The Convention was called to order at 9 a.m. by President Egan.

Capt. Gerald A. Hill, of the Salvation Army, gave the Invocation.

Roll call showed all members present except Mr. Hellenthal and Mr. VanderLeest. It was reported that Mr. VanderLeest was ill. The President declared a quorum to be present.

Mr. White asked unanimous consent for the approval of the Journal of the 53rd day with the following corrections:

Page 3, paragraph 2, insert a comma after "Burnette"
Page 3, paragraph 5, insert quotation marks after "election" on line 6
Page 7, paragraph 4, on third line insert "On line 17" before "delete".

There being no objection, the Journal for the 53rd day was ordered approved as corrected.

Mr. White asked unanimous consent for the approval of the Journal of the 55th day with the following corrections:

Page 1, third paragraph from the bottom insert "Section 15" before the paragraph starting "The Attorney General"
Page 5, paragraph 4, insert "be included" after "Mr. Riley" on line 9
Page 8, first paragraph after recess insert quotation marks after "state" on line 6
Page 12, first paragraph, insert "s" after "subdivision" on line 3

There being no objection, the Journal of the 55th day was approved as corrected.

Mr. Hurley inquired into the source of the anonymous material entitled "Juneau as the State Capital". Mr. Gray stated he had distributed the material on behalf of the Juneau Chamber of Commerce. Mr. Hurley asked whether it was the policy of the Convention that any material could be distributed by individual delegates. The President declared a short recess.

AFTER RECESS

-1-

60th Day, Saturday, Jan. 21, 1956
The President stated he would refer the question raised by Mr. Hurley to the Rules Committee for a report.

Committee Proposal No. 12 was considered again.

Committee amendment to Section 1 having been held over from the previous day the question was called. The roll was called with the following result:

Yeas: 25 - Armstrong, Boswell, Coghill, Cooper, Davis, H. Fischer, Gray, Harris, Hinckel, Johnson, King, Laws, Londborg, McCutcheon, Metcalf, Nordale, Peratrovich, Poulsen, R. Rivers, V. Rivers, Robertson, Sweeney, Walsh, White and Mr. President.


Absent: 8 - Buckalew, Doogan, Hellenthal, McNealy, Reader, Rosswog, Taylor and VanderLeest.

and so the amendment was adopted.

Mr. V. Rivers asked unanimous consent for the adoption of the following committee amendment:

Section 3, line 14, delete the words "or employment" and insert "of trust or profit under this Constitution."

There being no objection to the amendment, it was ordered adopted.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment:

Section 5, line 11, insert a period after the word "interest", delete the remainder of the sentence.

Mr. Kilcher objected. Mr. Johnson seconded. After discussion by Mr. V. Rivers and Mr. McNees, Mr. Kilcher withdrew his objection. There being no further objection, the amendment was ordered adopted.

Mr. V. Rivers moved and asked unanimous consent for the adoption of the following committee amendment:

Section 6, line 5, delete remainder of line 5 after comma up to and including the word "purposes" on line 6.

There being no objection, it was so ordered.
Mr. Laws asked unanimous consent for the adoption of the following amendment:

Section 3, line 11, strike the comma.

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent for the adoption of the following amendment:

Insert "GENERAL AND MISCELLANEOUS PROVISIONS" after the resolve clause.

There being no objection, it was so ordered.

Mr. McLaughlin asked unanimous consent for the adoption of the following amendment:

Strike Section 1.

Mrs. Nordale objected. Mr. Emberg seconded. The roll was called with the following result:

Yeas: 20 - Awes, Barr, Emberg, V. Fischer, Hilscher, Hinckel, Hurley, Kilcher, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Nolan, Peratrovich, Poulsen, Stewart, Wien and Mr. President

Nays: 27 - Armstrong, Boswell, Coghill, Collins, Cooper, Cross, Davis, H. Fischer, Gray, Harris, Hermann, Johnson, King, Knight, Laws, Metcalf, Nerland, Nordale, Riley, R. Rivers, V. Rivers, Robertson, Smith, Sundborg, Sweeney, Walsh, and White

Absent: 8 - Buckalew, Doogan, Hellenthal, McNealy, Reader, Rosswog, Taylor, and VanderLeest

and so the amendment failed.

Mr. Sundborg served notice that he would move to rescind the action of the Convention on the Committee amendment which changed "shall" to "may" in Section 1 of Committee Proposal No. 12 at a future time.

Mr. Sundborg served notice that he would move to rescind the action of the Convention in striking Section 5 from Committee Proposal No. 8a at some future time.

Mr. V. Rivers rose to a point of order to ask for a ruling of the Chair as to what point rescinding action can be terminated after a proposal leaves second reading.
The President stated that neither proposal involved had been referred to the Committee on Engrossment and Enrollment, so rescinding action would be in order.

Mr. McCutcheon stated that such notice to rescind as Mr. Sundborg had given would freeze the articles in their present status.

The President stated that the notice to rescind was perfectly proper.

Mr. Sundborg stated that he served notice to comply with the rule which states that if prior notice is given a motion to rescind, only a majority vote is required, rather than a two-thirds. He stated further that he would bring the matter up as soon as all delegates were present.

Mr. Johnson rose to a point of information to inquire whether Robert's Rules of Order does not provide that a notice to rescind in order to obviate the necessity of more than a majority vote must be given on the same day as action was taken.

The President stated that he did not believe Robert's Rules provided as Mr. Johnson had stated.

The President declared a short recess.

AFTER RECESS

The President referred Committee Proposal No. 12 to Engrossment and Enrollment.

Mr. Robertson asked for a ruling of the Chair on the points of order.

The President stated that the rescinding action cannot hold anything beyond the next Convention day.

Committee Proposal No. 15 was read the first time.

Mr. Sundborg explained the proposal.

Mr. Sundborg moved and asked unanimous consent that the sections in this proposal be added to Committee Proposal No. 12 and that the section numbers be changed to 7, 8, 9 and 10. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent that Committee Proposal No. 15 be referred directly to the Committee on Style and Drafting and that Committee Proposal No. 11 also be assigned to Style and Drafting.
Committee Proposal No. 11 was referred to the Committee on Style and Drafting, but since Committee Proposal No. 15 had been made a part of Committee Proposal No. 12, it was referred to the Committee on Engrossment and Enrollment.

The President stated that Engrossment and Enrollment should not report the article on Miscellaneous Provisions until it is certain there are no more miscellaneous provisions to be included.

The President stated that the next order of business would be consideration of the Style and Drafting Committee's report on the Judiciary article.

Miss Awes asked whether the report of the Committee on Resolutions containing Mr. Marston's resolution "Friendly Relations with Canada" could not be considered at this time.

Mr. Marston asked that it be held until nearer the end of the Convention. There being no objection, action was delayed.

Mr. V. Fischer raised the question of the effect of resolutions and ordinances on the legislature and on the State.

Mr. Riley explained the matter of resolutions.

Mr. Hurley spoke for the Committee on Ordinances and explained the effect of an ordinance and the plan for ratification of ordinances along with the constitution.

Mr. Sundborg asked a question regarding the effective date of an ordinance. Mr. Hurley answered on behalf of the Ordinance Committee.

Mr. McLaughlin requested a ten-minute recess. There being no objection, it was so ordered.

AFTER RECESS

The report of the Committee on Style and Drafting was read.

Mr. Sundborg asked Mr. Davis to give a brief explanation of what the committee had done and why, in changing the proposal.

After the explanation by Mr. Davis, Mr. McLaughlin stated that the Committee on Style and Drafting had made no substantive changes unless the body considered that using the phrase "provided by law" instead of "provided by the legislature" in some instances would be so construed.

Discussion regarding the above change followed.
Mr. Johnson moved that in Section 1, wherever the words "by law" are used they be changed to read "by the legislature" and asked for a suspension of the rules to effect the change. Mr. Robertson seconded and asked whether Mr. Johnson would not include in his motion mention of Sections 2, 3, 4, 9, 11 and 13. Mr. Johnson asked that they be included in his motion. There being no objection, it was so ordered. Discussion followed by Mr. Davis, Mr. Johnson, Mr. McNees, Mr. Collins and Mr. Davis.

Mr. White asked Mr. Johnson whether he would be willing to hold his motion in abeyance so that the basic matter could be decided. After discussion, Mr. Johnson asked unanimous consent that his motion be held in abeyance until a later time. There being no objection, it was so ordered.

Mr. White moved that it be the policy of the Convention to adopt a miscellaneous provision which would say that when the constitution says "the legislature" it means the legislature only, and that when it says "by law" it means by initiative or by the legislature. Mr. McNees seconded.

After discussion by Mr. Davis, Mr. Sundborg, Mr. Hurley and Mr. McLaughlin, the President stated that since the article on miscellaneous provisions was not before the Convention that Mr. White would have to move to suspend the rules in order to present his motion.

Mr. White asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

Mr. White asked unanimous consent that the Rules be suspended so that he could make the motion which had just been withdrawn.

After question by Mr. Johnson as to whether Mr. White's motion to suspend the rules would carry with it the motion he had previously made, the President stated that it would merely open the way for Mr. White to make the motion.

There being no objection to Mr. White's unanimous consent request, the rules were suspended.

Mr. White requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Coghill rose to a point of information regarding a call of the Convention. After discussion Mr. Sundborg suggested that the Rules Committee draft a rule covering a call of the Convention since there is no rule covering this.
The President declared a short recess.

AFTER RECESS

Mr. Collins moved and asked unanimous consent that the Convention recess until 1:30 p.m. The following committee announcements were made: Administration on recess; Style and Drafting at 12:30 p.m. in lunchroom.

Mr. Davis objected to the unanimous consent request for a recess. Mr. Collins so moved. Mr. McNees seconded. The roll was called with the following result:

Yeas: 24 - Awes, Barr, Coghill, Collins, Cross, Doogan, Emberg, H. Fischer, Harris, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McNees, Marston, Poulsen, V. Rivers, Robertson, Smith, Stewart, and Sweeney

Nays: 21 - Boswell, Cooper, Davis, V. Fischer, Gray, Hermann, Hinckel, Hurley, McCutcheon, McLaughlin, Metcalf, Nerland, Nolan, Nordale, Peratrovich, R. Rivers, Sundborg, Walsh, White, Wien, and Mr. President

Absent: 10 - Armstrong, Buckalew, Hellenthal, Hilscher, McNealy, Reader, Riley, Rosswog, Taylor, and VanderLeest

and so the Convention recessed. The sergeant-at-arms was asked to contact the absent members to be sure they would be in attendance at the afternoon session.

AFTER RECESS

A telegram from Cyrus E. Peck, Grand Secretary, Alaska Native Brotherhood, urging that the action taken by the Convention which voted down the amendment regarding native lands in Committee Proposal No. 8a be sustained, was read and ordered filed.

A telegram from Arthur Skinner of Juneau, urging the Convention to reconsider its action on Section 5 of Committee Proposal No. 8a, pertaining to Fish and Wildlife, was read and ordered filed.

Mr. White, under the suspension of the rules granted earlier, reviewed his motion regarding the use of the terms "by the legislature" and "by law". Mr. Buckalew seconded. After discussion by Mr. R. Rivers, Mr. V. Fischer, Miss Awes, Mr. McNees, Mr. Barr, Mr. Riley, Mr. Marston, Mr. Cross and Mr. White, Mr. Rosswog asked permission to abstain from voting since he had been absent during the debate. Permission was granted. Mr. Metcalf requested a roll call. The roll was called with the following result:
Yeas: 18 - Barr, Buckalew, Coghill, Collins, Cooper, Davis, Johnson, Kilcher, Laws, McCutcheon, McNealy, Nerland, Nolan, Peratrovich, Poulsen, Reader, Robertson, and Taylor

Nays: 34 - Armstrong, Awes, Boswell, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, King, Knight, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nordale, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Absent: 2 - Hellenthal and VanderLeest

Abstaining: 1 - Rosswog

and so the motion failed.

Mr. R. Rivers rose to a point of information as to whether the suspension of the rules would make it possible for him to submit another motion regarding a change in the initiative provision.

Mr. McCutcheon rose to a point of order to state that the result of the vote on Mr. White's motion made the position of the Convention clear on the point.

The President stated that Mr. McCutcheon's point of order was well taken.

Mr. Johnson rose to a point of order to state that his motion, which he had laid aside until action had been taken on Mr. White's motion, was still pending.

Mr. R. Rivers rose to a point of order to state that Mr. Johnson had not stated that it would be taken up immediately after Mr. White's motion, but had merely asked that it be held in abeyance until later.

The President declared a short recess.

AFTER RECESS

The President stated that it would take a suspension of the rules for Mr. R. Rivers to present his motion.

Mr. R. Rivers stated he would not ask for a suspension of the rules and yielded to Mr. Johnson.

Mr. Johnson requested a division of the question and asked for action on the suspension of the rules question first.
Mr. McCutcheon stated that he didn't believe a suspension of the rules was necessary since it is only a change in terminology and not a substantive change.

The President stated that if Mr. Johnson's amendment carried, it would limit the article to the use of the term "by law" to mean an act of the legislature rather than a possible act of the initiative and referendum so it would be a change in substance.

The question being "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 33 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Gray, Harris, Hermann, Johnson, King, Laws, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, Robertson, Rosswog, Sweeney, Taylor, Walsh, Wien, and Mr. President


Absent: 2 - Hellenthal and VanderLeest

and so the rules were not suspended.

Mr. Johnson asked unanimous consent to withdraw his motion to amend. There being no objection, it was so ordered.

Mr. McLaughlin asked unanimous consent to suspend the rules so he could introduce a motion.

Mr. McCutcheon rose to a point of order to state he would like to know the nature of the motion before he could vote on the suspension of the rules.

Mr. McLaughlin read the motion.

Mr. Buckalew objected to the unanimous consent request. Mr. McLaughlin moved that the rules be suspended so that he could introduce a motion. Mr. Knight seconded. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan,
and so the rules were suspended.

Mr. McLaughlin moved that it be the intent of the Convention that all provisions of the constitution which include the words "by the legislature" or "the legislature", unless clearly inapplicable or unless specifically excluded from the initiative and referendum by the article on the initiative and referendum, shall be subject to the initiative and referendum.

Mr. Cooper rose to a point of order to call attention to the rule which states that a long amendment should be mimeographed before presentation. The President stated that this was not an amendment. Mr. Cooper withdrew his point of order.

Mr. Barr seconded the motion.

After discussion by Mr. McLaughlin, Mr. Johnson, Mr. Sundborg, Mr. White, Mr. Coghill and Mrs. Nordale, the question was called. On voice vote the motion was adopted.

Mr. McCutcheon moved that the Judiciary Article be sent back to Style and Drafting for further consideration. Mr. Taylor seconded. On voice vote the motion failed.

Mr. Robertson moved that Committee Proposal No. 2 be recommitted to the Judiciary Committee. Mr. McCutcheon seconded the motion.

Mr. Davis stated that under the motion just adopted the Judiciary Committee would have no authority to change the wording in the article.

Mrs. Hermann stated that it would take a suspension of the rules to do what Mr. Robertson requested, since the Proposal was no longer in second reading.

The President stated that Mrs. Hermann's point of order was well taken.

Mr. Robertson appealed from the ruling of the Chair.

The question being "Shall the ruling of the Chair be sustained?", the roll was called with the following result:

Nays: 3 - Hinckel, Robertson, and Taylor

Absent: 2 - Hellenthal and VanderLeest

Abstaining: 1 - Mr. President

and so the ruling of the Chair was sustained.

Mr. Robertson moved that the Rules be suspended.

The roll was called with the following result:

Yeas: 13 - Barr, Collins, Johnson, Laws, McCutcheon, McNealy, Marston, Nolan, Poulsen, Reader, Robertson, Taylor and White

Nays: 40 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McLaughlin, McNees, Metcalf, Nerland, Nordale, Peratovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Absent: 2 - Hellenthal and VanderLeest

and so the rules were not suspended.

Mr. Sundborg moved that the rules be suspended and that Style and Drafting be allowed to write in as one of the restrictions in the initiative article the matter of establishment and operation of the courts. Mr. Robertson seconded.

Mr. Coghill asked for a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.
Mr. V. Rivers asked unanimous consent that C. P. No. 2 be referred to the Rules Committee for assignment to the calendar in third reading.

Mr. Davis stated the Committee on Style and Drafting had a few amendments to offer.

Mr. V. Rivers withdrew his motion.

Mr. Davis moved the adoption of the following committee amendment to the report of the Committee on Style and Drafting on C. P. No. 2:

Page 5, Section 14, line 16, insert "other" between "any" and "office".

Mr. Johnson seconded. Mr. Taylor objected. After Mr. Davis explained the amendment, Mr. Taylor withdrew his objection. There being no further objection, the amendment was ordered adopted by unanimous consent.

Mr. Davis asked unanimous consent for the adoption of the following committee amendment:

Page 5, Section 14, Line 19, at the end of the line add "another".

Mr. R. Rivers objected. Mr. Davis so moved. Mr. Johnson seconded. After discussion by Mr. R. Rivers, Mr. McNees, Mr. Robertson, Mrs. Nordale and Mr. Davis, the question was called. On voice vote the amendment was adopted.

The President asked if there were any objections to the fact that the two amendments had been adopted without a roll call vote.

Mr. Davis stated that since these were merely questions of style there was no need for a roll call.

Mr. Davis asked unanimous consent for the adoption of the following committee amendment:

Transfer Section 17 to Miscellaneous Provisions of the Constitution.

There being no objection, it was so ordered and Section 17 was referred to the Committee on Engrossment and Enrollment.

Mr. Sundborg asked unanimous consent that the number of Section 17 be changed by the Committee on Engrossment and Enrollment to the appropriate number in the Miscellaneous Provisions article. There being no objection, it was so ordered.

Mr. Davis moved that Section 18 as written be taken from the Judiciary article and transferred to the committee considering transitional measures.
Mr. V. Rivers rose to a point of information to inquire whether that committee would make any changes.

The President stated that the section would come to the floor with all the transitional measures.

Mr. V. Fischer stated that the section could be referred to the Committee on Engrossment and Enrollment and held there until the remaining transitional measures reached the committee.

Mr. V. Rivers withdrew his request for information.

The President referred Section 18 to the Committee considering transitional measures.

Mr. McNealy spoke on personal privilege to state the section would be returned to the floor in the same language.

Mr. Davis moved that the report of the Committee on Style and Drafting on Committee Proposal No. 2 be accepted. Mr. Robertson objected.

Mr. V. Rivers moved and asked unanimous consent that the Convention adjourn until 9 a.m., Monday. Mr. Johnson seconded. Mr. Coghill objected and stated that the Committee on Administration had a report to make.

Mr. McNealy announced a meeting of the Committee on Ordinances on adjournment. Mr. Sundborg announced a meeting of the Committee on Style and Drafting.

On voice vote the motion lost and the Convention remained in session.

Mr. Sundborg seconded the motion of Mr. Davis to accept the report of the Committee on Style and Drafting on C. P. No. 2. Mr. Poulsen requested a roll call. The roll was called with the following result:


Nays: 5 - Kilcher, McCutcheon, Nolan, Poulsen, and Robertson

Absent: 2 - Hellenthal and VanderLeest
and so the report was adopted.

Mr. V. Fischer asked the Chairman of the Rules Committee what the calendar contained.

Mr. Riley reported that Committee Proposal No. 16 was in second reading and Committee Proposal No. 2 was in third reading.

The President declared a recess until 3:45 p.m.

AFTER RECESS

Mrs. Hermann introduced Mr. H. G. Pope, Executive Director of the Public Administration Service, which produced the constitutional studies, who was present at the invitation of the Statehood Committee in regard to studies with reference to transitional measures. Mr. Pope spoke briefly.

Mr. Coghill presented the following report of the Committee on Administration:

"The Committee on Administration recommended that a ceremony for the signing of the constitution be held at 2:00 p.m. on Sunday, February 5, in the gymnasium of the University of Alaska. The Committee recommended that special letters of invitation be sent to the governors of the States and Territories of the United States and that 3,000 printed invitations be obtained for distribution through the delegates and otherwise."

Mr. Sundborg moved that the Convention accept the recommendation of the Committee as to the time, 2 p.m. Sunday, February 5. Mrs. Hermann seconded. Mr. R. Rivers asked unanimous consent. There being no objection, it was so ordered.

Mrs. Sweeney moved and asked unanimous consent that the University gymnasium be the place where the program would be held. Mr. Sundborg objected temporarily. Mr. Kilcher seconded. After discussion by Mr. Sundborg, Mr. Hilscher, Mr. Doogan, Mr. Londborg, Mrs. Sweeney, Mr. Walsh, Miss Awes, Mr. Buckalew and Mr. Coghill, Mr. Sundborg withdrew his objection. On voice vote the motion was adopted.

Mr. Hermann moved that the Convention accept the Committee report as to sending out invitations. Mrs. Sweeney seconded. After discussion by Mr. Doogan, Mr. McNees, Mr. White, Mr. Londborg, Mr. Kilcher and Mr. Coghill, the question was called. On voice vote the motion was adopted.

Mr. Boswell asked unanimous consent that the Convention adjourn until 9 a.m., Monday.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting on adjournment.
Mr. McNealy announced a meeting of the Committee on Ordinances on adjournment.

There being no objection to the unanimous consent request, the Convention adjourned at 4:30 p.m., until Monday at 9 a.m.

\[Signature\]
THOMAS B. STEWART
Secretary

Attested:

\[Signature\]
WILLIAM A. EGAN
President