribed by law.

Access to
Navigable
Waters

3 Section 14. Free access to the navigable or public
4 waters of the State, as defined by law, shall not be
5 denied any citizen of the United States or resident of
6 the State, except that the legislature may by general law
7 regulate and limit such access for other beneficial uses
8 or public purposes.

No Exclu-
sive Right
of Fishery

9 Section 15. No exclusive right or special privilege
10 of fishery shall be created or authorized in the natural
11 waters of the State.

Protection
of Rights

12 Section 16. No person shall be involuntarily divested
13 of his right to the use of waters, his interests in lands,
14 or improvements affecting either, except for a
15 superior beneficial use or public purpose and then only
16 with just compensation and by operation of law.

Uniform
Application

17 Section 17. Laws and regulations governing the use
18 or disposal of natural resources shall apply equally to
19 all persons similarly situated with reference to the
20 subject matter and purpose to be served by the law or
21 regulation.

Private
Ways of
Necessity

22 Section 18. Proceedings in eminent domain may be
23 undertaken for private ways of necessity to permit
24 essential access for extraction or utilization of
25 resources. Just compensation shall be made for property

1 taken or for damages to other property rights.

Residual
Powers
(To General
Provisions)

2 Section 19. The enumeration of specified powers
3 shall not be construed as limitations on other implied
4 powers of the State in relation to the utilization,
5 development and conservation of natural resources, except
6 as specifically provided in this article.

State
Boundaries
(To General
Provisions)

7 Section 20. The State of Alaska shall consist of
8 all the territory, together with the territorial waters
9 appurtenant thereto, included in the Territory of Alaska
10 upon the date of ratification of this constitution by
11 the people of Alaska.

Constitutional Convention
Style and Drafting/Article IX
(Committee Proposal/9/Enrolled)
January 28, 1956

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 Finance and Taxation 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

Style and Drafting/Article IX

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article IX
January 28, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE IX

FINANCE AND TAXATION

Taxing Power 1 Section 1. The power of taxation shall never be
2 surrendered. This power shall not be suspended or
3 contracted away, except as provided in this article.

Non-dis- 4 Section 2. The lands and other property belong-
crimination 5 ing to citizens of the United States residing without
6 the State shall never be taxed at a higher rate than
7 the lands and other property belonging to the resi-
8 dents of the State.

Assessment 9 Section 3. Standards for appraisal of all pro-
Standards 10 perty assessed by the State or its political sub-
11 divisions shall be prescribed by law.

Exemptions 12 Section 4. The real and personal property of the
13 State or its political subdivisions is exempt from
14 taxation under conditions and exceptions which may be
15 provided by law. All or any portion of property used
16 exclusively for non-profit religious, charitable,
17 cemetery or educational purposes, as defined by law,

1 is exempt from taxation. Other exemptions of like or
2 different kind may be granted by general law. All valid
3 existing exemptions are retained until otherwise
4 provided by law.

Interests in
Government
Property

5 Section 5. Private leaseholds, contracts, or
6 other interests in land or property owned or held by
7 the United States, the State or its political sub-
8 divisions, shall be taxable to the extent of the
9 interests.

Public
Purpose

10 Section 6. No tax shall be levied or appropriation
11 of public money made or public property transferred,
12 nor shall the public credit be used, except for a public
13 purpose.

Dedicated
Funds

14 Section 7. The proceeds of any state tax or
15 license shall not be dedicated to any special purpose,
16 except when required by the federal government for
17 state participation in federal programs. This pro-
18 vision shall not prohibit the continuance of any
19 dedication for special purposes existing upon the date
20 of ratification of this constitution, by the people of
21 Alaska.

State Debt

22 Section 8. No state debt shall be contracted
23 unless authorized for capital improvements by a
24 majority vote in each house of the legislature with
25 ratification by a majority of the qualified voters

1 of the State who vote on the question. The State may
2 by law contract debt for the purpose of repelling
3 invasion, suppressing insurrection, defending the
4 State in war, meeting natural catastrophes, or re-
5 deeming indebtedness outstanding at the time this
6 constitution becomes effective.

Local Debts

7 Section 9. No debt shall be contracted by any
8 political subdivision of the State unless authorized
9 for capital improvements by its governing body with
10 ratification by a majority vote of those qualified
11 to vote and voting on the question.

Interim
Borrowing

12 Section 10. The State and its political sub-
13 divisions may borrow money to meet appropriations
14 for any fiscal year in anticipation of the collection
15 of the revenues of that year, but all debt so con-
16 tracted shall be paid before the end of the next
17 fiscal year.

Exceptions

18 Section 11. The restrictions on contracting
19 debt do not apply to debt incurred through the
20 issuance of revenue bonds by a public enterprise
21 or public corporation of the state or political
22 subdivision when the only security is the revenues
23 of the enterprise or corporation. The restrictions
24 do not apply to indebtedness to be paid from special
25 assessments on the benefitted property nor do they

1 apply to refunding indebtedness of the state or
2 its political subdivisions.

Budget

3 Section 12. The governor shall submit to the
4 legislature, at a time fixed by law, a budget for
5 the next fiscal year setting forth all proposed
6 expenditures and anticipated income of all depart-
7 ments, offices and agencies of the State. The
8 governor at the same time shall submit a general
9 appropriation bill to authorize the proposed expen-
10 ditures, and a bill or bills covering recommendations
11 in the budget for new or additional revenues.

Expenditures

12 Section 13. No money shall be withdrawn from
13 the treasury except in accordance with appropriations
14 made by law. No obligation for the payment of money
15 shall be incurred except as authorized by law. Un-
16 obligated appropriations outstanding at the end of
17 the period of time specified by law shall be void.

Legislative
Post-audit

18 Section 14. The legislature shall appoint an
19 auditor to serve at its pleasure. He shall be a
20 certified public accountant. The auditor shall
21 conduct post-audits as prescribed by law and shall
22 report to the legislature and to the governor.

Territorial
Assets and
Liabilities

23 Section 15. The debts and liabilities of the
24 Territory of Alaska shall be assumed and paid by the
25 State, and debts owed to the Territory shall be
26 collected by the State. Assets of the Territory shall
27 become assets of the State.

Constitutional Convention
Committee Proposal/6/A
Style & Drafting/Article X
January 30, 1956

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 Local Government 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

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/6/a
Style & Drafting/Article X
January 30, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE X

LOCAL GOVERNMENT

Purpose and Construction 1 Section 1. The purpose of this article is to
2 provide for maximum local self-government with a minimum
3 of local government units and to prevent duplication of
4 tax-levying jurisdictions. A liberal construction shall
5 be given to the powers of local government units.

Local Government Powers 6 Section 2. All local government powers shall be
7 vested in boroughs and cities. The State may delegate
8 taxing powers to organized boroughs and cities only.

Boroughs 9 Section 3. The entire State shall be divided into
10 boroughs, organized or unorganized. They shall be estab-
11 lished in a manner and according to standards provided
12 by law. The standards shall include geography, economy,
13 transportation and other factors. Each borough shall
14 embrace an area and population with common interests to
15 the maximum degree possible. The legislature shall

1 classify boroughs and prescribe their powers and func-
2 tions. Methods by which boroughs may be organized, in-
3 corporated, merged, consolidated, dissolved or reclassi-
4 fied shall be prescribed by law.

Assembly

5 Section 4. The governing body of the organized
6 borough shall be the assembly, and its composition shall
7 be established by law or charter. Each city of the first
8 class, and each city of any other class designated by
9 law, shall be represented on the assembly by one or more
10 members of its council. The other members of the assem-
11 bly shall be elected from and by the qualified voters
12 resident outside such cities.

Service
Areas

13 Section 5. Service areas to provide special ser-
14 vices within an organized borough may be established,
15 altered or abolished by the assembly, subject to the
16 provisions of law or charter. A new service area shall
17 not be established if, consistent with the purposes of
18 this article, the new service can be provided by an
19 existing service area, by incorporation as a city, or
20 by annexation to a city. The assembly may authorize the
21 levying of taxes, charges or assessments within a service
22 area to finance the special services.

Unorganized
Boroughs

23 Section 6. The legislature shall provide for the
24 performance of services in unorganized boroughs, allow-
25 ing for maximum local participation and responsibility.

Cities 1 Section 7. Cities shall be incorporated in a
2 manner prescribed by law, and shall be a part of the
3 borough in which they are located. Cities shall have
4 the powers and functions conferred by law or charter.
5 They may be merged, consolidated, classified or dissolved
6 in the manner provided by law.

Council 7 Section 8. The governing body of a city shall be
8 the council.

Charters 9 Section 9. The qualified voters of any borough of
10 the first class or city of the first class may adopt,
11 amend or repeal a home rule charter in a manner provided
12 by law. In the absence of such legislation, the govern-
13 ing body of a borough or city of the first class shall
14 provide the procedure for the preparation and adoption
15 or rejection of the charter. All charters, or parts or
16 amendments of charters, shall be submitted to the qual-
17 ified voters of the borough or city and shall become
18 effective if approved by a majority of those who vote on
19 the specific question.

Extended 20 Section 10. The legislature may extend home rule
Home Rule 21 to other boroughs and cities.

Home Rule 22 Section 11. A home rule borough or city may exer-
Powers 23 cise all legislative powers not prohibited by law or by
24 charter.

Boundaries 25 Section 12. A local boundary commission or board

1 shall be established by law in the executive branch of
2 the state government. The commission or board may con-
3 sider any proposed local government boundary change.
4 It may present proposed changes to the legislature dur-
5 ing the first ten days of any regular session. The
6 change shall become effective forty-five days after pre-
7 sentation or at the end of the session, whichever is
8 earlier, unless disapproved by a resolution concurred in
9 by a majority of the members of each house. The comm-
10 ission or board, subject to law, may establish procedures
11 whereby boundaries may be adjusted by local action.

Agreements;
Transfer of
Powers

12 Section 13. Agreements, including those for coop-
13 erative or joint administration of any functions or
14 powers, may be made by any local government with any
15 other local government, with the State or with the United
16 States unless otherwise provided by law or charter. A
17 city may transfer to the borough in which it is located
18 any of its powers or functions unless prohibited by law
19 or charter, and may in like manner revoke the transfer.

Local
Government
Agency

20 Section 14. An agency shall be established by law
21 in the executive branch of the state government. It
22 shall advise and assist local governments, review their
23 activities, collect and publish local government infor-
24 mation and perform other duties prescribed by law.

Special
Service
Districts

1 Section 15. At the time a borough is organized,
2 special service districts performing local functions
3 shall be integrated with the government of the borough
4 as provided by law.

Constitutional Convention
Committee Proposal/3/Enrolled
Style and Drafting
January 23, 1956

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 Initiative, Referendum and Recall for consideration by the Convention.

We desire to call attention to several changes made by our committee since the enrolled copy of this proposal was delivered to delegates. Some of these were necessitated, in our opinion, to make the initiative and referendum processes clear and workable. We will ask for suspension of the rules to incorporate such amendments as are substantive in nature.

In Section 2, we have distinguished between the initial document to be filed by the 100 sponsors and the document which is circulated throughout the State. Both, in the enrolled copy, are referred to as "the petition" though it seems clear from the description of what each must contain that they are separate documents. We have called the first an application (Section 2) and the second a petition (Sections 3, 4 and 5). This is desirable, we feel, because it makes it clear, among other things, that the filing date mentioned in Section 5 applies to the completed signed petition and not to the initial application by the 100 sponsors.

In Sections 2, 3, 4, 5 and 6, we have changed "attorney general" to "secretary of state" in accordance with specific instructions from the convention.

In Sections 4 and 5, we fix on the secretary of state the responsibility for placing the initiative or referendum question on the ballot. The enrolled copy provides merely that the proposition "shall go upon the ballot".

In Section 4, we have provided that an initiative question shall not go on the ballot if substantially the same measure has been enacted at any time up to the holding of the election. We feel this is a more practicable provision than that in the enrolled copy. That provision is that only if substantially the same measure has been enacted at a particular session the question should be kept off the ballot. Initiative petitions may be filed at any time. They might be filed during a session of the legislature. We feel that if the requested legislation should be enacted at that session, the State should not be put to the trouble and expense of holding an election on the subject at some election occurring more than 120 days after the next session.

In Section 6, we have provided that a majority of votes cast on the proposition is required to enact an initiated law or defeat an act referred. The enrolled copy referred only to "a majority of the votes cast".

In Section 6, we provide that the secretary of state shall certify the election returns and we provide for dates when an initiated law approved at the polls shall take effect and when a referred law rejected at the polls should become void. These are admittedly amendments of substance. We offer them so as to make the article wholly self-executing which it was in enrolled form except in these respects. They might be added by the legislature, but the article's provision in this regard is that such procedures may be provided by the legislature. If legislators did not choose to do so, it is possible they could prevent the satisfactory working of the initiative and referendum. We hold no brief for the particular provision of 90 days in the case of the initiative and 30 days for the referendum, but feel these suggestions are appropriate.

In Section 6, we provide that the two years within which an initiative may not be repealed dates from its effective date.

There is one additional change, substantive in nature, which we feel should be incorporated, although we have not done so in our proposed draft. This would be to change the required minimum time before an election from 120 days in the case of the referendum to 180 days after the end of the legislative session. Petitions may be filed as late as 90 days after the session. Experience shows that the mechanics of getting ballots printed and distributed in Alaska, even when a petition does not have to be checked, requires at least $2\frac{1}{2}$ months. The 30 days provided in the enrolled copy would be unworkable. If 180 days are provided, the measure could still go

on the ballot in October of the same year (if the legislature adjourns by the end of March as has been the custom).

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

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/3
Enrolled/Style and Drafting
January 23, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE XI

INITIATIVE, REFERENDUM AND RECALL

Initiative
and
Referendum

1 Section 1. The people may propose and enact laws
2 by the initiative and approve or reject acts of the
3 legislature by the referendum.

Application

4 Section 2. An initiative or referendum is proposed
5 by an application containing the bill to be initiated
6 or the act to be referred. The application shall be
7 signed by not less than one hundred qualified voters
8 as sponsors and be filed with the secretary of state.
9 If he finds it in proper form he shall so certify.
10 Denial of certification is subject to judicial review.

Petition

11 Section 3. After certification of the application,
12 a petition containing a summary of the subject matter
13 shall be prepared by the secretary of state for circu-
14 lation by the sponsors. If signed by qualified voters,
15 equal in number to ten per cent of those who voted in
16 the preceding general election and resident in at least
17 two-thirds of the election districts of the State, it
18 may be filed with the secretary of state.

Initiative
Election

1 Section 4. An initiative petition may be filed at
2 any time. The secretary of state shall prepare a title
3 and summary of the proposed law and shall place them on
4 the ballot for the first statewide election held more
5 than one hundred twenty days after adjournment of the
6 legislative session following the filing. If before the
7 election substantially the same measure has been enacted,
8 the petition is void.

Referendum
Election

9 Section 5. A referendum petition may be filed only
10 within ninety days after adjournment of the legislative
11 session at which the act was passed. The secretary of
12 state shall prepare a title and summary of the act and
13 shall place them on the ballot for the first statewide
14 election held more than one hundred twenty days after
15 adjournment of that session.

Enactment

16 Section 6. A majority of the votes cast on the pro-
17 position is necessary for the enactment of an initiated
18 law or for the defeat of an act referred. The secretary
19 of state shall certify the election returns. An initi-
20 ated law is effective ninety days after certification,
21 is not subject to veto, and may not be repealed by the
22 legislature within two years of its effective date. It
23 may be amended at any time. An act rejected by referen-
24 dum is void thirty days after certification. Additional
25 procedures for the initiative and referendum may be
26 prescribed by law.

Restrictions 1 Section 7. The initiative may not be used to
2 dedicate revenues, make or repeal appropriations, or
3 enact local or special legislation. The referendum
4 shall not be applied to dedications of revenue, to
5 appropriations, to local or special legislation, or to
6 laws necessary for the immediate preservation of the
7 public peace, health or safety.

Recall 8 Section 8. All elected public officials in the
9 State, except judicial officers, are subject to recall
10 by the voters of the State or political subdivision from
11 which elected. Procedures and grounds for recall shall
12 be prescribed by the legislature.

Constitutional Convention
Committee Proposals, 12/15 & 16
Style and Drafting/Article XII
January 30, 1956

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 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

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/12
Style and Drafting/Article XII
January 30, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XII

GENERAL AND MISCELLANEOUS

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

Retirement 4 Section 2. Membership in employee retirement
Systems 5 systems of the State or its political subdivisions
6 shall constitute a contractual relationship. Accrued
7 benefits of these systems shall not be diminished or
8 impaired.

Disqualifi- 9 Section 3. No person who advocates, or who aids
cation for 10 or belongs to any party or organization or associa-
Disloyalty 11 tion which advocates, the overthrow by force or
12 violence of the government of the United States or
13 of the State shall be qualified to hold any public
14 office of trust or profit under this constitution.

Style and Drafting/Article XII

Oath of
Office

1 Section 4. All public officers, before entering
2 upon the duties of their offices, shall take and
3 subscribe to the following oath or affirmation:
4 "I do solemnly swear, or affirm, that I will support
5 and defend the Constitution of the United States
6 and the Constitution of the State of Alaska, and
7 that I will faithfully discharge my duties as _ _ _ _
8 to the best of my ability". The legislature may
9 prescribe further oaths or affirmations.

Inter-
governmental
Relations

10 Section 5. The State and its political sub-
11 divisions may cooperate with the United States and
12 its territories and with other states and their
13 political subdivisions on matters of common interest.
14 The respective legislative bodies may make appro-
15 priations for this purpose. The governor shall act
16 as the agent of the State in all intergovernmental
17 relations involving the State.

Interpreta-
tion

18 Section 6. Titles and subtitles shall not be
19 used in construing this constitution. Personal
20 pronouns used in this constitution shall be con-
21 strued as including persons of both sexes.

General
Power

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

Provisions

25 Section 8. The provisions of this constitution

Self-executing 1 shall be construed to be self-executing whenever
2 possible.

Law-Making 3 Section 9. As used in this constitution, the
Powers 4 terms "by law" and "by the legislature", or varia-
5 tions of these terms, are used interchangeably
6 when related to law-making powers. Unless clearly
7 inapplicable, the law-making powers assigned to
8 the legislature may be exercised by the people
9 through the initiative, subject to the limitations
10 of Article XI.

Office of 11 Section 10. Service in the armed forces of
Profit 12 the United States or of the State is not an office
13 or position of profit as the term is used in this
14 constitution.

Consent to 15 Section 11. All provisions of the act admitting
Enabling Act 16 Alaska to the Union which reserve rights or powers
17 to the United States, as well as those prescribing
18 the terms or conditions of the grants of lands or
19 other property, are consented to fully by the State
20 and its people.

State 21 Section 12. The University of Alaska is hereby
University 22 established as the state university and constituted
23 a body corporate. It shall have title to all real
24 and personal property now or hereafter set aside
25 for or conveyed to it. Its property shall be

Board of
Regents

1 administered and disposed of according to law.
2 Section 13. The University of Alaska shall
3 be governed by a board of regents. The regents
4 shall be nominated and appointed by the governor,
5 subject to confirmation by a majority of the mem-
6 bers of the legislature in joint session. The
7 board shall, in accordance with law, formulate
8 policy and appoint the president of the university.
9 He shall be the executive officer of the board.

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.

Constitutional Convention
Style & Drafting/Article XIII
(Committee Proposal 3/Enrolled
January 28, 1956

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 Revision and Amendment 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

REPORT OF THE COMMITTEE ON STYLE & DRAFTING

Constitutional Convention
Style & Drafting/Article XIII
January 27, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE XIII

AMENDMENT AND REVISION

Constitutional
Amendments

1 Section 1. Amendments to this constitution
2 may be approved by a two-thirds vote of each house
3 of the legislature. The secretary of state shall
4 prepare a ballot title and proposition summarizing
5 each proposed amendment and shall place them on the
6 ballot for the next general election. If a majority
7 of the votes cast on the proposition favor the
8 amendment, it is adopted. Unless otherwise provided
9 in the amendment, it becomes effective thirty days
10 after the certification of the election returns by
11 the secretary of state.

Constitutional
Convention

12 Section 2. The legislature may provide for
13 constitutional conventions.

Call by Refer-
endum

14 Section 3. If during any ten year period a
15 constitutional convention has not been held, the

1 secretary of state shall place on the ballot for
2 the next general election the question: "Shall
3 there be a constitutional convention?" If a maj-
4 ority of the votes cast on the question are in the
5 affirmative, delegates to the convention shall be
6 chosen at the next regular statewide election unless
7 the legislature provides for the election of the
8 delegates at a special election. The secretary of
9 state shall issue the call for the convention.
10 Unless other provisions have been made by law, the
11 call shall conform as nearly as possible to the act
12 calling the Alaska Constitutional Convention of
13 1955 including, but not limited to, number of mem-
14 bers, districts, election and certification of
15 delegates, and submission and ratification of re-
16 visions and ordinances. The appropriation provi-
17 sions of the call shall be self-executing and shall
18 constitute a first claim on the state treasury.

Convention
Powers

19 Section 4. Constitutional conventions shall
20 have plenary power to amend or revise the consti-
21 tution, subject only to ratification by the people.
22 No call for a constitutional convention shall limit
23 these powers of the convention.

Constitutional Convention
Style and Drafting/Article XIV
(Committee Proposal/17/b/Enrolled)
January 31, 1956

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 Schedule 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

Style and Drafting/Article XIV

Ordinance No. 1 is Secs. 10, 11, 12, + 13 of this Report.

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article XIV
(Committee Proposal/17b/Enrolled)
January 31, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XIV

SCHEDULE

To provide an orderly transition from a territorial to a
state form of government, it is declared and ordained:

Effective Date	1	Section 1. This constitution shall take
	2	effect immediately upon the admission of Alaska
	3	into the Union as a State.
State Capital	4	Section 2. The capital of the State of
	5	Alaska shall be at Juneau.
Continuance of Laws	6	Section 3. All laws in force in the
	7	Territory of Alaska on the effective date of
	8	this constitution and consistent therewith
	9	shall continue in force until they expire by
	10	their own limitation, are amended or repealed.
Saving of Existing Rights and Liabilities	11	Section 4. Except as otherwise provided
	12	in this constitution, all rights, titles, actions,
	13	suits, contracts, liabilities and civil, criminal
	14	or administrative proceedings shall continue

1 unaffected by the change from territorial to
2 state government, and the state shall be the
3 legal successor to the Territory in these
4 matters.

Local
Government

5 Section 5. Cities, school districts,
6 health districts, public utility districts and
7 other local subdivisions of government existing
8 on the effective date of this constitution shall
9 continue to exercise their powers and functions
10 under existing law pending enactment of laws
11 to carry out the provisions of this constitution.
12 New local subdivisions of government shall be
13 created only in accordance with this constitu-
14 tion.

Continuance
of Office

15 Section 6. All officers of the Territory,
16 or under its laws, on the effective date of
17 this constitution shall continue to perform
18 the duties of their offices in a manner con-
19 sistent with this constitution until they are
20 superseded by officers of the State.

Correspond-
ing Qualifi-
cations

21 Section 7. Residence or other qualifications
22 prescribed by this constitution shall be satisfied
23 by corresponding qualifications under the
24 Territory.

Seal 1 Section 8. The seal of the Territory, sub-
2 stituting the word "State" for "Territory", shall
3 be the seal of the State.

Flag 4 Section 9. The flag of the Territory shall
5 be the flag of the State.

Ratification of
Constitution 6 Section 10. This constitution shall be
7 submitted to the voters of Alaska for ratification
8 or rejection at the territorial primary election
9 to be held on April 24, 1956. The election shall
10 be conducted according to existing laws regulat-
11 ing primary elections so far as applicable.

Ballot 12 Section 11. Each elector who offers to
13 vote upon this constitution shall be given a
14 ballot by the election judges which in substance
15 shall contain the following proposition:
16 "Shall the Constitution for the State
17 of Alaska prepared and agreed upon by Yes
18 the Alaska Constitutional Convention No
19 be adopted?"

Canvass 20 Section 12. The returns of this election...
21 shall be made to the governor of the Territory
22 of Alaska, and shall be canvassed in substan-
23 tially the same manner provided by law for
24 territorial elections.

Acceptance
and
Approval

1 Section 13. If a majority of the votes
2 cast on the proposition favor the constitution,
3 then the constitution shall be deemed to be
4 ratified by the people of Alaska. The governor
5 of the Territory shall forthwith submit a
6 certified copy of the constitution through the
7 President of the United States to the Congress
8 for approval, together with a statement of the
9 votes cast thereon.

Governor to
Proclaim
Election

10 Section 14. When the people of the
11 Territory ratify this constitution and it is
12 approved by the duly constituted authority of
13 the United States, the governor of the Territory
14 shall, within thirty days after receipt of the
15 official notification of such approval, issue
16 a proclamation and take necessary measures
17 to hold primary and general elections for
18 all state elective offices provided for by this
19 constitution.

First State
Elections

20 Section 15. The primary election shall
21 take place not less than forty nor more than
22 ninety days after the proclamation by the governor
23 of the Territory. The general election shall
24 take place not less than ninety days after the
25 primary election. The elections shall be

1 governed by this constitution and by applicable
2 territorial laws.

United States
Senators and
Representative

3 Section 16. The officers to be elected
4 at the first general election shall include
5 two senators and one representative to serve
6 in the Congress of the United States, unless
7 senators and a representative have been
8 previously elected and seated. One senator
9 shall be elected for the long term and one
10 senator for the short term, each term to
11 expire on the third day of January in an odd-
12 numbered year to be determined by authority
13 of the United States. The term of the
14 representative shall expire on the third
15 day of January in the odd-numbered year
16 immediately following his assuming office.
17 If the first representative is elected in
18 an even-numbered year to take office in that
19 year, a representative shall be elected at
20 the same time to fill the full term commencing
21 on the third day of January of the following
22 year, and the same person may be elected
23 for both terms.

First
Governor and
Secretary of
State: Terms

24 Section 17. The first governor and
25 secretary of state shall hold office for a

1 term beginning with the day on which they
2 qualify and ending at noon on the first
3 Monday in December of the even-numbered year
4 following the next presidential election.
5 This term shall count as a full term for
6 purposes of determining eligibility for
7 reelection only if it is four years or more
8 in duration.

Election
Returns

9 Section 18. The returns of the first
10 general election shall be made, canvassed
11 and certified in the manner prescribed by
12 law. The governor of the Territory shall
13 certify the results to the President of the
14 United States.

Assumption
of Office

15 Section 19. When the President of the
16 United States issues a proclamation announc-
17 ing the results of the election, and the
18 State has been admitted into the Union, the
19 officers elected and qualified shall assume
20 office.

First Session
of Legisla-
ture

21 Section 20. The governor shall call a
22 special session of the first state legislature
23 within thirty days after the presidential
24 proclamation unless a regular session of the
25 legislature falls within that period. The

1 special session shall not be limited as to
2 duration.

First
Judicial
Council

3 Section 21. The first members of the
4 judicial council shall, notwithstanding
5 Section 8 of Article IV, be appointed for
6 terms as follows: three attorney members
7 for one, three and five years respectively,
8 and three non-attorney members for two, four
9 and six years respectively. The six members
10 so appointed shall, in accordance with
11 Section 5 of Article IV, submit to the
12 governor nominations to fill the initial
13 vacancies on the supreme court, including the
14 office of chief justice. Once the chief
15 justice is appointed, he shall assume his
16 seat on the judicial council.

Transfer of
Court
Jurisdiction

17 Section 22. Until the courts provided
18 for in Article IV are organized, the courts,
19 their jurisdiction and the judicial system
20 shall remain as constituted on the date of
21 admission unless otherwise provided by law.
22 When the state courts are organized, new
23 actions shall be commenced and filed therein,
24 and all causes, other than those under the
25 jurisdiction of the United States, pending

1 in the courts existing on the date of admission
2 shall be transferred to the proper state
3 court as though commenced, filed or lodged
4 in those courts in the first instance, subject
5 to applicable acts of congress.

First
Legislators:
Office
Holding

6 Section 23. The provisions of Section 5
7 of Article II shall not prohibit any member
8 of the first state legislature from holding
9 any office or position created during his
10 first term.

Special
Voting
Provision

11 Section 24. Citizens who legally voted
12 in the general election of November 4, 1924,
13 and who meet the residence requirements for
14 voting, shall be entitled to vote notwith-
15 standing the provisions of Section 1 of
16 Article V.

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal 17a
Style & Drafting/Article XIV
February 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

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

ARTICLE XIV

SCHEDULE

Ordinance to
Abolish Fish
Traps

1 Section 26. Each elector who offers to vote
2 upon the ratification of the constitution may,
3 upon the same ballot, vote on a third proposition,
4 which shall be as follows:
5 "Shall Ordinance Number Three of the
6 Alaska Constitutional Convention, pro-
7 hibiting the use of fish traps for the
8 taking of salmon for commercial purposes yes
9 in the coastal waters of the State, be
10 adopted?" no
11 If the constitution shall be adopted by the electors
12 and if a majority of all the votes cast for and
13 against this ordinance favor its adoption, then the
14 following shall become operative upon the effective
15 date of the constitution:

1 "As a matter of immediate public necessity,
2 to relieve economic distress among individual
3 fishermen and those dependent upon them for a
4 livelihood, to conserve the rapidly dwindling
5 supply of salmon in Alaska, to insure fair
6 competition among those engaged in commercial
7 fishing, and to make manifest the will of the
8 people of Alaska, the use of fish traps for
9 the taking of salmon for commercial purposes
10 is hereby prohibited in all the coastal waters
11 of the State."

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/17c/S. R.
Style and Drafting/Article XIV
January 31, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following sections be adopted as
a part of the schedule of the Alaska State

Constitution:

ARTICLE XIV

SCHEDULE

Alaska- Tennessee Plan	1	Section ____.	The election of senators and a
	2	representative to serve in the Congress of the United	
	3	States being necessary and proper to prepare for the	
	4	admission of Alaska as a State of the Union, the follow-	
	5	ing is hereby ordained, pursuant to Chapter 46, SLA 1955:	
Referendum	6	(1) Each qualified voter who offers to vote	
	7	upon this constitution at the ratification election	
	8	shall be given a separate ballot which, in substance,	
	9	shall contain the following proposition:	
	10	"Shall ordinance No. ____ Alaska-Tennessee	
	11	Plan of the Alaska Constitutional Conven-	
	12	tion, calling for the immediate election	

	1	of two United States senators and one	<u>YES</u>
	2	United States representative, be adopted?"	<u>NO</u>
Approval	3	(2) Upon ratification of the constitution by the	
	4	people of Alaska and separate approval of this ordinance	
	5	by a majority of all votes cast for and against it, the	
	6	balance of this ordinance shall become effective.	
Election of Senators and Representa- tives	7	(3) Two persons to serve as members of the Senate	
	8	of the United States and one person to serve as a member	
	9	of the House of Representatives of the United States	
	10	shall be chosen at the 1956 general election.	
Terms	11	(4) One senator shall be chosen for the regular	
	12	term expiring on January 3, 1963, and the other for an	
	13	initial short term expiring on January 3, 1961, unless	
	14	when they are seated the Senate prescribes other ex-	
	15	piration dates. The representative shall be chosen for	
	16	the regular term of two years expiring January 3, 1959.	
Qualifica- tions	17	(5) Candidates for senators and representative	
	18	shall have the qualifications prescribed in the Consti-	
	19	tution of the United States and shall be qualified voters	
	20	of Alaska.	
Other Office Holding	21	(6) Until the admission of Alaska as a state, the	
	22	senators and representative may also hold or be nominated	
	23	and elected to other offices of the United States or of	
	24	the Territory of Alaska, provided that no person may re-	
	25	ceive compensation for more than one office.	

Election
Procedure

1 (7) Except as provided herein, the laws of the
2 Territory governing elections to the office of delegate
3 to congress shall, to the extent applicable, govern the
4 election of the senators and representative. Territor-
5 ial and other officials shall perform their duties with
6 reference to this election accordingly.

Filing

7 (8) All candidates for senators and representative
8 must file declarations of candidacy with the director of
9 finance of the Territory on or before June 30, 1956.
10 Each candidate shall pay a filing fee of forty dollars.

Independent
Candidates

11 (9) Independent candidates who meet the require-
12 ments set forth in Section 38-5-10, ACLA 1949, may file
13 for the office of senator or representative.

Party Nom-
inations

14 (10) Party nominations for senators and representa-
15 tive shall, for this election only, be made by party con-
16 ventions in the manner prescribed in Section 38-4-11,
17 ACLA 1949, for filling a vacancy in a party nomination
18 occurring in a primary election. The chairman and sec-
19 retary of the central committee of each political party
20 shall certify the names of the candidate nominated to
21 the director of finance of the Territory on or before
22 June 30, 1956.

Certifica-
tion

23 (11) The director of finance shall certify the
24 names of all candidates for senators and representative
25 to the clerks of court by July 15, 1956. The clerks of

1 court shall cause the names to be printed on the
2 official ballot for the general election. Independ-
3 ent candidates shall be identified as provided in
4 Section 38-5-10, ACLA 1949. Candidates nominated
5 at party conventions shall be identified with appro-
6 priate party designations as is provided by law for
7 nominations at primary elections.

Ballot Form; 8
Who Elected

9 (12) Each declaration of candidacy shall clear-
10 ly indicate whether the candidate for senator is
11 seeking the regular or the short term. The ballot
12 form shall group separately the candidates seeking
13 the senate long term, those seeking the senate short
14 term and candidates for representative. The candi-
15 date for each office receiving the largest number of
of votes cast for that office shall be elected.

Duties and 16
Compensa-
tion 17

18 (13) The duties and emoluments of the offices
of senator and representative shall be as prescribed
by law.

Convention 19
Assistance

20 (14) The president of the Alaska Constitutional
21 Convention, or person designated by him, may assist
22 in carrying out the purposes of this ordinance. The
23 unexpended and unobligated funds appropriated to the
24 Alaska Constitutional Convention by Chapter 46, SLA
25 1955, may be used to defray expenses attributable
26 to the referendum and the election required by this
ordinance.

Alternate.
Effective
Dates

1 (15) If the Congress of the United States
2 seats the senators and representative elected pur-
3 suant to this ordinance and approves the constitu-
4 tion prior to the first election of state officers,
5 then Section 1 of Article XIV shall be void and
6 shall be replaced by the following:

7 "The provisions of the constitution applicable
8 to the first election of state officers shall
9 take effect immediately upon the admission of
10 Alaska into the Union as a State. The balance
11 of the constitution shall take effect when the
12 elected governor takes office."

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Style and Drafting/Article XIV
Committee Proposal/17c/S.R.
February 1, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following sections be adopted as
a part of the schedule of the Alaska State
Constitution:

ARTICLE XIV

SCHEDULE

Alaska-
Tennessee
Plan

1 Section 25. The election of senators and a
2 representative to serve in the Congress of the
3 United States being necessary and proper to pre-
4 pare for the admission of Alaska as a State of
5 the Union, the following is hereby ordained,
6 pursuant to Chapter 46, SLA 1955:

Referendum

7 (1) Each elector who offers to vote upon
8 this constitution at the ratification election
9 shall be given a separate ballot by the election
10 judges which shall contain the following proposition:
11 "Shall ordinance No. ___ (Alaska-
12 Tennessee Plan) of the Alaska Con-
13 stitutional Convention, calling for
14 the immediate election of two

1 United State Senators and one United Yes
2 States Representative, be adopted?" No

Approval

3 (2) Upon ratification of the constitution by
4 the people of Alaska and separate approval of this
5 ordinance by a majority of all votes cast for and
6 against it, the remainder of this ordinance shall
7 become effective.

Election of
Senators and
Representative

8 (3) Two persons to serve as members of the
9 senate of the United States and one person to
10 serve as a member of the house of representatives
11 of the United States shall be chosen at the 1956
12 general election.

Terms

13 (4) One senator shall be chosen for the
14 regular term expiring on January 3, 1963, and the
15 other for an initial short term expiring on
16 January 3, 1961, unless when they are seated the
17 senate prescribes other expiration dates. The
18 representative shall be chosen for the regular
19 term of two years expiring January 3, 1959.

Qualifications

20 (5) Candidates for senators and representative
21 shall have the qualifications prescribed in the
22 constitution of the United States and shall be
23 qualified voters of Alaska.

Other Office
Holding

24 (6) Until the admission of Alaska as a state,
25 the senators and representative may also hold or be

1 nominated and elected to other offices of the
2 United States or of the Territory of Alaska, pro-
3 vided that no person may receive compensation for
4 more than one office.

Election
Procedure

5 (7) Except as provided herein, the laws of
6 the Territory governing elections to the office of
7 delegate to congress shall, to the extent applicable,
8 govern the election of the senators and representa-
9 tive. Territorial and other officials shall perform
10 their duties with reference to this election
11 accordingly.

Independent
Candidates

12 (8) Persons not representing any political
13 party may become independent candidates for the
14 offices of senator or representative by filing
15 applications in the manner provided in Section
16 38-5-10, ACLA 1949, insofar as applicable. Appli-
17 cations must be filed in the office of the director
18 of finance of the Territory on or before June 30,
19 1956.

Party
Nominations

20 (9) Party nominations for senators and
21 representative shall, for this election only, be
22 made by party conventions in the manner prescribed
23 in Section 38-4-11, ACLA 1949, for filling a
24 vacancy in a party nomination occurring in a
25 primary election. The names of the candidates

1 nominated shall be certified by the chairman and
2 secretary of the central committee of each political
3 party to the director of finance of the Territory
4 on or before June 30, 1956.

Certification

5 (10) The director of finance shall certify
6 the names of all candidates for senators and
7 representative to the clerks of court by July 15,
8 1956. The clerks of court shall cause the names
9 to be printed on the official ballot for the
10 general election. Independent candidates shall be
11 identified as provided in Section 38-5-10, ACLA
12 1949. Candidates nominated at party conventions
13 shall be identified with appropriate party design-
14 nations as is provided by law for nominations at
15 primary elections.

Ballot Form;
Who Elected

16 (11) The ballot form shall group separately
17 the candidates seeking the regular senate term,
18 those seeking the short senate term and candidates
19 for representative. The candidate for each office
20 receiving the largest number of votes cast for
21 that office shall be elected.

Duties and
Emoluments

22 (12) The duties and emoluments of the offices
23 of senator and representative shall be as prescribed
24 by law.

Convention
Assistance

1 (13) The president of the Alaska Constitutional
2 Convention, or person designated by him, may assist
3 in carrying out the purposes of this ordinance.
4 The unexpended and unobligated funds appropriated
5 to the Alaska Constitutional Convention by
6 Chapter 46, SLA 1955, may be used to defray
7 expenses attributable to the referendum and the
8 election required by this ordinance.

Alternate
Effective
Dates

9 (14) If the Congress of the United States
10 seats the senators and representative elected pur-
11 suant to this ordinance and approves the constitu-
12 tion before the first election of state officers,
13 then Section 1 of Article XIV shall be void and
14 shall be replaced by the following:

15 "The provisions of the constitution applicable
16 to the first election of state officers shall
17 take effect immediately upon the admission of
18 Alaska into the Union as a State. The
19 remainder of the constitution shall take
20 effect when the elected governor takes
21 office."

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Elections and Apportionment
January 30, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE XV

APPORTIONMENT SCHEDULE

Election
Districts

Section 1. Members of the house of representatives shall, until reapportionment, be elected from the election districts and in the numbers shown below:

<u>Number of District</u>	<u>Name of District</u>	<u>Number of Representatives</u>
1	Prince of Wales	1
2	Ketchikan	2
3	Wrangell-Petersburg	1
4	Sitka	2
5	Juneau	2
6	Lynn Canal-Icy Straits	1
7	Cordova-McCarthy	1
8	Valdez-Chitina-Whittier	1
9	Palmer-Wasilla-Talkeetna	1
10	Anchorage	8
11	Seward	1
12	Kenai-Cook Inlet	1
13	Kodiak	2
14	Aleutian Islands	1
15	Bristol Bay	1
16	Bethel	1
17	Kuskokwim	1
18	Yukon-Koyukuk	1
19	Fairbanks	5
20	Upper Yukon	1
21	Barrow	1
22	Kobuk	1
23	Nome	2
24	Wade Hampton	1

Description
of Election
Districts

Section 3. The election districts set forth in
Section 1 shall include the following territory:

1. Prince of Wales: All of Prince of Wales, Dall, Forrester, Suemez, Baker, Lulu, Noyes, Warren, Kosciusko and the Kashevarof Islands as well as adjacent off-shore islands.

2. Ketchikan: That area of the mainland drained by streams flowing into Revillagigedo Channel, Behm Canal, Burroughs Bay and east side of Clarence Strait from the southernmost point of the Alaska-British Columbia boundary line to and including Lemesurier Point, and those islands south of Ernest Sound and east of Clarence Strait including Revillagigedo, Gravina, Annette and Duke Islands and other adjacent smaller islands.

3. Wrangell-Petersburg: That area of the mainland north of Election District No. 2 and south of and including the area draining into Frederick Sound to Cape Fanshaw on the north and partly bounded on the north by a line drawn between Cape Fanshaw and the north side of Pybus Bay, that area of Admiralty Island drained by streams flowing into Frederick Sound, that area of Baranof Island drained by streams flowing into Chatham Strait to but not including that area drained by streams flowing into Peril Strait, and including Kupreanof, Mitkof, Kuiu and Coronation Islands and other smaller adjacent islands.

4. Sitka: Those parts of Admiralty, Chichagof, and Baranof Islands not included in Election Districts No. 3, 5 and 6 and Kruzof Island and other smaller adjacent islands.

5. Juneau: The mainland north of Election District No. 3 up to and including the area drained by streams flowing into Berners Bay on the north, and that area of Admiralty Island north of Election District No. 3 and drained by streams flowing into Stephens Passage, Seymour Canal, Lynn Canal and their tributaries and including Douglas, Shelter and Benjamin Islands, and other smaller adjacent islands.

6. Lynn Canal-Icy Straits: That part of the mainland not included in Election District No. 5 drained by streams flowing into Lynn Canal, Glacier Bay, Icy Strait, Cross Sound and their tributaries and the Pacific Ocean to and including the area drained into Icy Bay to the west, those parts of Admiralty and Chichagof Islands drained by streams flowing into Icy Strait, Cross Sound and their tributaries, and Yakobi, Lemesurier and Pleasant Islands and other smaller adjacent islands.

7. Cordova-McCarthy: That area draining into the Gulf of Alaska and Prince William Sound from but not including that area draining into the south side of Icy Bay on the east to Knowles Head on the west including Hawkins, Hinchinbrook, Kayak and Middleton Islands and other smaller adjacent islands, and that area drained by the Copper River and its tributaries up to and not including the Tiekel River on the west; and up to and including the Chitina River on the east.

8. Valdez-Chitina-Whittier: That area drained by all streams flowing into Prince William Sound from Cape Junken on the west to Knowles Head on the east including Montague, Latouche, and Knight Islands and adjacent smaller islands and all of the area drained by the Copper River and its tributaries above and including the Tiekel River on the west, and above but not including the Chitina River on the east.

9. Palmer-Wasilla-Talkeetna: That area from and including Susitna on the south, drained by the Susitna River and its tributaries and that area drained by the Little Susitna River from and including Flat Lake on the south; and that area draining into Knik Arm from and including Fish Creek and its tributaries on the west side of Knik Arm to and including the area draining into the Knik River from the north and from the south to the highway bridge.

10. Anchorage: That area around Turnagain Arm and east of Knik Arm drained by streams flowing into Turnagain Arm and Knik Arm from and including Placer River on the south to and including the Knik River highway bridge on the north; that area east of Knik Arm and north of Cook Inlet drained by Goose Creek and its tributaries on the east and the Little Susitna River south of Flat Lake and the Susitna River south of but not including Susitna; the area west of Cook Inlet drained by Ivan, Lewis, Theodore Rivers and their tributaries to but not including Beluga River on the south.

11. Seward: That part of Kenai Peninsula draining into the Gulf of Alaska from Gore Point on the west to Cape Junken on

the east and the area draining into Turnagain Arm from and including the drainage of Resurrection Creek on the west to but not including Placer River on the east; and to and including the confluence of the Kenai and Russian Rivers on the west.

12. Kenai-Cook Inlet: That area of Kenai Peninsula drained by streams flowing into the Gulf of Alaska, Cook Inlet and Turnagain Arm, from and including the area drained into Port Dick on the south to Gore Point to but not including Resurrection Creek on the north and the area east of the confluence of the Kenai and Russian Rivers and that area west of Cook Inlet drained by all streams flowing into Cook Inlet from Cape Douglas on the south to and including the Beluga River, including Elizabeth Island and adjacent islands in Cook Inlet.

13. Kodiak: The part of the Alaska Peninsula drained by all streams flowing into the Pacific Ocean from Cape Douglas on the east to but not including Kujulik Bay on the west and all adjacent off-shore islands, including the Semidi Islands and Kodiak, Afognak, Trinity, Chirikof Islands, and other smaller islands in the immediate vicinity such as the Barren Islands and the Chugach Islands.

14. Aleutian Islands: The part of the Alaska Peninsula west of and including the drainage of Meshik River and Kujulik Bay and all of the Aleutian and Pribilof Islands and adjacent off-shore islands west of and excluding the Semidi Islands and Sutwik Island.

15. Bristol Bay: The area drained by all streams flowing into Bristol Bay from Cape Newenham on the west to but not including the Meshik River on the south.

16. Bethel: The area drained by all streams flowing into Baird Inlet, Etolin Strait and Kuskokwim Bay, that area drained by the Kuskokwim River and its tributaries up to and including the area drained by the Tuluksak River on the east bank of the Kuskokwim River and the area drained by tributaries up to the opposite point on the west bank of the Kuskokwim River and including Nunivak Island and Saint Matthew Island and adjacent islands.

17. Kuskokwim: The area drained by the Kuskokwim River and its tributaries above and not including the area drained by the Tuluksak River on the east bank and the area drained by tributaries above the opposite point on the west bank of the Kuskokwim River; and the area drained by the Yukon River from Tuckers Slough to but not including the area drained by the Khotol River.

18. Yukon-Koyukuk: The area drained by all streams and their tributaries flowing into the Yukon River from and including Khotol River on the west to and including Hess Creek on the east and that area drained by the Tanana River and its tributaries up to but not including Clear Creek on the east and that part of Goldstream Creek up to but not including Nugget Creek and Spinach Creek and that portion drained by the Chatanika River up to but not including Vault Creek.

19. Fairbanks: That area drained by the Tanana River and its tributaries from and including Clear Creek, near Blair Lakes, on the west to the Alaska-Canada boundary on the east, and also that area drained by Goldstream Creek and its tributaries up stream from and

and including Nugget Creek and Spinach Creek and that portion drained by the Chatanika River and its tributaries up stream from and including Vault Creek.

20. Upper Yukon: That area drained by the Yukon River and its tributaries from but not including Hess Creek on the west to the Alaska-Canada boundary and that area drained by streams flowing into the Arctic Ocean from but not including Kuparuk River on the west to the Alaska boundary.

21. Barrow: The area drained by all streams flowing into the Arctic Ocean from Cape Lisburne on the west to and including the area drained by the Kuparuk River and its tributaries on the east.

22. Kobuk: The area drained by all streams flowing into the Arctic Ocean and Kotzebue Sound from Cape Lisburne on the north to and including the area drained by the Good Hope River and its tributaries on the south.

23. Nome: All of the Seward Peninsula and adjacent areas drained by all streams flowing into the Kotzebue Sound, Bering Strait and Norton Sound from but not including the area drained by the Good Hope River and its tributaries on the north to but not including the area drained by the Pastolik River on the south; and King, Little Diomede, Saint Lawrence, Sledge, Chamisso, and Stuart Islands, as well as adjacent offshore islands.

24. Wade Hampton: The area drained by the lower Yukon River and its tributaries from Tuckers Slough to the mouth of the Bering Sea, and the area drained by all streams flowing into the Bering Sea and Norton Sound from and including Hazen Bay on the south to and including the Pastolik River on the north.

Constitutional Convention
Committee Proposal/8/a
Style & Drafting/Article VIII
January 30, 1956

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 re-draft of the Article on Natural Resources 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

REPORT OF THE STYLE AND DRAFTING COMMITTEE

Constitutional Convention
X/Resources/8/a
Style and Drafting/Article VIII
January 29, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

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

ARTICLE VIII

NATURAL RESOURCES

Statement
of Policy

1 Section 1. It is the policy of the State to en-
2 courage the settlement of its land and the development
3 of its resources by making them available for maximum
4 use consistent with the public interest.

General
Authority

5 Section 2. The legislature shall provide for the
6 utilization, development and conservation of all natural
7 resources belonging to the State, including land and
8 waters, for the maximum benefit of its people.

Common
Use

9 Section 3. Wherever occurring in their natural
10 state, fish, wildlife, and waters are reserved to the
11 people for common use.

Sustained
Yield

12 Section 4. Fish, forests, wildlife, grasslands and
13 all other replenishable resources belonging to the State
14 shall be utilized, developed and conserved on the sus-
15 tained yield principle, subject to preferences among
16 beneficial uses.

Facilities and Improvements 1 Section 5. The legislature may provide for facilities,
2 ties, improvements and services to assure greater utilization,
3 zation, development, reclamation and settlement of lands,
4 and to assure fuller utilization and development of the
5 fisheries, wildlife and waters.

State Public Domain 6 Section 6. Lands and interests therein, including
7 submerged and tidal lands, possessed or acquired by the
8 the State, and not used or intended exclusively for governmental
9 purposes, constitute the state public domain.
10 The legislature shall provide for the selection of lands
11 granted to the State by the United States, and for the
12 administration of the state public domain.

Special Purpose Sites 13 Section 7. The legislature may provide for the acquisition
14 of sites, objects and areas of natural beauty
15 or of historic, cultural, recreational or scientific
16 value. It may reserve them from the public domain and
17 provide for their administration and preservation for the
18 use, enjoyment and welfare of the people.

Leases 19 Section 8. The legislature may provide for the
20 leasing of and the issuance of exploration permits to any
21 part of the public domain or interest therein, subject
22 to reasonable concurrent uses. Leases and permits shall
23 provide, among other conditions, for payment by the
24 party at fault for damage or injury arising from non-
25 compliance with terms governing concurrent use and for

1 forfeiture in the event of breach of conditions.

Sales and
Grants

2 Section 9. Subject to the provisions of this section,
3 the legislature may provide for the sale or grant of state
4 lands, or interests therein, and establish sales procedures.
5 All sales or grants shall contain reservations to the
6 State of all resources as may be required by Congress or
7 the State and shall provide for access to these resources.
8 Reservation of access shall not impair the owners' use,
9 prevent the control of trespass, nor preclude compensation
10 for damage.

Public
Notice

11 Section 10. No disposals or leases of state lands,
12 or interests therein, shall be made without prior public
13 notice and other safeguards of the public interest as
14 may be prescribed by law.

Mineral
Rights

15 Section 11. Discovery and appropriation shall be
16 the basis for establishing a right in those minerals
17 reserved to the State which, upon the date of ratification
18 of this constitution by the people of Alaska, were subject
19 to location under the federal mining laws. Prior discovery,
20 location and filing, as prescribed by law, shall establish
21 a prior right to these minerals and also a prior right to
22 permits, transferable licenses and leases for their
23 extraction and processing. Continuation of these rights
24 shall depend upon the performance of annual labor, the
25 payment of fees, rents or royalties, or upon other

1 requirements as may be prescribed by law. Surface uses
2 of land by a mineral claimant shall be limited to those
3 necessary for the extraction and basic processing of the
4 mineral deposits. The granting of deeds or patents to
5 mineral lands may be authorized by the State unless
6 prohibited by Congress. The provisions of this section
7 shall apply to all other minerals reserved to the State
8 which by law are declared subject to appropriation.

Leases and
Permits

9 Section 12. The legislature shall provide for the
10 issuance, types and terms of leases for coal, oil, gas,
11 oil shale, sodium, phosphate, potash, sulfur, pumice and
12 other minerals as may be prescribed by law. Leases and
13 permits giving the exclusive right of exploration for
14 these minerals for specific periods and areas, subject
15 to reasonable concurrent exploration as to different
16 classes of minerals, may be authorized by law. Like
17 leases and permits giving the exclusive right of prospect-
18 ing by geophysical, geochemical and similar methods for
19 all minerals may also be authorized by law.

Water
Rights

20 Section 13. All surface and subsurface waters re-
21 served to the people for common use, except mineral and
22 medicinal waters, are subject to appropriation. Priority
23 of appropriation shall give prior right. Except for
24 public water supply, an appropriation of water shall be
25 limited to stated purposes and subject to preferences

1 among beneficial uses, concurrent or otherwise, as
2 prescribed by law.

Access to
Navigable
Waters

3 Section 14. Free access to the navigable or public
4 waters of the State, as defined by law, shall not be
5 denied any citizen of the United States or resident of
6 the State, except that the legislature may by general law
7 regulate and limit such access for other beneficial uses
8 or public purposes.

No Exclu-
sive Right
of Fishery

9 Section 15. No exclusive right or special privilege
10 of fishery shall be created or authorized in the natural
11 waters of the State.

Protection
of Rights

12 Section 16. No person shall be involuntarily divested
13 of his right to the use of waters, his interests in lands,
14 or improvements affecting either, except for a
15 superior beneficial use or public purpose and then only
16 with just compensation and by operation of law.

Uniform
Application

17 Section 17. Laws and regulations governing the use
18 or disposal of natural resources shall apply equally to
19 all persons similarly situated with reference to the
20 subject matter and purpose to be served by the law or
21 regulation.

Private
Ways of
Necessity

22 Section 18. Proceedings in eminent domain may be
23 undertaken for private ways of necessity to permit
24 essential access for extraction or utilization of
25 resources. Just compensation shall be made for property

1 taken or for damages to other property rights.

Residual
Powers
(To General
Provisions)

2 Section 19. The enumeration of specified powers
3 shall not be construed as limitations on other implied
4 powers of the State in relation to the utilization,
5 development and conservation of natural resources, except
6 as specifically provided in this article.

State
Boundaries
(To General
Provisions)

7 Section 20. The State of Alaska shall consist of
8 all the territory, together with the territorial waters
9 appurtenant thereto, included in the Territory of Alaska
10 upon the date of ratification of this constitution by
11 the people of Alaska.