

Constitutional Convention  
Journal/56  
Approved July 4, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-EIGHTH CONVENTION DAY, Sunday, January 29, 1956

The Convention was called to order by President Egan at 2 p.m.

The Invocation was given by Mr. Armstrong.

Roll call showed all delegates present except Mr. Coghill. The President declared a quorum to be present.

Mr. McNealy reported out Committee Proposal No. 17c.

Committee Proposal No. 17c entitled SCHEDULE was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Riley reported that since the calendar had been completed at Saturday's session he asked unanimous consent to suspend the rules and have Committee Proposal No. 17c advanced to second reading.

Committee Proposal No. 17c was read the second time.

Mr. Stewart asked unanimous consent that the date on line 10, page 4, be changed to 1955. There being no objection, it was so ordered.

Mr. McNealy gave a brief explanation of the proposal.

Mr. McLaughlin made a parliamentary inquiry as to whether a motion to strike would require a suspension of the rules.

The President stated it would not require a suspension of the rules.

Mr. McLaughlin moved to strike subsection (1) of Section 28. Mr. Buckalew seconded in order to get the amendment on the floor.

Mr. McLaughlin explained that the only reason he made the motion was to get the issue decided whether the Convention favored the Tennessee Plan or not. Mr. Marston spoke on the amendment and Mr. White requested a roll call vote.

The question being "Shall Mr. McLaughlin's amendment to strike subsection (1) of Section 28 of Committee Proposal No. 17c be adopted?", the roll was called with the following result:

68th Day, Sunday, Jan. 29, 1956

Yeas: 0

Nays: 53 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 2 - Coghill and R. Rivers

and so the amendment failed.

Mr. McLaughlin moved to strike subsection (4) of Section 28. Mr. V. Rivers seconded.

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

#### AFTER RECESS

Mr. McLaughlin explained that he had picked the wrong section to strike and asked unanimous consent that the proposed amendment be withdrawn. Mr. Londborg objected.

Mr. McLaughlin explained that what he wanted to strike was the material on page 2, line 21, after the word "offices" through the word "then" on line 13 of page 3. Mr. McLaughlin moved that he be allowed to withdraw his original amendment to strike subsection (4). Mr. Riley seconded.

Mr. Sundborg stated that Mr. Londborg could offer the amendment to strike subsection (4) at some time if he desired.

The question being "Shall Mr. McLaughlin be allowed to withdraw his amendment?", the roll was called with the following result:

Yeas: 45 - Armstrong, Awes, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Robertson, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 8 - Barr, Boswell, Cooper, Londborg, Reader, V. Rivers,  
Rosswog, and Sweeney

Absent: 2 - Coghill and R. Rivers

and so the amendment was withdrawn.

Mr. McLaughlin moved to strike all the words on page 2, line 21, following the word "offices" and to strike all the words on page 3, commencing with the first word of line 1, down to and including the word "one" in line 13. Mr. Stewart seconded.

Mr. McLaughlin explained that he had introduced the amendment to raise the question of whether a primary election should be held on the 24th day of April for the qualifying candidates.

Mr. Davis inquired of the Chair whether the amendments offered would apply to the new Proposal No. 17c, revised, in which the sections have been numbered differently.

The President declared a short recess.

#### AFTER RECESS

Mr. McLaughlin asked unanimous consent to withdraw his proposed amendment to Committee Proposal No. 17c.

Mr. Davis inquired whether that meant only the last motion offered. Mr. McLaughlin answered in the affirmative.

There being no objection, the amendment was ordered withdrawn.

Mr. McNealy asked unanimous consent to withdraw Committee Proposal No. 17c. There being no objection, it was ordered withdrawn.

Mr. McNealy offered Committee Proposal No. 17c revised.

Committee Proposal No. 17c revised, entitled SCHEDULE was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Riley asked that the rules be suspended and Committee Proposal No. 17c, revised, be placed on the calendar as the next order of business. There being no objection, it was so ordered.

Committee Proposal No. 17c, revised, was read the second time.

Mr. McNealy gave a brief explanation.

Mr. McLaughlin moved that Committee Proposal No. 17c, revised, be amended as follows:

Page 3, commencing with subsection (4), line 14 and all subsequent wording on that page and all the wording on page 4 and page 5 down to and including the word "then" on line 7 be stricken. ~~Mr.~~ Sundborg seconded.

Questions and discussion followed by Mr. Davis, Mr. McNealy, Mr. Johnson, Mr. McLaughlin, Miss Awes, Mrs. Hermann, Mr. Buckalew, Mr. White, Mr. Stewart, Mr. Hurley, Mr. Sundborg, ~~and Mr. Smith,~~ and *Mr. Hurley.*

The President declared a twenty-minute recess. Before recess, Mr. Rosswog announced a meeting of the committee on Local Government during recess. Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

#### AFTER RECESS

Mr. Nolan spoke and Mr. Buckalew rose to speak when Mr. Kilcher rose to a point of order to state that Mr. Buckalew had already spoken twice.

After Mr. Peratrovich, Mr. Johnson and Mr. Londborg spoke, Mr. McCutcheon objected to what Mr. Londborg had said and started to ask questions when Mr. Hurley rose to a point of order to object to the questions Mr. McCutcheon had asked. The President declared a short recess.

#### AFTER RECESS

Further discussion by Mr. Walsh, Mrs. Nordale, Mr. Hilscher, Mr. McLaughlin, Mrs. Hermann, Mr. Taylor, Mr. Robertson, Mr. Knight, Mr. Hellenthal, Mr. V. Fischer, Mr. Kilcher, Mr. Davis, Mr. Armstrong, Mr. Lee, Mr. McNees, and Mr. McNealy followed. Mr. Kilcher rose to a point of order during Mr. McNealy's discussion to state that even though Mr. McNealy had not mentioned any names he knew that he referred to him and he had not made the allegation referred to. The President stated that Mr. Kilcher's point of order was not well taken.

The question was called and Mr. Sundborg requested a roll call.

The question being "Shall Mr. McLaughlin's amendment to strike material on pages 3, 4 and 5 of C. P. 17c, revised, be adopted?", the roll was called with the following result:

Yeas: 39 - Armstrong, Awes, Barr, Boswell, Buckalew, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray,

Hellenthal, Hilscher, Hinckel, Hurley, Johnson, King, Laws, Lee, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Riley, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, White, Wien, and Mr. President

Nays: 14 - Collins, Cooper, Harris, Hermann, Kilcher, Knight, Londborg, McNees, Nolan, Reader, Robertson, Sweeney, VanderLeest, and Walsh

Absent: 2 - Coghill and R. Rivers

and so the amendment was adopted.

Mr. McNees moved the adoption of the following amendment:

Page 5, line 7, strike the material beginning with the word "part" down to and including the word "election" on line 20.

Miss Awes moved that the Convention recess until 7 p.m. and asked unanimous consent. Mr. Rosswog announced a meeting of the Committee on Local Government on recess. Mr. Sundborg announced a meeting of the Committee on Style and Drafting on recess.

Objection was heard to the unanimous consent request. Mr. Knight seconded. The roll was called with the following result:

Yeas: 17 - Awes, Barr, Buckalew, Collins, Doogan, Emberg, Johnson, Kilcher, Knight, Londborg, McLaughlin, McNees, Poulsen, Rosswog, Smith, Wien, and Mr. President

Nays: 36 - Armstrong, Boswell, Cooper, Cross, Davis, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, King, Laws, Lee, McCutcheon, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, V. Rivers, Robertson, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, and White

Absent: 2 - Coghill and R. Rivers

and so the Convention did not recess.

Mr. McNees moved the adoption of the amendment. Mr. Barr seconded. After Mr. McNees explained the amendment, the question was called. On voice vote the amendment failed.

Mr. Barr moved that the Convention recess until 7:05 p.m. Mrs. Hermann seconded. Mr. Nolan asked whether the Convention could not adjourn until 9 a.m. Monday. Mr. Barr asked unanimous consent to withdraw his motion to recess.

Mr. Taylor moved that the Convention adjourn at 6:10 p.m. Mr. Sundborg stated that the correct motion would be that it be the policy of the Convention to adjourn at 6:10 p.m. Mr. Taylor so moved. Mr. Stewart seconded. On voice vote the motion failed.

Mr. Davis inquired of Mr. McNealy about Section 29, subsection (6) and a sentence in 17c which was not in the 17c, revised, and asked whether he could offer the sentence as an amendment. Mr. McNealy stated he would support the amendment.

The President declared a short recess.

#### AFTER RECESS

Mr. Riley suggested that the Convention defer any action to adjourn until the matter before the Convention, namely C. P. No. 17c, revised, was finished and that upon completion of the work on the proposal the Convention adjourn for the night so that the Committee on Style and Drafting could work during the evening and get some more reports out.

Mr. Davis moved the adoption of the following amendment:

Section 29, subsection (6), line 7, page 6, insert the following sentence after the word "elected": "The duties and emoluments of these offices shall be as provided by law."

Mr. Kilcher seconded. After Mr. Buckalew and Mr. Sundborg spoke, the question was called. On voice vote the amendment was ordered adopted.

Mr. Hurley moved the adoption of the following amendment:

Page 5, Section 29, subsection (b), line 8 after "made", insert "for this election only".

Mr. Riley seconded. Mr. Hurley asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Sundborg moved the adoption of the following amendment:

Page 2, line 12, strike "the regular" and substitute "an initial short"; line 13, strike "1963" and substitute "1959,".

Mr. Barr seconded. On voice vote the amendment was ordered adopted.

Mr. McLaughlin moved the adoption of the following amendment:

Page 5, line 15, strike the words "July 15" and substitute the words "June 30".

Mr. McNealy seconded. Mr. Buckalew asked unanimous consent. Mr. McNees objected. After discussion by Mr. McNees, Mr. Hurley, Mr. McNealy, Mr. McLaughlin, Mr. McCutcheon, Mrs. Hermann, Mr. Buckalew and Mr. Hellenthal, the question was called. On voice vote the amendment failed.

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

Page 3, line 7, strike "primary and".

Mr. Kilcher asked if Mr. Fischer would not include to strike any similar inconsistencies throughout the article.

Mr. McNealy objected to the unanimous consent request. Mr. Fischer moved. Mr. Metcalf seconded.

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

#### AFTER RECESS

Mr. V. Fischer asked unanimous consent that his amendment include to strike the word "general" on line 7 also. There being no objection, it was so ordered. Mr. Fischer renewed his unanimous consent request for adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Poulsen moved the adoption of the following amendment:

Wherever the words "Tennessee Plan" occur, substitute the words "Alaska Plan".

Mr. Buckalew seconded. After discussion by Mr. Hurley, Mr. Hilscher, Mr. McCutcheon, Mr. Buckalew, Mr. Barr, Mr. McNealy, Mr. Hellenthal, Mr. McNees, and Mr. Londborg, the question was called. On voice vote the amendment failed.

Mr. Sundborg asked that the Committee on Style and Drafting be given the authority to make such changes as would be necessary to carry out the intention of the Convention to make the plan workable.

Mr. Kilcher moved to rescind the action taken on Mr. Sundborg's motion to shorten the terms of the senators elected. Mr. Buckalew seconded. Mr. Kilcher spoke on the motion.

Mr. Barr moved that the Convention recess until 7:40 p.m. Mr. Sundborg objected. Mr. Johnson seconded. On voice vote the motion failed.

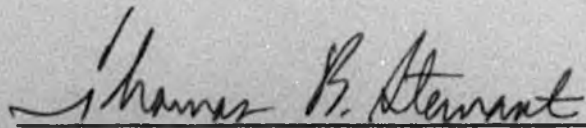
After discussion by Mr. Londborg, Mr. Hurley, Mr. McNees, Mr. McNealy and Mr. Kilcher, the question was called. The question being "Shall the Convention rescind its action on Mr. Sundborg's amendment to change the senators' terms?", the roll was called with the following result:

- Yeas: 29 - Armstrong, Buckalew, Davis, Doogan, Emberg, H. Fischer, Harris, Hermann, Hinckel, Hurley, Johnson, Kilcher, Lee, McCutcheon, McLaughlin, McNealy, McNees, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Robertson, Smith, Sweeney, White, Wien, and Mr. President
- Nays: 19 - Boswell, Cooper, Cross, V. Fischer, Gray, Hellenthal, Hilscher, King, Knight, Laws, Londborg, Marston, Metcalf, Reader, V. Rivers, Rosswog, Stewart, Sundborg, and Walsh
- Absent: 7 - Awes, Barr, Coghill, Collins, R. Rivers, Taylor, and VanderLeest

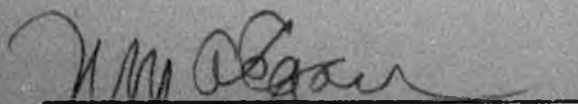
and so the action was rescinded.

Mr. Hellenthal moved that Committee Proposal No. 17c, revised, be referred to the Committee on Style and Drafting with power to suggest amendments of substance reserving the right to delete those matters of substance by a majority vote. There being no objection, it was so ordered.

Mr. Hellenthal moved and asked unanimous consent that the Convention adjourn until 9:01 a.m., Monday. Mr. Robertson seconded. Mr. Kilcher objected. On voice vote, the motion carried and the Convention adjourned at 6:45 p.m. until 9:01 a.m., Monday,

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President