

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE NINTH CONVENTION DAY, NOVEMBER 16, 1955

The Convention was called to order by President Egan at 9:00 o'clock A.M.

The invocation was given by the Reverend ~~Mr.~~ B. P. Wilson, pastor of the Assembly of God Church in Fairbanks.

Roll call showed all members present except Mr. Taylor. The President declared a quorum present.

Mr. Sundborg moved and asked unanimous consent that the reading of the Journal of the previous day's session be considered each day at the afternoon session. There being no objection, it was so ordered.

COMMUNICATIONS

Communication from the Fairbanks Chamber of Commerce stating the delegates would be guests of the Chamber at the dinner to be held this date was read.

STANDING COMMITTEE REPORTS

Mr. Cooper inquired as to whether the special committee on soundscribing had been discharged. The President announced that the Committee would continue to serve until all technical matters were worked out.

Mr. Rosswog, Chairman of the Committee on Local Government reported that the Committee had elected Mr. Londborg, vice chairman and ~~Mr.~~ Fischer, secretary.

*appointed*  
Mr. Sundborg, Chairman of the Committee on Style and Drafting reported that the Committee had elected Mr. Davis, vice chairman and Mrs. Nordale, secretary.

*appointed*  
Mr. Nerland, Chairman of the Committee on Finance and Taxation, reported that the Committee had met and elected Mr. Barr, vice chairman and Mr. White, secretary.

*appointed*  
Mr. Smith announced a meeting of the Committee on Resources at 11 o'clock.

Mr. McNealy, Chairman of the Committee on Ordinances and Transitional Measures, reported that the Committee had met and elected Mr. Hurley, vice chairman and Mr. Hilscher, secretary.

*appointed*  
Mr. Collins announced that the Committee on Direct Legislation would meet at the scheduled time.

Miss Aves announced that the Committee on Preamble and Bill of Rights would meet at the scheduled time.

Mr. Rivers announced a meeting of the Committee on Executive Branch at the scheduled time.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 11 o'clock.

Mr. Coghill announced a meeting of the Committee on Administration on recess.

Mr. Cross announced a meeting of the Committee on Resolutions and Recommendations.

Mr. McLaughlin, Chairman of the Committee on Judiciary Branch, announced that the Committee had met and elected Mr. Robertson, vice chairman and Mr. Johnson, secretary.

Mrs. Nordale <sup>appointed</sup> suggested that the Committee Chairman announce only a change in Committee meetings from the scheduled committee meetings to cut down the size of the Journal. Mr. Rivers objected on the grounds that there should be a list of committee meetings in the Journal. The President announced that this matter would be taken up with Committee Chairmen at a meeting later in the day.

Mr. McCutcheon, Chairman of the Committee on Legislative Branch, reported that the Committee had met and elected Mrs. Sweeney, vice chairman and <sup>appointed</sup> Mr. McNees, secretary. He also announced that the Committee would meet at the scheduled time.

Mr. Sundborg requested personal privilege to discuss proposed change to rule 50. On beginning to state a motion Mr. McCutcheon rose to a point of order to state Mr. Sundborg was out of order. The President announced Mr. McCutcheon was correct.

Mr. Sundborg asked to be recognized in the order of business entitled MOTIONS AND RESOLUTIONS and presented the following motion: "that the Rules be amended as follows: In Rule 50, line 2, after the word 'thereon' insert the following: 'any article, other appropriate subdivision or group of articles or subdivisions may be returned to second reading for specific amendment by a vote of at least 28 members. After final action on all portions of the constitution separately,'"

Mr. Sundborg moved the adoption of the amendment. Mr. White seconded.

Mr. <sup>R.</sup>Rivers rose to a point of order to inquire whether the motion should not be to suspend the rules to receive the motion at this time. The President ruled that Mr. Sundborg's motion was in order since it was different from the motion voted down previously.

Mr. Sundborg moved that action on the amendment be deferred and the proposed amendment be referred to the Rules Committee for report. Mr. Barr objected. Mr. White seconded.

The question being, "Shall Mr. Sundborg's motion be referred to the Rules Committee for its consideration?" by voice vote the motion carried.

Mr. Riley announced a meeting of the Rules Committee on recess.

Mr. Gray moved and asked unanimous consent that the Convention recess until 1:30 p.m.

#### AFTER RECESS

The Convention was called to order at 1:30 p.m.

Mr. Walsh asked unanimous consent that Senator Charles D. Jones of Nome be given the privilege of the floor.

Mr. Collins paid tribute to Senator Jones' service in the first legislature.

Mr. Johnson asked unanimous consent to include in Mr. Walsh's request for unanimous consent that Mr. Jones be given the privilege of the floor for the entire session of the Constitutional Convention. Mr. Walsh accepted the addition and there being no objection Mr. Jones was granted the privilege of the floor.

Mr. Jones was given a hearty welcome and paid tribute to Mr. Collins who was also a member of the first legislature.

Mr. V. Rivers asked for the personal privilege of the floor to discuss legislative immunity.

Mr. Rivers moved and asked unanimous consent that the question "Are the Delegates to this Constitutional Convention entitled to full or limited legislative immunity" be referred to the Judiciary Committee for a written report indicating their opinion on the question and that their opinion be spread upon the Journal of this Convention when submitted.

Mr. Hellenthal stated he believed the matter should be referred to the Attorney General.

Mr. Sundborg stated that the Judiciary Committee of this convention is a committee on the Judiciary Branch of the Constitution and is organized to consider proposals having to do with that section of the Constitution and a matter such as Mr. Rivers' motion suggests should not properly be referred to it.

Mr. McLaughlin objected to Mr. Rivers' motion.

Mr. Rivers moved. Mr. McCutcheon seconded.

Mr. Sundborg moved to amend the motion to delete Judiciary Committee and substitute in lieu thereof "Attorney General of Alaska". Mr. Hellenthal seconded.

Mr. Rivers asked unanimous consent that the proposed amendment be incorporated in the original motion. There being no objection, it was so ordered.

On voice vote the motion was adopted.

Mr. Coghill moved and asked unanimous consent that the convention revert to the order of business on resolutions. There being no objection, it was so ordered.

Mr. Coghill moved and asked unanimous consent for the adoption of the following resolution recommended by the Committee on Administration:

"Whereas the Convention may have need for the services of technical consultants on various subjects during its deliberations; and

"Whereas the Legislature of Alaska anticipated the possible need for such services and included provision therefor in the total appropriation for the Convention;

"Now, Therefore, Be It Resolved:

1. That the Convention hereby authorize the obtaining of the services of technical consultants upon request for such services being made by a Committee Chairman and approved by the President of the Convention.
2. That the President of the Convention shall have authority to select the consultants after consultation with the Committee Chairmen.
3. That the administrative arrangements for employment of any consultant shall be approved by the Committee on Administration and be executed by the Secretary of the Convention."

Mr. Smith objected. Mr. McCutcheon seconded.

Mr. Smith proposed that the word "Chairman" be deleted. After discussion, Mr. Smith withdrew his proposed amendment.

Mr. Fischer questioned the form of the resolution.



Mr. White objected to the resolution because it did not carry a statement covering the possible coordination of the committees' use of these consultants.

After hearing from the Secretary as to a memorandum prepared for Committee Chairman, Mr. White withdrew his objection.

Mr. Fischer moved and asked unanimous consent that the first line in Resolve No. 1 be amended by inserting before the word "Convention" the word "Constitutional" and inserting after the word "Convention" the words "of Alaska". There being no objection, it was so ordered.

By voice vote the amended resolution was adopted.

Mr. Johnson moved and asked unanimous consent that since Mr. Taylor's absence was due to illness that he be ~~paid salary and per diem~~ <sup>shown present in roll call</sup> for the past two days. ~~Mr. McLaughlin asked Mr. Johnson to amend his motion to read that the roll call show Mr. Taylor as present. Mr. Johnson accepted the change.~~ There being no objection, it was so ordered.

Mr. Kilcher asked if there was not a motion which had been referred to the Rules Committee.

The President called for a report from the Chairman of the Rules Committee.

Mr. Riley deferred to Mr. Kilcher.

Mr. Kilcher stated that he was satisfied that the Committee on Rules had recognized a basic difference of opinion and he was willing to postpone action on the motion until the Committee on Rules has had time to further consider the matter.

Mr. Riley moved and asked unanimous consent that the motion referred to the Committee on Rules be put off until Monday morning, November 21, and that it be made a first order of business on that date.

Mr. Sundborg stated that as the maker of the motion he assented to this procedure.

There being no objection, it was so ordered.

Mr. Sundborg inquired as to whether there should not be an order of business for the afternoon session for the purpose of having an orderly journal.

Mrs. Sweeney suggested that the matter of reading and approving the Journal of the eighth day be taken up at this time.

Mrs. Sweeney asked that the Journal be corrected on page 1 to show that the reading of the Journal was not dispensed with but postponed until later in the day. There being no objection, it was so ordered.

Mr. Sundborg asked that paragraph one on page 2 be inserted in its proper place on page 1 before Communications. There being no objection, it was so ordered.

Mr. Armstrong asked that "Mr." be inserted after "Reverend". There being no objection, it was so ordered.

Mr. Sundborg asked if a committee could not be named to take care of correcting the Journal before it is mimeographed in order to save time during the plenary sessions.

Mrs. Sweeney suggested it would be more practical to have the committee correct the mimeographed journals.

The President named the Committee on Administration to take care of this matter. Mrs. Sweeney objected and suggested the President name a special committee.

The President named Mr. Knight, Mr. White and Mr. Doogan to read and correct the Journal each day and report to the Convention at the afternoon session.

Mr. Johnson asked that a statement regarding a quorum being present be added after the roll call. There being no objection, it was so ordered.

There being no further corrections the Journal was ordered approved as corrected.

Mr. Hellenthal moved and asked unanimous consent that the Convention adjourn until 9 o'clock *the following morning*.

#### COMMITTEE ANNOUNCEMENTS

Mr. McNealy announced a meeting of the Committee on Ordinances and Transitional Measures on recess.

Mr. Rosswog announced a meeting of the Committee on Local Government at 3:30.

#### COMMITTEE REPORTS

Mr. Sundborg reported that Committee No. III, Style and Drafting met and decided (1) to prepare a manual on style which will contain suggestions on format, arrangement, titling, numbering and wording of articles and sections of the constitution, which manual will be distributed to all the committees, and (2) to

investigate the feasibility of preparing a wall chart which will keep account of progress in building the constitution. Subcommittees were appointed to take charge of each of these matters. Mr. Armstrong was named chairman of the subcommittee on the style manual and Mr. Davis the chairman of the subcommittee on the wall chart.

Mr. Riley, Chairman of the Rules Committee, reported that the Rules Committee had elected Mrs. Hermann, vice chairman and Mr. Rosswog, secretary. *appointed*

Mr. Cross, Chairman of Committee XIV, Committee on Resolutions and Recommendations, reported that the Committee had elected Mr. Gray, vice chairman, and Mr. Robertson, secretary.

*appointed*  
Mr. V. Rivers, Chairman of Committee VIII, Committee on Executive Branch, reported that the Committee had elected Mr. Boswell, vice chairman, and Mr. Harris, secretary.

*appointed*  
Mr. Collins, Chairman of Committee XIII, Committee on Direct Legislation, announced a meeting as scheduled.

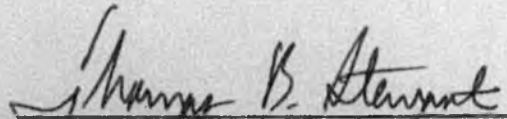
Mr. Smith, Chairman of Committee X, Committee on Resources, reported the Committee had ~~elected~~ Mr. Riley, secretary and Mr. Boswell, vice chairman. *appointed* *lected*

*appointed*  
Miss Awes, Chairman of Committee V, Committee on Preamble and Bill of Rights, reported the Committee had elected Mrs. Wien, vice chairman and Mr. Armstrong, secretary, and announced the committee would meet as scheduled.

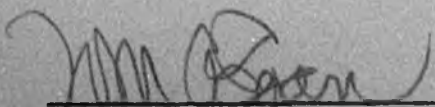
The President announced in answer to inquiry from Mr. Robertson and Mr. Johnson that it would be possible to revert to matters already covered in the morning session at the afternoon session by a unanimous consent request.

The President announced a meeting of Committee Chairmen for Thursday afternoon.

There being no objection to Mr. Hellenthal's motion to adjourn, the convention adjourned until 9:00 o'clock Thursday morning.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President