

520 - CONSTITUTIONAL CONVENTION  
Chief Clerk's Journal  
VOLUME 3.



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CONSTITUTIONAL CONVENTION

ALASKA  
STATE LEGISLATURE

LEGISLATIVE COUNCIL

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TO: Marge

FROM: KDN 

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cc: Henrietta

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ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SEVENTY-FIFTH CONVENTION DAY, Sunday, February 5, 1956

The Convention session was held in the University Gymnasium and the opening was preceded by the playing of "The Star Spangled Banner" by the University Band.

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

The following Invocation was given by the Rev. John C. Stokes:

"Let us pray. Almighty God and Father of all mankind, Thou who doth sit upon the throne of righteousness and dost deal justly with all men, we invoke Thy divine blessing upon this, the signing of the Constitution for the State of Alaska. In doing so, with thanksgiving for those who have prepared it, it is our earnest plea that Thou wilt use it in the affairs of the citizens of this State in the years and ages to come. Through Jesus Christ, our Lord. Amen."

The Chief Clerk called the roll. All delegates were present except Mr. Robertson. The President declared a quorum to be present.

The following communication from the Hon. E. L. Bartlett, Delegate to Congress from Alaska, was read:

"The seventy-five days which began on November 8 and conclude now will become as meaningful in Alaska's future chronicles as they are now to each of you personally. When Convention began it was with best wishes of all Alaskans. As time passed there was growing comprehension of immensity of task upon which you had started. Today when you sign the document which you have fashioned there is, I believe, general understanding not only that you have worked diligently, faithfully, and with civic virtue, but successfully in writing constitution dedicated to best American principles and to furtherance mighty state to be. I thank you for extending invitation to be with you today as constitution is signed. For both Mrs. Bartlett and me it is as hard as can be here when we want to be there. We congratulate you for a job well done. You have earned grateful thanks of your fellow Alaskans. Our congratulations go likewise to loyal members of your staff whose assistance we know has meant so much to you all during Convention."

*Insert #1*

A group of fellow Alaskans, whom we have elected for the *purpose,* have produced from scratch a framework of basic and fundamental principles, which are to fix the shape of our social and political life for an undetermined, but, surely, a very long period of time.

The President welcomed all guests and called attention to the presence in the audience of Mr. Benny Benson, a resident of Kodiak, who had designed Alaska's flag as a boy.

The President appointed the following committee to escort Governor B. Frank Heintzleman to the rostrum: Mr. Buckalew, Mr. Johnson, Mr. King and Mr. Reader. Governor Heintzleman's address follows:

*Speech as delivered:*  
President Egan, Delegates to the Constitutional Convention:

The act of affixing your signature to a proposed Constitution for the State of Alaska means to you delegates the closing of a period of extremely hard work in which your time, energies, and talents were devoted in full measure to achieving something which you sincerely and earnestly hope will be of lasting value to all Alaskans, present and future.

The object you have brought into being offers a study of a fascinating social process. Fifty-five individuals of varied backgrounds, temperaments, and ideas, and representing different regions and vocational groups with diversified interests, were brought together to consider the most complicated of social and political problems and blend them into a harmonious entity. By some wonderful alchemy which defies definition, this has been accomplished.

*document*  
This marks a great stride toward ultimate self-government and self-determination.

*Insert #1 →*  
The paper you have drafted will serve to demonstrate to Americans everywhere the character of political and social thinking to be found in Alaskans. We are confident that any comparison that may be made with the people of the several states will show that the plane of our thinking is as high as that of any other unit of the Nation.

*Spoken*  
*the whole*  
This ceremony here today is not so much an ending as it is a beginning ~~is~~ a beginning of a long series of related activities which will be projected into the distant future of Alaska and of ~~our~~ Nation.

When you have affixed your signatures to this document, you will be standing in a similar position to that of the members of the Philadelphia Convention on September 17, 1787, the day they presented the American people with a document entitled, "The Constitution of the United States as Agreed upon by the Convention." Like you today, they could look back upon a period of arduous labor during which they devised a means of reconciling the conflict of sectional and other special interests and built a working frame for a vital democracy.

But we remember that, at this point, the product of the Convention was still merely a document, not yet a living Constitution. They faced, as do we, the hurdle of gaining ratification of this document by the people.

The Constitution of the State of Alaska which you have agreed upon, when presented for popular endorsement, will not, I am sure, have to pass through a period of such bitter controversy as did the Constitution of the United States before it was finally ratified.

But, as framers of the document, each of you will be expected, and are conscience-bound, to follow the lead of our forefathers and carry to the general public of the area you represented at the Convention, your interpretation of the underlying fundamental principles and the definite terms of this document, which you have proposed as the governmental foundation of the State of Alaska.

The task ~~is~~ calls for further public service. I can give you little in the way of advice as to how it should be done, but I can at least refer you to the record of the comparable period in the establishment of our Constitution of the United States, and, in particular, to that series of essays dealing with the Constitution, ~~contained in~~ "The Federalist."

Some of you will be called upon to reenact, in some degree, the role of Alexander Hamilton, John Jay, and James Madison in producing an Alaskan version of "The Federalist."

History will serve to point out many of the situations which this Constitution can be expected to face during the next three months, but I wish to comment on one, which will probably recur in many guises. In championing the Constitution of the United States during the adoption controversy, the proponents were repeatedly called upon to answer many variations of the charge that it was imperfect.

*(was not read)*  
~~These who brought these charges were generally viewing the Constitution from the limited vantage place of special interest or sectional prejudices, or looking upon its parts as though they were separate and unrelated. Undoubtedly, the Constitution which you have framed is already being examined for imperfections.~~

The charge of imperfection can, of course, arise from special interests, regional points of view, and the frequent propensity of people to consider one feature of a proposition without reference to how it influences or is influenced by other features of the proposition. Name

Perhaps you can draw strength and comfort from the words of Alexander Hamilton in "The Federalist" No. 85, the final essay in the series, in which he gives an answer to all criticisms of this nature:

"I never expect to see a perfect work from imperfect man. The result of the deliberations of all collective bodies must necessarily be a compound, as well of the errors and prejudices, as of the good sense and wisdom, of the individuals of whom they are composed. The compacts which are to embrace thirteen distinct States in a common bond of amity and union, must as necessarily be a compromise of as many dissimilar interests and inclinations." ~~How can perfection spring from~~

Speaking for myself, I believe, from the reports of this Convention as given currently by the newspapers as the sessions progressed, that this Constitution for the State of Alaska is in its entirety a good work, ~~and~~ it will provide a foundation for a State of Alaska of which we can be proud, and which may cause some existing States to re-examine their basic charters with a view to adopting some of the Alaska features.

If I find myself trying to pick flaws, I <sup>will</sup> reread these words of Hamilton: "No advocate of the measure can be found, who will not declare as his sentiment, that the system, though it may not be perfect in every part, is, upon the whole, a good one; is the best that the present views and circumstances of the country will permit and is such a one as promises every species of security which a reasonable people can desire."

The delegates to this Convention are entitled to the commendation of all Alaskans, present and future. They have given careful and reflective study to relevant material obtained from States and other governmental units that appeared to offer something of value which they might use; they have shown a fine willingness to hear and consider the views of Alaskans of all shades of opinion, and to work for acceptable compromises on impending deadlocks; and, in general and above all, they have worked hard and conscientiously to produce something that will promote the social and economic welfare of Alaska.

Mr. Chairman, I do not doubt that the names of you delegates and your accomplishments here will be featured in ~~histories~~ of Alaska for a long, long, period of time. *the chronicles*

I thank you.

(Standing oration.)

~~The President stated that the proposed constitution for the State of Alaska in its final form was before the Convention, the previous question having been ordered.~~

The question being "Shall the proposed constitution for the State of Alaska be agreed upon by the Convention?", the roll was called with the following result:

Yeas: 54 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, 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, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 0 -

Absent: 1 - Robertson

and so the constitution was agreed upon.

The roll was called and each delegate and the secretary came forward and signed the constitution.

The President announced that the proposed constitution in **its** final form had been signed by the delegates and the secretary.

The President asked Mr. Armstrong to give the prayer of dedication which follows:

"Let us be thankful to Almighty God. Almighty Father, Lover of men, we thank Thee for creating us after Thine image. Thou hast breathed into us the breath of life. Our souls are Thine. We are wholly Thine. Thou has ordained that the delegates of this Convention should be assembled to write a charter of life for Alaska. We bow in humble reverence, for this task has been great, and we have consequently realized the importance of our actions before Thee. Nothing less than a miracle from Thee has kept us together in mind and spirit. We have, under Thy guidance, acted as many facets of thought and passion to mold this one document. The anvil has rung with the hammer of compromise, and there has come forth a statement of our belief. Today we place the work of our hands before Thee. We ask Thy blessing as we dedicate this constitution. We set it apart from any other plan ever ordered in Alaska as the foundation of our State. We ask that it may speak our hearts, that it might find favor before Thee and the people of this great land. The days and nights have been long. The strain has been at times almost too great to bear, but Thy sustaining power has given us strength. We thank Thee

for Thy hand of love, the Everlasting Arms that have kept us within Thy will. Father, we dedicate this document, mindful of the one who has been given to us as our President. We thank Thee for him. We thank Thee for his wisdom; it has been wisdom from above. We cherish his undaunted courage, the courage he has displayed before us as delegates. We thank Thee for him. And now, O Father, Lord of all, within these pages of this Constitution, we pray that the weak might find strength, the name of justice might be upheld, the lands might be preserved, the governed might find liberty, the life of all might be made bearable and workable. We send this statement of faith unto our people, dedicated in Thy presence. Do Thou sanctify it by Thy grace. In the name of the Father, and of the Son and of the Holy Spirit, Amen."

Mr. Riley asked that the Chair be relinquished to one of the vice-presidents so that the delegates might hear an address from the President.

The President asked First Vice President Peratrovich to take the Chair.

President Egan's speech follows:

As delivered:  
♦ Governor Heintzleman, other distinguished guests, fellow Alaskans and delegates. In prefacing my remarks this afternoon, it would seem fitting and proper that the Preamble to Alaska's State Constitution be presented to all Alaskans. Ladies and Gentlemen, the 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 within the Union of States, do ordain and establish this constitution for the State of Alaska."

There are those in Alaska who still say, "What great difference does it make that <sup>an</sup> American citizen, cannot cast my vote for the President and <sup>a</sup> Vice President of the United States?"

"What great difference does it make that we are represented by one hard-working, voteless delegate in Congress <sup>Spain</sup> - a delegate who cannot vote even in committee, on any subject, even though that subject might relate solely to the detriment or welfare of our great Territory? What great difference does it make that acts of our Territorial Legislature are governed mainly by two Acts of Congress--one dated July 30, 1886, and the other dated August 24, 1912?"

Well, to me, and I know to most of you, it makes a great deal of difference. We want to cast our ballot for our choice for President of the United States every four years. We want to cast our ballots at regular intervals for two United States Senators and for a voting Representative in the United States Congress from the great State of Alaska, in order that we <sup>might</sup> have our proper representation as to the welfare of our Nation; and ~~that~~ in order that the tremendous natural resources available to our Nation in Alaska can be properly unfolded and utilized. Then, too, we want to vote for representatives to a state government that is not thwarted by a combination of two laws--one of which was enacted specifically for the Territory almost 70 years ago, and the other, one which was enacted by the Federal Congress almost 44 years ago.

Alaska's fight for the fullest measure of self-government did not have its inception in the time of most of us who are here this afternoon. Alaska <sup>as you know</sup> was purchased by the United States from Russia on October 18, 1867, at a cost of less than two cents an acre. Alaska has served more than 88 years under the yoke of federal domination. We are now in our 43rd year of having been an organized territory. No other state in the Union had to endure even half this period of time under territorial status before admittance to the Union. During these years, despite federal obstacles placed in the way of development of its natural resources, Alaska has produced more than 400 times the value of the original 7 1/2-million dollar purchase price from ~~these~~ <sup>its</sup> natural resources.

In 1898, the Congress of the United States enacted legislation making it possible to file on a homestead in Alaska,--but only on surveyed lands, and there were no surveyed lands in Alaska in those days. This act set the people of Alaska afire with indignation, and the cry for some sort of representation rose to one of crescendo proportions. Mass meetings were held in various populated areas of the Territory. Eastern papers picked up the story, and Alaska's cause <sup>finally did</sup> receive some attention in Congress. In 1906, after 25 years of petition, Alaska was permitted to elect a voteless Delegate to the national Congress. Persistent citizens kept hammering away, and on August 24, 1912, the Congress granted incorporated territorial status to Alaska, with the right to have its own legislative assembly, subject to the restrictions contained in the Acts of Congress of 1886 and 1912. The ~~First~~ Territorial Legislature convened at the capital city of Juneau in 1913.

Ever since that time, Alaskans, who were intimately familiar with the intensive handicaps placed upon industrial development of the territory by antiquated federal bureaucratic red tape, have continued the battle for a fuller measure of self-government

with statehood as the ultimate goal. For more than a decade, dedicated Alaskans have carried a direct fight for the inherent right of our citizens to full citizenship as set forth in the Constitution of the United States. In 1946, at a referendum election, Alaskans voted by a majority of 3 to 2 for statehood for our great territory. In these past few years, increasing numbers of Alaskans, who had been lukewarm toward statehood, or who had been non-committal, have joined forces in this greatest of common causes. Today, many opponents of statehood admit privately that another referendum on the question would reveal that a majority of from 4-1 to 6-1 now favor immediate statehood for Alaska.

The arguments against admission of Alaska into the Union are identical with those that were advanced against the admission of nearly all the <sup>other</sup> twenty-nine states that were territories prior to their admission into the Union. Alaska has more population than one-third of the states of the Union had at the time of their admission. There are those who will say that our population is relatively smaller in proportion to the total population of the United States than that of those earlier states at the time when they were admitted. The fact is that there were at least five states which had not only less population than Alaska has now, but even less population in relation to the national total.

Distance from the national capital and non-contiguity to the mainland are often advanced in the course of Congressional debate as reasons why Alaska should not become a state. Measured in ~~the~~ only true perspective, that of time required to journey between the proposed state and the national capital, Alaska is much nearer Washington today than were most all the states at the time of their admission to the Union. Today, one flies from Fairbanks to Washington, D. C., in approximately 20 hours, and even less time, depending on the type of aircraft one secures passage on. Instantaneous communication by telephone adds a factor not in existence when previous states were admitted. All of our principal cities are linked with the national telephone system.

To say that Alaska lacks the resources to support a state is fantastic. Many of the states now in the Union would be happy, indeed, if they could be endowed with Alaska's natural resources. Even though our resources are in their present state of under-development, -- mainly because of the federal-territorial status yoke, our economy is amply able to support statehood. A prime example of federal bungling in the handling of our great resources is our commercial fishery. It is my very firm conviction that, in the immediate years following the advent of statehood to Alaska, our fisheries conservation problem will be solved. With local

control of our fisheries, the annual pack of salmon taken from territorial waters will quickly take an upturn, because conservation policies would then be laid down by Alaskans intimately familiar with the problem. In a few years' time, with no additional increase in tax on the industry, our state treasury would be additionally benefited with several millions of dollars each biennium. It is quite likely that with the rebuilding of our fisheries, which have become so depleted under ~~the yoke of~~ federal stewardship, this increase in revenue to the state treasury could be accomplished and allow for a reasonable decrease in the tax now levied on the industry by the territory. This question would take a considerable length of time for explanation, but it is one of such extreme importance when we are discussing the subject of statehood for Alaska that I do not believe any argument relative to the question could have much merit if it were not brought home to all our citizens that the solving of the problem of perpetuation of our great fisheries resource can only be accomplished with the right to fully govern ourselves. There are those who say that statehood would "open the door to the poorhouse". They cite such matters as the recent mental health act, which carried a direct appropriation for construction of facilities by the federal government. ~~Now~~ To me, these people have missed the point altogether. The compelling reason for insisting upon the direct appropriation is just another example why we need statehood so desperately. The federal government has withheld care of our mentally ill from Alaska over the years. With no appreciable drain on its treasury, the territory could have provided the facilities from the beginning, together with the sympathetic, expert care which means so much to the ultimate recovery of these patients. Other United States Territories cared for their mentally ill from the inception of Territorial status and were thus enabled to gradually build up their facilities.

To those who say, "This is not 1900--this is 1956," we repeat that no great industrial expansion came to any of our other twenty-nine territories until after their admittance to the Union of the United States. To this end, there is no difference between 1900 and 1956.

To those who say, "~~No~~ one is holding us forcibly in territorial status--we can move out if we choose," we say, "~~No~~, no one is forcibly holding us here. But, we have built our homes here; we are rearing our children here; a great many of us will die here. We never intend to live anywhere else. We love our great United States of America, and our hearts belong, too, to our great Territory of Alaska and we will never have a true peace of mind until we are taken in full membership as one of the great states of the Union."

In affixing our signatures to this document, we did so with the knowledge that each word had been subject to free and lengthy debate in committee and on the floor of this Constitutional Convention.

I say to each and every Alaskan: If it had been your good fortune, as it has been mine, to have witnessed the abilities, the diligence, the devotion to duty, of these delegates who have drafted the proposed Constitution for the State of Alaska in carrying out the task that had been cut out for them, you would say of their labors, "Well done!"

We have just completed the task for which we were sent here. Your delegates to Alaska's Constitutional Convention have now given to you, the people of Alaska, the proposed Constitution for the State of Alaska. We know that you will judge with great care the end result that has been accomplished here. We are exceedingly gratified that none other than the President of the United States, the Honorable Dwight D. Eisenhower, indicated in his message received here yesterday, that the eyes of the Congress of the United States, and the eyes of the people of the United States will be upon you on Ratification Day, April 24th, 1956.♦

The Ladd Choral Group sang "Alaska's Flag".

The following Benediction was given by the Most Reverend Francis D. Gleeson, S.J.:

"Almighty God, our Father in Heaven, Master and Ruler of the universe, Who has planted deep in the spirit of man abiding hunger for freedom and justice, we humbly pray that the long wished-for day may soon dawn when our beloved northland may be recognized as an equal among the states of our nation. Deign this day to bless with Thy divine approval the instrument of government devised by the long and dedicated labors of our chosen representatives. Grant to all who now dwell or shall ever dwell under its protecting mantle the generosity to spend themselves freely, the determination to work together harmoniously, the intelligence to promote wisely the peace and prosperity and the glory of our state."

Mrs. Wien moved and asked unanimous consent that the Convention recess until the call of the Chair. There being no objection, it was so ordered.

#### AFTER RECESS

The Convention reconvened at 4:35 p.m.

Mr. Johnson moved and asked unanimous consent that the Invocation by Rev. Stokes, the address by Governor Heintzleman, the Prayer of Dedication by the Rev. Armstrong, the Address by President Egan and the Benediction by Bishop Gleeson be spread upon the Journal.

Mr. Buckalew asked that Mr. Johnson's motion include the telegram from Delegate Bartlett. Mr. Johnson agreed.

There being no objection, it was so ordered.

The President stated that the jade lamp which had been on the table where the constitution was signed was the property of Mr. Marston who had loaned it to the Convention for the occasion.

The Convention was at ease while the delegates signed the 60 copies of the constitution.

#### AFTER RECESS

Mr. Doogan asked unanimous consent that the record show Mr. Kimbrough Owen of Baton Rouge, Louisiana, present at the signing ceremonies as a representative of the Governor of Louisiana. There being no objection, it was so ordered.

Mr. Marston suggested that Mr. VanderLeest's friend Mr. Louis Middleton of Grand Rapids, Michigan be granted the privilege of the floor as the guest who had traveled the farthest to attend the signing ceremonies. There being no objection, it was so ordered. Mr. Middleton spoke briefly to the Convention.

The resolution of the Committee on Administration relating to immediate statehood was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and that the resolution be adopted. Mr. McNeas objected. Mr. R. Rivers seconded. Mr. McNeas asked unanimous consent that the resolution be amended to include that copies go to all members of Congress. There being no objection, the amendment was adopted. Mr. McNeas withdrew his objection and the amended resolution was adopted by unanimous consent.

The resolution by the Committee on Administration on the Alaska Statehood Committee was introduced and read.

Mr. Coghill asked unanimous consent that the rules be suspended and that the resolution be adopted. There being no objection, the resolution was ordered adopted by unanimous consent.

The resolution regarding the thanks to Charles R. Griffin was introduced and read.

Mr. Coghill asked unanimous consent that the rules be suspended and that the resolution be adopted. Mr. R. Rivers objected temporarily for information purposes. There being no objection, the resolution was ordered adopted.

The resolutions were referred to the Committee on Style and Drafting.

Mr. Hilscher announced that Mr. Earl Wyman, photographer from Fairbanks, had presented the Convention with a copy of the group photograph for the delegates to give to the University.

Mr. Doogan moved and asked unanimous consent that the Convention give Mr. Wymann a vote of thanks. There being no objection, it was so ordered.

Mr. Coghill stated that the Committee on Administration had no more resolutions at this time, but that the resolution on the orderly disposition of the Convention business was in second reading.

The President declared a short recess.

#### AFTER RECESS

Mr. Marston asked for the privilege of the floor to tell the story behind the jade lamp.

The resolution regarding the orderly disposition of the business of the Convention was considered in second reading.

Mr. Riley moved and asked unanimous consent for the adoption of the following amendment:

Strike Sections 1 and 2 and insert in lieu thereof the following:

"The President of the Convention with such assistance as he may require from among the delegates of the staff of the Convention be authorized to conclude the unfinished business of the Convention and to expend such funds from the authorized appropriation as may be necessary to complete the work of and carry out the purposes of the Convention."

Mr. Londborg objected. Mr. White seconded.

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

#### AFTER RECESS

Mr. Londborg withdrew his objection. On voice vote the amendment was adopted.

Mr. V. Fischer moved and asked unanimous consent that Section 3 of the resolution be amended to read as follows:

"That the President of the Convention, or a person designated by him, shall carry out the following duties:"

There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the adoption of the following amendment to subsection (d):

Strike the word "two" on the first line and insert the words "and mimeographed" after the word "typed" on the second line.

Mr. Sundborg objected.

The President declared a short recess.

#### AFTER RECESS

Mr. Riley moved the adoption of the amendment to get it on the floor. Mr. Knight seconded. Mr. Coghill explained the subsection. Mr. Riley stated that after the explanation he could not support the amendment. On voice vote the amendment failed.

Mr. Johnson asked unanimous consent that under subsection (c) it be understood that each delegate be furnished with ten copies of the printed constitution. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that in subsection (c) the words "at least" be inserted before "5,000".

Discussion of the number of copies to be printed followed and Mrs. Sweeney pointed out that the resolution had been written with the idea that the President and the Secretary and the Chairman of the Administration Committee would decide how many copies were needed.

Discussion regarding the need for the summary followed.

Mr. V. Fischer moved and asked unanimous consent that subsection (c) be amended as follows:

Insert a period after the word "printed" on line 3 and strike the balance of the sentence.

There being no objection, it was so ordered.

Mr. Coghill asked unanimous consent that the resolution as amended be adopted. There being no objection, it was so ordered.

Mr. Johnson moved and asked unanimous consent that the Convention recess until 8 a.m., Monday. Mr. Coghill announced a meeting of the Committee on Administration at 7 a.m., Monday.

There being no objection to the unanimous consent request the Convention recessed at 6:45 p.m. until 8 a.m. Monday.

#### AFTER RECESS

The Convention reconvened at 8:30 a.m. Monday, February 6, 1956.

The President asked Mr. Londborg to give the Invocation. At the request of Mrs. Hermann and with the unanimous consent of the Convention, the prayer was ordered spread on the journal.

"Our Heavenly Father, we would pause before Thee for a moment this morning as we begin this session. We pray that You would be with us as we conclude the business of this Convention this day. We thank You for Your leading and Your guiding Hand throughout the past days and weeks, that You have brought us to the close of this Convention with what we believe to be a successful constitution. Heavenly Father, we pray that You will be with us now as we bring our deliberations to a close. Bless each of us as we go to our respective homes. We pray that we may look back on this time together with thankfulness in our hearts for having learned to know one another, for having been privileged to work with one another. Bless us we pray as we continue. In Thy name, Amen."

Telegrams from the City of Seward and Will and Anna May Vokacek of Kodiak extending congratulations on a job well done, were read.

Mr. Coghill presented a report on the finances of the Convention.

Mr. Sundborg asked that copies of the financial report be mimeographed and sent to all the delegates. The President stated the report would be mailed.

Mrs. Sweeney reported that the Committee on Administration had authorized the expenditure of funds to supply one large apportionment map to each delegate.

Mr. V. Rivers stated he believed the accounts should be audited before the President closed the records. Mr. Nolan suggested the services of the recently appointed legislative auditor. Mr. Sundborg stated he believed the committee should present a resolution to that effect. The President declared a short recess.

#### AFTER RECESS

The resolution regarding an audit of the funds expended by the Convention was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution adopted. There being no objection, the resolution was adopted by unanimous consent.

The resolution by the Committee on Administration regarding Operation Statehood was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution be adopted by unanimous consent. Mr. Buckalew objected. Mr. Marston seconded. Mr. Buckalew stated he would object to all resolutions because he felt someone would be forgotten. On voice vote the amendment was adopted.

The resolution by the Committee on Administration regarding Convention consultants was introduced and read.

Mr. Coghill asked unanimous consent that the rules be suspended and the resolution be adopted. Mr. Buckalew objected. Mr. Gray seconded. On voice vote the amendment was adopted.

The resolution by the Committee on Administration concerning the Convention secretariat was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution be adopted. Mr. Buckalew objected. Mr. V. Fischer seconded. On voice vote the resolution was adopted.

The President declared a short recess.

#### AFTER RECESS

Mr. McCutcheon stated he had a request from the gallery for a resolution regarding the faithful wives of the Convention.

Mr. Sundborg asked unanimous consent that the privilege of the floor be granted to Dr. Ernest Patty, President of the University. There being no objection, it was so ordered.

President Egan presented the official gavel and a signed copy of the constitution to Dr. Patty for the University.

Dr. Patty expressed his appreciation for the gifts and for the privilege of having had the delegates at the University during the Convention.

Mr. Sundborg asked unanimous consent to revert to committee reports. There being no objection, it was so ordered.

Mr. Sundborg reported back to the Convention the Style and Drafting Committee report on the resolution "Friendly Relations with Canada" and the resolution "Orderly Transition from Territorial Status to Statehood".

Mr. Sundborg moved and asked unanimous consent that the resolution "Friendly Relations with Canada" be adopted. There being no objection, the resolution was ordered adopted.

Mr. Sundborg moved and asked unanimous consent for the adoption of the resolution "Orderly Transition from Territorial Status to Statehood". Mr. Buckalew and others objected. Mr. Sundborg so moved. Mrs. Fischer seconded. After discussion by Mr. Riley, Mr. R. Rivers, and Mr. McCutcheon, Mr. V. Fischer moved the previous question and asked unanimous consent. Mr. Kilcher objected. Mr. McLaughlin seconded. On voice vote the previous question was ordered. The question being "Shall the resolution be adopted?", on voice vote the resolution failed.

In accordance with action taken February 3rd, the following resolution was ordered spread upon the journal:

"WHEREAS Fairbanks and the Tanana Valley are known throughout the Territory as the "Golden Heart of Alaska"; and

WHEREAS the unfailing courtesy and hospitality shown by the people of Fairbanks and the Tanana Valley to the out-of-town delegates to the Constitutional Convention clearly indicate that the term "Golden Heart of Alaska" is well deserved; and

WHEREAS their kindness, hospitality, and graciousness have greatly contributed to the success of the deliberation of this Convention; and

WHEREAS these delegates will ever remember the kindness and hospitality of the people of the "Golden Heart of Alaska"

NOW THEREFORE BE IT RESOLVED that the delegates to this Convention, from other parts of Alaska, hereby tender to the people of Fairbanks and the Tanana Valley our heartfelt thanks to those who have made our stay in the "Golden Heart of Alaska" so enjoyable; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the journal of the proceedings of the Convention.

DONE at College Alaska this third day of February, 1956 by direction of the Convention."

Mr. Sundborg reported that the Style and Drafting Committee had reported back other resolutions passed by the Convention and asked unanimous consent that the report be adopted. Mr. Boswell objected temporarily to call attention to an error in the resolution concerning the students of the University. There being no objection, the resolutions as reported by the Style and Drafting Committee were adopted.

Mr. White moved and asked unanimous consent that the Convention express its appreciation to the Committee on Administration for a difficult task well done. There being no objection, it was so ordered.

Mr. White asked unanimous consent for the approval of the journal of the 69th day with the following correction: Page 19, third paragraph from the bottom, correct a typographical error in the word "Article". There being no objection, the journal was ordered approved.

Mr. White asked unanimous consent for the approval of the journal of the 70th day subject to the following corrections: Page 1, in the prayer, on the second line capitalize the "t" in "thee"; 6th line, same correction and on the last line capitalize "thy"; third paragraph from the bottom add an "s" to "rule". Page 7, in the first paragraph add "p.m." after "3:30". There being no objection, the journal was ordered approved.

Mr. White asked unanimous consent for the approval of the journals for the 71st and 72nd days as read. There being no objection, the journals were ordered approved.

Mr. White announced that the remaining journals would be mailed to the delegates and the committee moved that the President, with the assistance of Mr. Doogan, be authorized to correct any journals which have not been approved. There being no objection, it was so ordered.

Mrs. Hermann asked unanimous consent that thanks be extended to the committee that read the journal day after day. There being no objection, it was so ordered.

Mr. Coghill reported for the Committee on Administration the following recommendation for distribution of the signed copies of the constitution--Secretary of Alaska, Congress, University Museum, Territorial Museum, Territorial Department of Libraries. The Committee also recommended that the copies of the constitution carrying the printed signatures be distributed as follows: the four district courts, the Governor of Alaska, the Delegate in Congress and to the 32 high schools in the Territory.

Mr. Buckalew moved and asked unanimous consent that the President and Mr. Coghill be authorized to distribute the remaining copies of the parchment copies of the constitution.

Mr. Marston suggested that a copy go to the Cook Inlet Historical Society. Mr. R. Rivers suggested that a copy go to each of the consultants. Mr. Harris suggested that the President be authorized to have extra copies printed if necessary.

Mr. V. Fischer asked that Mr. Buckalew amend his motion to include that each high school in Alaska and each public library and the Library of Congress receive a copy of the constitution. Mr. Buckalew accepted the amendment. There being no objection, the amended motion was ordered adopted.

The President declared a five-minute recess.

#### AFTER RECESS

First Vice-President Peratrovich took the Chair.

Mr. Knight, Mr. Walsh, Mrs. Wien and Mr. Hurley brought in the painting to be given President Egan. Mr. Hurley acted as spokesman for the delegates and his remarks follow:

"Mr. President, I have been selected by the Convention to present our final respects of this Convention to our great loved President, William Egan, for a job well done. It seemed a little strange that I should be chosen for this position, and yet when we think about it, I perhaps represent those of us who are new in this field, and for that reason am perhaps best able to express the greatest appreciation which we have for the way in which our President has brought this Convention to a successful closing. He has maintained an academic atmosphere throughout the Convention and yet has been always willing to accept the practical matters which must come before us. He has carried the whole Convention forward in a way that no one else could possibly have done. I think this occasion is somewhat similar to the group that has been through a major battle. We have earned a respect for our leader that can only come from having gone through all of the trials and tribulations of presenting to the future State of Alaska the document that they will live by for many years. And to Bill we have arranged this present which Mrs. Wien will present in the form of a resolution."

Mrs. Wien read the following resolution:

"WHEREAS for seventy-five Convention days, the Honorable William A. Egan has served as presiding officer; and

WHEREAS in this capacity he has demonstrated to all, his parliamentary skill, his unwavering fairness, his personal friendliness, and his untiring devotion to duty; and

WHEREAS the delegates and officers of this Convention desire to express their gratitude for his outstanding leadership, in a form that will endure along with their admiration, and in a form that will enable them to indicate their gratitude to his charming wife and son, as well as to all other Alaskans;

NOW THEREFORE BE IT RESOLVED that the Honorable William A. Egan, President of the Alaska Constitutional Convention of 1955 be asked to accept, as a token of our thanks, admiration, and affection, a portrait of himself, painted by the distinguished artist Christian von Schneidau on commission from the delegates, and that a copy of this resolution properly inscribed be presented to our esteemed President Egan.

DONE at College, Alaska this sixth day of February, 1956."

Mr. Hurley asked unanimous consent for the adoption of the resolution. Mr. Buckalew stated he would not object to this resolution. There being no objection, the resolution was ordered adopted.

The Chairman stated that the Convention would be at recess while the delegates congratulated President Egan.

#### AFTER RECESS

President Egan resumed the Chair.

Mr. Londborg asked unanimous consent that the remarks of Mr. Hurley be spread upon the journal. There being no objection, it was so ordered.

Mr. McNees introduced Christian von Schneidau, the artist who had painted President Egan's picture, who was given the privilege of the floor. Mr. von Schneidau spoke briefly.

Mr. Marston moved and asked unanimous consent that Dr. Patty be asked to take greetings from the Convention to Dr. Bunnell, President-Emeritus of the University, who was ill. There being no objection, it was so ordered.

Mr. McNealy asked that the delegates give a standing ovation of thanks to Mr. Stewart, Convention Secretary, for making the Convention a success from its inception.

Mr. Armstrong reported that the committee to write the bequest to Alaska's children had not finished its work and moved and asked unanimous consent that the President be authorized to complete the matter. There being no objection, it was so ordered.

Mr. Sundborg asked that the privilege of the floor be granted to Mrs. Florence Douthit. There being no objection, it was so ordered. Mr. Sundborg presented Mrs. Douthit with a gift of appreciation for the fine news coverage given by her of the Convention.

Mr. Armstrong asked if the President had received any communication from Mr. Robertson regarding a resignation. The President stated that he had received nothing and that as far as the Convention was concerned Mr. Robertson was merely absent.

Mr. McNealy asked that Mr. Reader take a bow and be acknowledged since he had not spoken one word during the entire Convention.

Mr. Collins spoke briefly and introduced Mrs. Hermann who was asked to make the final motion for adjournment.

Mrs. Hermann moved that pursuant to a motion already made by the Convention, that adjournment be in honor of two great Alaskans who pioneered the statehood movement--Judge James Wickersham and Judge Anthony J. Dimond--that the Convention now adjourn sine die. Mr. Harris seconded the motion.

The question being "Shall the Constitutional Convention of Alaska adjourn sine die?", the roll was called with the following result:

Yeas: 54 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, 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, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 0 -

Absent: 1 - Robertson

and so the Constitutional Convention adjourned sine die at 10 a.m. February 6, 1956.

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THOMAS B. STEWART  
Secretary

Attested:

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WILLIAM A. EGAN  
President

ALASKA CONSTITUTIONAL CONVENTION

SUPPLEMENT TO THE JOURNAL - February 6, 1956

The President appointed the following as the committee to act with him on the orderly completion of the business of the Convention: Mr. V. Fischer, Mr. Riley, Mr. Coghill, and Mr. Barr.

Letters from Governor Joe Foss of South Dakota, Governor Norman Brunsdale of North Dakota, Governor Leo A. Hoegh of Iowa, Governor Robert E. Smylie of Idaho, Governor Edwin C. Johnson of Colorado, Governor Robert F. Kennon of Louisiana, Governor George N. Craig of Indiana, Congressman Ralph O. Gamble, Delegate Elizabeth R. Farrington of Hawaii, Governor LeRoy Collins of Florida, and Major General James F. Collins, Commanding General, U. S. Army, Alaska, expressing regrets at being unable to be present at the signing ceremony, were received.

A letter from Mr. Al Anderson, Executive Director of the Alaska Resource Development Board, acknowledging receipt of the enrolled copy of the resource article and the statement regarding the fish and wildlife resources prepared by the Resources Committee, was received.

A telegram from Mary Lee Council, Margery Smith and Florence Thompson (secretaries to Delegate Bartlett) extending congratulations and best wishes, was received.

A telegram from Senator Earle C. Clements expressing regrets at being unable to attend ceremony for the signing of the constitution and stating that February 5, 1956 is another memorable date in the chronology of American liberty, was received.

A telegram from Crystal Snow Jenne of Juneau, extending congratulations and stating Alaskans have again demonstrated ability to manage their own affairs by delegates' manifestation of statesmanship, was received.

A telegram from the Kiwanis Club of Palmer extending congratulations for a job well done and inviting delegates to attend the Matanuska Minstrels in Palmer on April 6 and 7, was received.

A letter from Mr. Robertson dated February 3, 1956, submitting his resignation as a delegate to the Constitutional Convention was received February 6, 1956.

A message from the Charles Lechner family of Seward, sending good wishes and thanks for a job well done, was received.

The record being incomplete as to the journals for the 7th, 35th and 60th convention days, Mr. Doogan, pursuant to the motion adopted the 75th Convention day, reported the following journals:

7th Convention Day, November 14, 1955

Page 1, paragraph 1, strike "o'clock" and insert "A.M."

Page 1, paragraph 2 insert "The" before "Rev."

Page 1, paragraph 7, strike "that" on third line.

Page 4, first paragraph, insert "part of" after "as".

Page 5, first paragraph and fifth paragraph, insert "part of the" before "permanent".

Page 7, paragraphs 1 and 2 after "Rule 19" insert "part of the" before "permanent".

Page 8, paragraph 6, insert "said he"

Page 8, paragraph 7, strike "be changed" on line 4.

Page 8, paragraph 8 insert "part of" before "the permanent".

Page 9, first paragraph after Rule 23, insert "part of the" before "permanent".

Page 12, first paragraph after Rule 38 insert "part of the" before "permanent."

Page 13, third paragraph, strike "that" on line 2.

Page 14, last paragraph insert "part of the" before "permanent."

Page 17, first paragraph after Rule 51 insert "part of the" before "permanent".

Page 18, second paragraph and first paragraph after Rule 53 insert "part of" before "the permanent."

Page 19, first paragraph insert "part of the" before "permanent".

Page 19, fifth paragraph from the bottom, first line, strike "to" and insert "for".

Page 22, second paragraph from the bottom, strike "Chairman" and insert "Chairmen".

Probable date: 2/16/56 - It is likely that approval of the journal of the 60<sup>th</sup> day (1/21/56) is implied with no corrections.

35th Convention Day, December 12, 1955 -- Journal No. 27

- Page 1, end of third paragraph, insert "The President declared a quorum present."
- Page 1, paragraph 6, insert "Mr." before "Walter".
- Page 7, next to last paragraph from bottom, strike "be" and insert "by".
- Page 8, third paragraph, insert after "matter" "of whether 'ex-officio' needed to be spelled out by adding 'voting',"
- Page 11, insert before paragraph beginning "Mr. V. Rivers moved that the Convention adjourn" -- "Mr. V. Rivers asked whether Committee Proposal No. 2 would still be in second reading."

The President stated he believed the Proposal would be in second reading through the Committee on Engrossment and Enrollment."

73rd Convention Day, February 3, 1956 - Journal No. 61

- Page 1, paragraph beginning "Mrs. Sweeney" insert "delegates" before "stay" on third line.
- Page 2, paragraph beginning "Mr. Hellenthal" fourth line, strike first "and" insert a comma after "staff".
- Page 3, paragraph 7 insert a comma after "America".
- Page 4, paragraph 3, strike comma after "Robertson" and insert "and ".
- Page 10 insert "AFTER RECESS" before next to the last paragraph on bottom of page
- Page 11, under changes made by the Committee, strike the matter after Page 27, Section 6, and insert "make two sentences out of the first sentence."
- Page 12, next to the last paragraph, second line, insert "Style and Drafting" before "Committee".
- Page 13, insert "Mr. Peratrovich presided in the absence of President Egan" after "AFTER RECESS".

Page 17, first paragraph, after second "AFTER RECESS" change "took" to "resumed."

74th Convention Day, February 4, 1956 -- Journal No. 62 ✓

Approved as read.

75th Convention Day, February 5, 1956 -- Journal No. 63 ✓

Page 13, paragraph 8, second line of amendment strike "of" and insert "or".

Page 16, paragraphs 2 and 4, strike "amendment" and insert "resolution".

Constitutional Convention  
Journal '63  
Approved 2/16/56

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SEVENTY-FIFTH CONVENTION DAY, Sunday, February 5, 1956

The Convention session was held in the University Gymnasium and the opening was preceded by the playing of "The Star Spangled Banner" by the University Band.

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

The following Invocation was given by the Rev. John C. Stokes:

"Let us pray. Almighty God and Father of all mankind, Thou who doth sit upon the throne of righteousness and dost deal justly with all men, we invoke Thy divine blessing upon this, the signing of the Constitution for the State of Alaska. In doing so, with thanksgiving for those who have prepared it, it is our earnest plea that Thou wilt use it in the affairs of the citizens of this State in the years and ages to come. Through Jesus Christ, our Lord. Amen."

The Chief Clerk called the roll. All delegates were present except Mr. Robertson. The President declared a quorum to be present.

The following communication from the Hon. E. L. Bartlett, Delegate to Congress from Alaska, was read:

"The seventy-five days which began on November 8 and conclude now will become as meaningful in Alaska's future chronicles as they are now to each of you personally. When Convention began it was with best wishes of all Alaskans. As time passed there was growing comprehension of immensity of task upon which you had started. Today when you sign the document which you have fashioned there is, I believe, general understanding not only that you have worked diligently, faithfully and with civic virtue, but successfully in writing constitution dedicated to best American principles and to furtherance mighty state to be. I thank you for extending invitation to be with you today as constitution is signed. For both Mrs. Bartlett and me it is as hard as can be here when we want to be there. We congratulate you for a job well done. You have earned grateful thanks of your fellow Alaskans. Our congratulations go likewise to loyal members of your staff whose assistance we know has meant so much to you all during Convention."

75th Day, Sunday, Feb. 5, 1956

The President welcomed all guests and called attention to the presence in the audience of Mr. Benny Benson, a resident of Kodiak, who had designed Alaska's flag as a boy.

The President appointed the following committee to escort Governor B. Frank Heintzleman to the rostrum: Mr. Buckalew, Mr. Johnson, Mr. King and Mr. Reader. Governor Heintzleman's address follows:

"President Egan, Delegates to the Constitutional Convention:

The act of affixing your signature to a proposed Constitution for the State of Alaska means to you delegates the closing of a period of extremely hard work in which your time, energies and talents were devoted in full measure to achieving something which you sincerely and earnestly hope will be of lasting value to all Alaskans, present and future.

The object you have brought into being offers a study of a fascinating social process. Fifty-five individuals of varied backgrounds, temperaments and ideas, and representing different regions and vocational groups with diversified interests, were brought together to consider the most complicated of social and political problems and blend them into a harmonious entity. By some wonderful alchemy which defies definition, this has been accomplished.

This marks a great stride toward ultimate self-government and self-determination.

The paper you have drafted will serve to demonstrate to Americans everywhere the character of political and social thinking to be found in Alaskans. We are confident that any comparison that may be made with the people of the several states will show that the plane of our thinking is as high as that of any other unit of the Nation.

This ceremony here today is not so much an ending as it is a beginning--a beginning of a long series of related activities which will be projected into the distant future of Alaska and of our Nation.

When you have affixed your signatures to this document, you will be standing in a similar position to that of the members of the Philadelphia Convention on September 17, 1787, the day they presented the American people with a document entitled "The Constitution of the United States as Agreed upon by the Convention." Like you today, they could look back upon a period of arduous labor during which they devised a means of reconciling the conflict of sectional and other special interests and built a working frame for a vital democracy.

But we remember that, at this point, the product of the Convention was still merely a document, not yet a living Constitution. They faced, as do we, the hurdle of gaining ratification of this document by the people.

The Constitution of the State of Alaska which you have agreed upon, when presented for popular endorsement, will not, I am sure, have to pass through a period of such bitter controversy as did the Constitution of the United States before it was finally ratified.

But as framers of the document, each of you will be expected, and are conscience-bound, to follow the lead of our forefathers and carry to the general public of the area you represented at the Convention, your interpretation of the underlying fundamental principles and the definite terms of this document which you have proposed as the governmental foundation of the State of Alaska.

The task now calls for further public service. I can give you little in the way of advice as to how it should be done, but I can at least refer you to the record of the comparable period in the establishment of our Constitution of the United States, and in particular to that series of essays dealing with the Constitution contained in 'The Federalist.'

Some of you will be called upon to reenact, in some degree, the role of Alexander Hamilton, John Jay and James Madison in producing an Alaskan version of 'The Federalist.'

History will serve to point out many of the situations which this Constitution can be expected to face during the next three months, but I wish to comment on one which will probably recur in many guises. In championing the Constitution of the United States during the adoption controversy, the proponents were repeatedly called upon to answer many variations of the charge that it was imperfect.

These who brought these charges were generally viewing the Constitution from the limited vantage place of special interest or sectional prejudices, or looking upon its parts as though they were separate and unrelated. Undoubtedly, the Constitution which you have framed is already being examined for imperfections.

The charges of imperfections can, of course, arise from special interests, regional points of view and the frequent propensity of people to consider one feature of a proposition without reference to how it influences or is influenced by other features of the proposition.

Perhaps you can draw strength and comfort from the words of Alexander Hamilton in 'The Federalists No. 85,' the final essay in the series in which he gives an answer to all criticisms of this nature:

'I never expect to see a perfect work from imperfect man. The result of the deliberations of all collective bodies must necessarily be a compound, as well of the errors and prejudices, as of the good sense and wisdom, of the individuals of whom they are composed. The compacts which are to embrace thirteen distinct States in a common bond of amity and union, must as necessarily be a compromise of as many dissimilar interests and inclinations. How can perfection spring from such materials?'

Speaking for myself, I believe from the reports of this Convention as given currently by the newspapers as the sessions progressed, that this Constitution for the State of Alaska is in its entirety a good work, that it will provide a foundation for a State of Alaska of which we can be proud, and which may cause some existing States to reexamine their basic charters with a view to adopting some of the Alaska features.

If I find myself trying to pick flaws, I reread these words of Hamilton: 'No advocate of the measure can be found, who will not declare as his sentiment, that the system, though it may not be perfect in every part, is upon the whole, a good one; is the best that the present views and circumstances of the country will permit: and is such a one as promises every species of security which a reasonable people can desire.'

The delegates to this Convention are entitled to the commendation of all Alaskans, present and future. They have given careful and reflective study to relevant material obtained from States and other Governmental units that appeared to offer something of value which they might use; they have shown a fine willingness to hear and consider the views of Alaskans of all shades of opinion, and to work for acceptable compromises on impending deadlocks; and, in general and above all, they have worked hard and conscientiously to produce something that will promote the social and economic welfare of Alaska.

I do not doubt that the names of you delegates and your accomplishments here will be featured in histories of Alaska for a long, long, period of time.

I thank you."

The President stated that the proposed constitution for the State of Alaska in its final form was before the Convention, the previous question having been ordered.

The question being "Shall the proposed constitution for the State of Alaska be agreed upon by the Convention?", the roll was called with the following result:

Yeas: 54 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, 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, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 0 -

Absent: 1 - Robertson

and so the constitution was agreed upon.

The roll was called and each delegate and the secretary came forward and signed the constitution.

The President announced that the proposed constitution in its final form had been signed by the delegates and the secretary.

The President asked Mr. Armstrong to give the prayer of dedication which follows:

"Let us be thankful to Almighty God. Almighty Father, Lover of men, we thank Thee for creating us after Thine image. Thou hast breathed into us the breath of life. Our souls are Thine. We are wholly Thine. Thou has ordained that the delegates of this Convention should be assembled to write a charter of life for Alaska. We bow in humble reverence, for this task has been great, and we have consequently realized the importance of our actions before Thee. Nothing less than a miracle from Thee has kept us together in mind and spirit. We have, under Thy guidance, acted as many facets of thought and passion to mold this one document. The anvil has rung with the hammer of compromise, and there has come forth a statement of our belief. Today we place the work of our hands before Thee. We ask Thy blessing as we dedicate this constitution. We set it apart from any other plan ever ordered in Alaska as the foundation of our State. We ask that it may speak our hearts, that it might find favor before Thee and the people of this great land. The days and nights have been long. The strain has been at times almost too great to bear, but Thy sustaining power has given us strength. We thank Thee

for Thy hand of love, the Everlasting Arms that have kept us within Thy will. Father, we dedicate this document, mindful of the one who has been given to us as our President. We thank Thee for him. We thank Thee for his wisdom; it has been wisdom from above. We cherish his undaunted courage, the courage he has displayed before us as delegates. We thank Thee for him. And now, O Father, Lord of all, within these pages of this Constitution, we pray that the weak might find strength, the name of justice might be upheld, the lands might be preserved, the governed might find liberty, the life of all might be made bearable and workable. We send this statement of faith unto our people, dedicated in Thy presence. Do Thou sanctify it by Thy grace. In the name of the Father, and of the Son and of the Holy Spirit, Amen."

Mr. Riley asked that the Chair be relinquished to one of the vice-presidents so that the delegates might hear an address from the President.

The President asked First Vice-President Peratrovich to take the Chair.

President Egan's speech follows:

"Governor Heintzleman, other distinguished guests, fellow Alaskans and delegates. In prefacing my remarks this afternoon, it would seem fitting and proper that the Preamble to Alaska's State Constitution be presented to all Alaskans. Ladies and Gentlemen, the 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 within the Union of States, do ordain and establish this constitution for the State of Alaska.'

There are those in Alaska who still say, 'What great difference does it make that I, an American citizen, cannot cast my vote for the President and Vice-President of the United States?

What great difference does it make that we are represented by one hard-working, voteless delegate in Congress--a delegate who cannot vote even in committee, on any subject even though that subject might relate solely to the detriment or welfare of our great Territory. What great difference does it make that acts of our Territorial Legislature are governed mainly by two acts of Congress--one dated July 30, 1886, and the other dated August 24, 1912?'

Well, to me, and I know to most of you, it makes a great deal of difference. We want to cast our ballot for our choice for President of the United States every four years. We want to cast our ballot at regular intervals for two United States Senators and for a voting Representative in the United States Congress from the great State of Alaska, in order that we have our proper representation as to the welfare of our nation; and that in order that the tremendous natural resources available to our nation in Alaska can be properly unfolded and utilized. Then, too, we want to vote for representatives to a state government that is not thwarted by a combination of two laws--one of which was enacted specifically for the Territory almost 70 years ago and the other, one which was enacted by the federal Congress almost 44 years ago.

Alaska's fight for the fullest measure of self-government did not have its inception in the time of most of us who are here this afternoon. Alaska was purchased by the United States from Russia on October 18, 1867, at a cost of less than two cents an acre. Alaska has served more than 88 years under the yoke of federal domination. We are now in our 43rd year of having been an organized territory. No other state in the Union had to endure even half this period of time under territorial status before admittance to the Union. During these years, despite federal obstacles placed in the way of development of its natural resources, Alaska has produced more than 400 times the value of the original 7 1/2 million dollars purchase price from these natural resources.

In 1898, the Congress of the United States enacted legislation making it possible to file on a homestead in Alaska,--but only on surveyed lands and there were no surveyed lands in Alaska in those days. This act set the people of Alaska afire with indignation and the cry for some sort of representation rose to one of crescendo proportions. Mass meetings were held in various populated areas of the Territory. Eastern papers picked up the story and Alaska's cause received some attention in Congress. In 1906, after 25 years of petition, Alaska was permitted to elect a voteless delegate to the national Congress. Persistent citizens kept hammering away and on August 24, 1912, the Congress granted incorporated territorial status to Alaska, with the right to have its own legislative assembly, subject to the restrictions contained in the Acts of Congress of 1886 and 1912. The first territorial legislature convened at the capital city of Juneau in 1913.

Ever since that time, Alaskans who were intimately familiar with the intensive handicaps placed upon industrial development of the territory by antiquated federal bureaucratic red tape, have continued the battle for a fuller measure of self-government

with statehood as the ultimate goal. For more than a decade, dedicated Alaskans have carried a direct fight for the inherent right of our citizens to full citizenship as set forth in the Constitution of the United States. In 1946, at a referendum election, Alaskans voted by a majority of 3 to 2 for statehood for our great territory. In these past few years, increasing numbers of Alaskans who had been lukewarm toward statehood, or who had been non-committal, have joined forces in this greatest of common causes. Today, many opponents of statehood admit privately that another referendum on the question would reveal that a majority of from 4-1 to 6-1 now favor immediate statehood for Alaska.

The arguments against admission of Alaska into the Union are identical with those that were advanced against the admission of nearly all the twenty-nine states that were territories prior to their admission into the Union. Alaska has more population than one-third of the states of the Union had at the time of their admission. There are those who will say that our population is relatively smaller in proportion to the total population of the United States than that of those earlier states at the time when they were admitted. The fact is that there were at least five states which had not only less population than Alaska has now, but even less population in relation to the national total.

Distance from the national capital and non-contiguity to the mainland are often advanced in the course of congressional debate as reasons why Alaska should not become a state. Measured in the only true perspective, that of time required to journey between the proposed state and the national capital, Alaska is much nearer Washington today than were most all the states at the time of their admission to the Union. Today one flies from Fairbanks to Washington, D. C., in approximately 20 hours, and even less time, depending on the type of aircraft one secures passage on. Instantaneous communication by telephone adds a factor not in existence when previous states were admitted. All of our principal cities are linked with the national telephone system.

To say that Alaska lacks the resources to support a state is fantastic. Many of the states now in the Union would be happy indeed, if they could be endowed with Alaska's natural resources. Even though our resources are in their present state of under-development,--mainly because of the federal territorial-status yoke, our economy is amply able to support statehood. A prime example of federal bungling in the handling of our great resources is our commercial fishery. It is my very firm conviction that, in the immediate years following the advent of statehood to Alaska, our fisheries conservation problem will be solved. With local

control of our fisheries, the annual pack of salmon taken from territorial waters will quickly take an upturn because conservation policies would then be laid down by Alaskans intimately familiar with the problem. In a few years' time, with no additional increase in tax on the industry, our state treasury would be additionally benefited with several millions of dollars each biennium. It is quite likely that with the rebuilding of our fisheries, which have become so depleted under the yoke of federal stewardship, this increase in revenue to the state treasury could be accomplished and allow for a reasonable decrease in the tax now levied on the industry by the territory. This question would take a considerable length of time for explanation, but it is one of such extreme importance when we are discussing the subject of statehood for Alaska that I do not believe any argument relative to the question could have much merit if it were not brought home to all our citizens that the solving of the problem of perpetuation of our great fisheries resource can only be accomplished with the right to fully govern ourselves. There are those who say that statehood would 'open the door to the poorhouse'. They cite such matters as the recent mental health act, which carried a direct appropriation for construction of facilities by the federal government. To me, these people have missed the point altogether. The compelling reason for insisting upon the direct appropriation is just another example why we need statehood so desperately. The federal government has withheld care of our mentally ill from Alaska over the years. With no appreciable drain on its treasury, the territory could have provided the facilities from the beginning, together with the sympathetic, expert care which means so much to the ultimate recovery of these patients. Other United States Territories cared for their mentally ill from the inception of Territorial status and were thus enabled to gradually build up their facilities.

To those who say, 'this is not 1900--this is 1956,' we repeat that no great industrial expansion came to any of our other twenty-nine territories until after their admittance to the Union of the United States. To this end, there is no difference between 1900 and 1956.

To those who say, 'no one is holding us forcibly in territorial status--we can move out if we choose,' we say, 'no, no one is forcibly holding us here. But, we have built our homes here; we are rearing our children here; a great many of us will die here. We never intend to live anywhere else. We love our great United States of America, and our hearts belong too, to our great Territory of Alaska and we will never have a true peace of mind until we are taken in full membership as one of the great states of the Union.'

In affixing our signatures to this document we did so with the knowledge that each word had been subject to free and lengthy debate in committee and on the floor of this constitutional convention.

I say to each and every Alaskan: If it had been your good fortune, as it has been mine, to have witnessed the abilities, the diligence, the devotion to duty, of these delegates who have drafted the proposed constitution for the State of Alaska in carrying out the task that had been cut out for them, you would say of their labors, 'Well done!'

We have just completed the task for which we were sent here. Your delegates to Alaska's Constitutional Convention have now given to you, the people of Alaska, the proposed constitution for the State of Alaska. We know that you will judge with great care the end result that has been accomplished here. We are exceedingly gratified that none other than the President of the United States, the Honorable Dwight D. Eisenhower, indicated in his message received here yesterday, that the eyes of the Congress of the United States and the eyes of the people of the United States will be upon you on Ratification Day, April 24th, 1956."

The Ladd Choral Group sang "Alaska's Flag".

The following Benediction was given by the Most Reverend Francis D. Gleeson, S.J.:

"Almighty God, our Father in Heaven, Master and Ruler of the universe, Who has planted deep in the spirit of man abiding hunger for freedom and justice, we humbly pray that the long wished-for day may soon dawn when our beloved northland may be recognized as an equal among the states of our nation. Deign this day to bless with Thy divine approval the instrument of government devised by the long and dedicated labors of our chosen representatives. Grant to all who now dwell or shall ever dwell under its protecting mantle the generosity to spend themselves freely, the determination to work together harmoniously, the intelligence to promote wisely the peace and prosperity and the glory of our state."

Mrs. Wien moved and asked unanimous consent that the Convention recess until the call of the Chair. There being no objection, it was so ordered.

#### AFTER RECESS

The Convention reconvened at 4:35 p.m.

Mr. Johnson moved and asked unanimous consent that the Invocation by Rev. Stokes, the address by Governor Heintzleman, the Prayer of Dedication by the Rev. Armstrong, the Address by President Egan and the Benediction by Bishop Gleeson be spread upon the Journal.

Mr. Buckalew asked that Mr. Johnson's motion include the telegram from Delegate Bartlett. Mr. Johnson agreed.

There being no objection, it was so ordered.

The President stated that the jade lamp which had been on the table where the constitution was signed was the property of Mr. Marston who had loaned it to the Convention for the occasion.

The Convention was at ease while the delegates signed the 60 copies of the constitution.

#### AFTER RECESS

Mr. Doogan asked unanimous consent that the record show Mr. Kimbrough Owen of Baton Rouge, Louisiana, present at the signing ceremonies as a representative of the Governor of Louisiana. There being no objection, it was so ordered.

Mr. Marston suggested that Mr. VanderLeest's friend Mr. Louis Middleton of Grand Rapids, Michigan be granted the privilege of the floor as the guest who had traveled the farthest to attend the signing ceremonies. There being no objection, it was so ordered. Mr. Middleton spoke briefly to the Convention.

The resolution of the Committee on Administration relating to immediate statehood was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and that the resolution be adopted. Mr. McNees objected. Mr. R. Rivers seconded. Mr. McNees asked unanimous consent that the resolution be amended to include that copies go to all members of Congress. There being no objection, the amendment was adopted. Mr. McNees withdrew his objection and the amended resolution was adopted by unanimous consent.

The resolution by the Committee on Administration on the Alaska Statehood Committee was introduced and read.

Mr. Coghill asked unanimous consent that the rules be suspended and that the resolution be adopted. There being no objection, the resolution was ordered adopted by unanimous consent.

The resolution regarding the thanks to Charles R. Griffin was introduced and read.

Mr. Coghill asked unanimous consent that the rules be suspended and that the resolution be adopted. Mr. R. Rivers objected temporarily for information purposes. There being no objection, the resolution was ordered adopted.

The resolutions were referred to the Committee on Style and Drafting.

Mr. Hilscher announced that Mr. Earl Wyman, photographer from Fairbanks, had presented the Convention with a copy of the group photograph for the delegates to give to the University.

Mr. Doogan moved and asked unanimous consent that the Convention give Mr. Wymann a vote of thanks. There being no objection, it was so ordered.

Mr. Coghill stated that the Committee on Administration had no more resolutions at this time, but that the resolution on the orderly disposition of the Convention business was in second reading.

The President declared a short recess.

#### AFTER RECESS

Mr. Marston asked for the privilege of the floor to tell the story behind the jade lamp.

The resolution regarding the orderly disposition of the business of the Convention was considered in second reading.

Mr. Riley moved and asked unanimous consent for the adoption of the following amendment:

Strike Sections 1 and 2 and insert in lieu thereof the following:

*on* ~~"The President of the Convention with such assistance as he may require from among the delegates~~ of the staff of the Convention be authorized to conclude the unfinished business of the Convention and to expend such funds from the authorized appropriation as may be necessary to complete the work of and carry out the purposes of the Convention."

Mr. Londborg objected. Mr. White seconded.

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

#### AFTER RECESS

Mr. Londborg withdrew his objection. On voice vote the amendment was adopted.

Mr. V. Fischer moved and asked unanimous consent that Section 3 of the resolution be amended to read as follows:

"That the President of the Convention, or a person designated by him, shall carry out the following duties:"

There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the adoption of the following amendment to subsection (d):

Strike the word "two" on the first line and insert the words "and mimeographed" after the word "typed" on the second line.

Mr. Sundborg objected.

The President declared a short recess.

#### AFTER RECESS

Mr. Riley moved the adoption of the amendment to get it on the floor. Mr. Knight seconded. Mr. Coghill explained the subsection. Mr. Riley stated that after the explanation he could not support the amendment. On voice vote the amendment failed.

Mr. Johnson asked unanimous consent that under subsection (c) it be understood that each delegate be furnished with ten copies of the printed constitution. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that in subsection (c) the words "at least" be inserted before "5,000".

Discussion of the number of copies to be printed followed and Mrs. Sweeney pointed out that the resolution had been written with the idea that the President and the Secretary and the Chairman of the Administration Committee would decide how many copies were needed.

Discussion regarding the need for the summary followed.

Mr. V. Fischer moved and asked unanimous consent that subsection (c) be amended as follows:

Insert a period after the word "printed" on line 3 and strike the balance of the sentence.

There being no objection, it was so ordered.

Mr. Coghill asked unanimous consent that the resolution as amended be adopted. There being no objection, it was so ordered.

Mr. Johnson moved and asked unanimous consent that the Convention recess until 8 a.m., Monday. Mr. Coghill announced a meeting of the Committee on Administration at 7 a.m., Monday.

There being no objection to the unanimous consent request the Convention recessed at 6:45 p.m. until 8 a.m. Monday.

#### AFTER RECESS

The Convention reconvened at 8:30 a.m. Monday, February 6, 1956.

The President asked Mr. Londborg to give the Invocation. At the request of Mrs. Hermann and with the unanimous consent of the Convention, the prayer was ordered spread on the journal.

"Our Heavenly Father, we would pause before Thee for a moment this morning as we begin this session. We pray that You would be with us as we conclude the business of this Convention this day. We thank You for Your leading and Your guiding Hand throughout the past days and weeks, that You have brought us to the close of this Convention with what we believe to be a successful constitution. Heavenly Father, we pray that You will be with us now as we bring our deliberations to a close. Bless each of us as we go to our respective homes. We pray that we may look back on this time together with thankfulness in our hearts for having learned to know one another, for having been privileged to work with one another. Bless us we pray as we continue. In Thy name, Amen."

Telegrams from the City of Seward and Will and Anna May Vokacek of Kodiak extending congratulations on a job well done, were read.

Mr. Coghill presented a report on the finances of the Convention.

Mr. Sundborg asked that copies of the financial report be mimeographed and sent to all the delegates. The President stated the report would be mailed.

Mrs. Sweeney reported that the Committee on Administration had authorized the expenditure of funds to supply one large apportionment map to each delegate.

Mr. V. Rivers stated he believed the accounts should be audited before the President closed the records. Mr. Nolan suggested the services of the recently appointed legislative auditor. Mr. Sundborg stated he believed the committee should present a resolution to that effect. The President declared a short recess.

#### AFTER RECESS

The resolution regarding an audit of the funds expended by the Convention was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution adopted. There being no objection, the resolution was adopted by unanimous consent.

The resolution by the Committee on Administration regarding Operation Statehood was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution be adopted by unanimous consent. Mr. Buckalew objected. Mr. Marston seconded. Mr. Buckalew stated he would object to all resolutions because he felt someone would be forgotten. On voice vote the amendment was adopted. *resolution*

The resolution by the Committee on Administration regarding Convention consultants was introduced and read.

Mr. Coghill asked unanimous consent that the rules be suspended and the resolution be adopted. Mr. Buckalew objected. Mr. Gray seconded. On voice vote the amendment was adopted. *resolution*

The resolution by the Committee on Administration concerning the Convention secretariat was introduced and read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended and the resolution be adopted. Mr. Buckalew objected. Mr. V. Fischer seconded. On voice vote the resolution was adopted.

The President declared a short recess.

#### AFTER RECESS

Mr. McCutcheon stated he had a request from the gallery for a resolution regarding the faithful wives of the Convention.

Mr. Sundborg asked unanimous consent that the privilege of the floor be granted to Dr. Ernest Patty, President of the University. There being no objection, it was so ordered.

President Egan presented the official gavel and a signed copy of the constitution to Dr. Patty for the University.

Dr. Patty expressed his appreciation for the gifts and for the privilege of having had the delegates at the University during the Convention.

Mr. Sundborg asked unanimous consent to revert to committee reports. There being no objection, it was so ordered.

Mr. Sundborg reported back to the Convention the Style and Drafting Committee report on the resolution "Friendly Relations with Canada" and the resolution "Orderly Transition from Territorial Status to Statehood".

Mr. Sundborg moved and asked unanimous consent that the resolution "Friendly Relations with Canada" be adopted. There being no objection, the resolution was ordered adopted.

Mr. Sundborg moved and asked unanimous consent for the adoption of the resolution "Orderly Transition from Territorial Status to Statehood". Mr. Buckalew and others objected. Mr. Sundborg so moved. Mrs. Fischer seconded. After discussion by Mr. Riley, Mr. R. Rivers, and Mr. McCutcheon, Mr. V. Fischer moved the previous question and asked unanimous consent. Mr. Kilcher objected. Mr. McLaughlin seconded. On voice vote the previous question was ordered. The question being "Shall the resolution be adopted?", on voice vote the resolution failed.

In accordance with action taken February 3rd, the following resolution was ordered spread upon the journal:

"WHEREAS Fairbanks and the Tanana Valley are known throughout the Territory as the "Golden Heart of Alaska"; and

WHEREAS the unfailing courtesy and hospitality shown by the people of Fairbanks and the Tanana Valley to the out-of-town delegates to the Constitutional Convention clearly indicate that the term "Golden Heart of Alaska" is well deserved; and

WHEREAS their kindness, hospitality, and graciousness have greatly contributed to the success of the deliberation of this Convention; and

WHEREAS these delegates will ever remember the kindness and hospitality of the people of the "Golden Heart of Alaska"

NOW THEREFORE BE IT RESOLVED that the delegates to this Convention, from other parts of Alaska, hereby tender to the people of Fairbanks and the Tanana Valley our heartfelt thanks to those who have made our stay in the "Golden Heart of Alaska" so enjoyable; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the journal of the proceedings of the Convention.

DONE at College Alaska this third day of February, 1956 by direction of the Convention."

Mr. Sundborg reported that the Style and Drafting Committee had reported back other resolutions passed by the Convention and asked unanimous consent that the report be adopted. Mr. Boswell objected temporarily to call attention to an error in the resolution concerning the students of the University. There being no objection, the resolutions as reported by the Style and Drafting Committee were adopted.

Mr. White moved and asked unanimous consent that the Convention express its appreciation to the Committee on Administration for a difficult task well done. There being no objection, it was so ordered.

Mr. White asked unanimous consent for the approval of the journal of the 69th day with the following correction: Page 19, third paragraph from the bottom, correct a typographical error in the word "Article". There being no objection, the journal was ordered approved.

Mr. White asked unanimous consent for the approval of the journal of the 70th day subject to the following corrections: Page 1, in the prayer, on the second line capitalize the "t" in "thee"; 6th line, same correction and on the last line capitalize "thy"; third paragraph from the bottom add an "s" to "rule". Page 7, in the first paragraph add "p.m." after "3:30". There being no objection, the journal was ordered approved.

Mr. White asked unanimous consent for the approval of the journals for the 71st and 72nd days as read. There being no objection, the journals were ordered approved.

Mr. White announced that the remaining journals would be mailed to the delegates and the committee moved that the President, with the assistance of Mr. Doogan, be authorized to correct any journals which have not been approved. There being no objection, it was so ordered.

Mrs. Hermann asked unanimous consent that thanks be extended to the committee that read the journal day after day. There being no objection, it was so ordered.

Mr. Coghill reported for the Committee on Administration the following recommendation for distribution of the signed copies of the constitution--Secretary of Alaska, Congress, University Museum, Territorial Museum, Territorial Department of Libraries. The Committee also recommended that the copies of the constitution carrying the printed signatures be distributed as follows: the four district courts, the Governor of Alaska, the Delegate in Congress and to the 32 high schools in the Territory.

Mr. Buckalew moved and asked unanimous consent that the President and Mr. Coghill be authorized to distribute the remaining copies of the parchment copies of the constitution.

Mr. Marston suggested that a copy go to the Cook Inlet Historical Society. Mr. R. Rivers suggested that a copy go to each of the consultants. Mr. Harris suggested that the President be authorized to have extra copies printed if necessary.

Mr. V. Fischer asked that Mr. Buckalew amend his motion to include that each high school in Alaska and each public library and the Library of Congress receive a copy of the constitution. Mr. Buckalew accepted the amendment. There being no objection, the amended motion was ordered adopted.

The President declared a five-minute recess.

#### AFTER RECESS

First Vice-President Peratrovich took the Chair.

Mr. Knight, Mr. Walsh, Mrs. Wien and Mr. Hurley brought in the painting to be given President Egan. Mr. Hurley acted as spokesman for the delegates and his remarks follow:

"Mr. President, I have been selected by the Convention to present our final respects of this Convention to our great loved President, William Egan, for a job well done. It seemed a little strange that I should be chosen for this position, and yet when we think about it, I perhaps represent those of us who are new in this field, and for that reason am perhaps best able to express the greatest appreciation which we have for the way in which our President has brought this Convention to a successful closing. He has maintained an academic atmosphere throughout the Convention and yet has been always willing to accept the practical matters which must come before us. He has carried the whole Convention forward in a way that no one else could possibly have done. I think this occasion is somewhat similar to the group that has been through a major battle. We have earned a respect for our leader that can only come from having gone through all of the trials and tribulations of presenting to the future State of Alaska the document that they will live by for many years. And to Bill we have arranged this present which Mrs. Wien will present in the form of a resolution."

Mrs. Wien read the following resolution:

"WHEREAS for seventy-five Convention days, the Honorable William A. Egan has served as presiding officer; and

WHEREAS in this capacity he has demonstrated to all, his parliamentary skill, his unwavering fairness, his personal friendliness, and his untiring devotion to duty; and

WHEREAS the delegates and officers of this Convention desire to express their gratitude for his outstanding leadership, in a form that will endure along with their admiration, and in a form that will enable them to indicate their gratitude to his charming wife and son, as well as to all other Alaskans;

NOW THEREFORE BE IT RESOLVED that the Honorable William A. Egan, President of the Alaska Constitutional Convention of 1955 be asked to accept, as a token of our thanks, admiration, and affection, a portrait of himself, painted by the distinguished artist Christian von Schneidau on commission from the delegates, and that a copy of this resolution properly inscribed be presented to our esteemed President Egan.

DONE at College, Alaska this sixth day of February, 1956."

Mr. Hurley asked unanimous consent for the adoption of the resolution. Mr. Buckalew stated he would not object to this resolution. There being no objection, the resolution was ordered adopted.

The Chairman stated that the Convention would be at recess while the delegates congratulated President Egan.

#### AFTER RECESS

President Egan resumed the Chair.

Mr. Londborg asked unanimous consent that the remarks of Mr. Hurley be spread upon the journal. There being no objection, it was so ordered.

Mr. McNees introduced Christian von Schneidau, the artist who had painted President Egan's picture, who was given the privilege of the floor. Mr. von Schneidau spoke briefly.

Mr. Marston moved and asked unanimous consent that Dr. Patty be asked to take greetings from the Convention to Dr. Bunnell, President-Emeritus of the University, who was ill. There being no objection, it was so ordered.

Mr. McNealy asked that the delegates give a standing ovation of thanks to Mr. Stewart, Convention Secretary, for making the Convention a success from its inception.

Mr. Armstrong reported that the committee to write the bequest to Alaska's children had not finished its work and moved and asked unanimous consent that the President be authorized to complete the matter. There being no objection, it was so ordered.

Mr. Sundborg asked that the privilege of the floor be granted to Mrs. Florence Douthit. There being no objection, it was so ordered. Mr. Sundborg presented Mrs. Douthit with a gift of appreciation for the fine news coverage given by her of the Convention.

Mr. Armstrong asked if the President had received any communication from Mr. Robertson regarding a resignation. The President stated that he had received nothing and that as far as the Convention was concerned Mr. Robertson was merely absent.

Mr. McNealy asked that Mr. Reader take a bow and be acknowledged since he had not spoken one word during the entire Convention.

Mr. Collins spoke briefly and introduced Mrs. Hermann who was asked to make the final motion for adjournment.

Mrs. Hermann moved that pursuant to a motion already made by the Convention, that adjournment be in honor of two great Alaskans who pioneered the statehood movement--Judge James Wickersham and Judge Anthony J. Dimond--that the Convention now adjourn sine die. Mr. Harris seconded the motion.

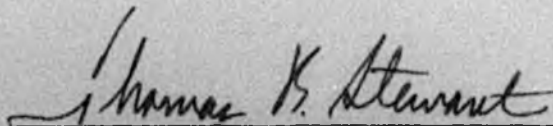
The question being "Shall the Constitutional Convention of Alaska adjourn sine die?", the roll was called with the following result:

Yeas: 54 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, 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, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

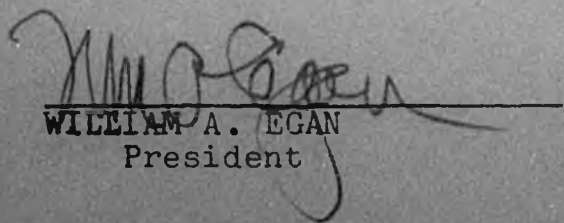
Nays: 0 -

Absent: 1 - Robertson

and so the Constitutional Convention adjourned sine die at 10 a.m. February 6, 1956.

  
\_\_\_\_\_  
THOMAS B. STEWART  
Secretary

Attested:

  
\_\_\_\_\_  
WILLIAM A. EGAN  
President

Constitutional Convention  
Journal/62

February 4, 1956

*approved 2/16/56*

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SEVENTY-FOURTH CONVENTION DAY, Saturday, February 4, 1956

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

The Invocation was given by the Rev. Ralph Disch of the Church of Christ.

Roll call showed all members present except Mr. Robertson. The President declared a quorum to be present.

Mr. White called the attention of the delegates to the presence in the gallery of fifty Anchorage residents who had arrived in Fairbanks by air this morning under the auspices of Operation Statehood, and asked that the President of Operation Statehood, Mr. Ancil Payne, be given the privilege of the floor at this time. There being no objection, Mr. Ancil Payne was granted the privilege of the floor.

Mr. Johnson moved and asked unanimous consent that the speech given by Mr. Payne be spread upon today's journal. There being no objection, it was so ordered. Mr. Payne's address follows:

"Mr. President and delegates, it is a great honor to appear here in behalf of Operation Statehood. Many members of Operation Statehood who cannot be here have watched closely every action that you have taken and regret that they cannot be in attendance with us. As this Convention draws to a close, it is perhaps singularly unlike any other Convention wherein the last few days, everyone comments about 'the words that have been spoken here will soon be forgotten but we will carry the spirit forward'. In this particular instance as you gentlemen are only too well aware, every word that has been spoken here will go into history for study in the future. Perhaps it has seemed difficult for you from time to time, to draw decisions that were free from political impact. Many of you have been aware of the fact that innumerable decisions that perhaps would prejudice people interested in their political future, forever have been made at this point, fairly, unbiased and unselfishly. I say many of us have been aware of this because thousands of people have watched the actions of this convention, on a day in and day out procedure; those people who could not perhaps attend on a regular basis but have watched closely every action that has been taken. For the fact that

we have here delegates who have been unselfish and honest, we can only thank God.

As we landed today, and there were 56 of us coming in, we were greeted by the Fairbanks High School choir which gave a rendition of the Alaska Flag. And I think it was extremely touching that these high school students were singing the Flag in the city where the constitution was being written. These are, after all, students who will live under the laws which you have, in these past days, put into writing. They are the ones who will study the action and words of each of you through many years in the future as to what you have intended to do and what you have meant in the statements you have made. Mr. President, some way it is a touching thing to see those students as they actually stood there singing the Alaska Flag.

Perhaps it is somewhat vain to recognize that in the opening days of your session we presented you with a flag and now in the closing days we have come back to see the completed document which you have written. We intend to stay over until tomorrow for the final signing of it. We recognize that in-between those two acts a tremendous amount has been accomplished, and now you are coming within 24 hours of the completion of your work. But it is this recognition of all the things that have gone between that we want to make today because, after all, following the signing we move on to something else which means that this too is an in-between step. We recognize that it is perhaps another one of those steps that all through history men have fought for, way back in biblical times with the prophets down to modern times with Jeffersons, Hamiltons and the Burkes. You fall into the same category of people who have untiringly given your time and efforts so that you too, might make this a better government under which we might live. For this then is the stepping stone to our next step. This document must be ratified. It must be ratified by the people.

It is a complex thing. We, as members of Operation Statehood, assure each delegate and you, Mr. President, that we will give untiringly of our time and efforts to be sure that this is ratified and understood and that your actions might not go to no good. For this is our objective as one of the very few pressure groups that have only one single pressure to offer and that is the pressure for better government and for the ultimate end for which we seek statehood. So we cannot thank you enough; we cannot thank you enough for your work and your time and we only reassure you that we have been in spirit with you and we will continue with you up to the time your work is fully culminated and we say only this: and I speak for all our group; thank God we have men and women like you to do this splendid work."

Mr. Johnson moved and asked unanimous consent that the following telegram be spread upon the journal:

The White House  
Washington, D. C.

"William A. Egan  
Alaska Constitutional Convention

Thank you for Radiogram concerning the work of the Alaska Constitutional Convention. In the event that the proposed Alaska Constitution is ratified by the voters in April, I am certain that Congress will take cognizance of it in connection with its consideration of any statehood legislation for the Territory. In the meantime, I can assure you that the ratified constitution will receive careful consideration by the Executive Branch.

/s/ Dwight D. Eisenhower"

Mr. McNealy objected. Mr. Rosswog seconded. On voice vote the telegram was ordered spread upon the journal.

Mr. Doogan asked unanimous consent that the journal for the 67th convention day be approved subject to the following correction:

Page 20, paragraph three, second line, change "Kilcher" to "Hellenthal".

There being no objection, it was so ordered.

Mr. Doogan asked unanimous consent that the Journal for the 68th Convention day be approved subject to the following correction:

Page 4, paragraph 3, bottom line after Mr. Sundborg strike "and" after Mr. Smith insert a comma and add "and Mr. Hurley."

There being no objection, the Journal for the 68th day was approved as corrected.

Mr. Coghill asked unanimous consent that the Convention be at ease while the delegates were presented with a souvenir pen donated by Mr. Charles R. Griffin at the request of Mr. Knight. At the same time reserve seat requests were entered by the delegates for their immediate families.

AFTER RECESS

Mr. Coghill announced a joint meeting of the Committee on Administration and Rules.

The President declared a twenty-five minute recess.

#### AFTER RECESS

Mr. Sundborg asked on behalf of the committee on Style and Drafting that the Committee have an opportunity to go over the resolutions adopted by the Convention before they are sent out. There being no objection, it was so ordered.

Mr. Marston presented the resolution entitled Native Land Grants and asked unanimous consent that it be received by the convention. There being no objection, the resolution was read for the first time.

Mr. Marston asked unanimous consent that the rules be suspended and the resolution be advanced to second reading. There being no objection, the resolution was read the second time.

Mr. McCutcheon asked unanimous consent that the rules be suspended and that the resolution be advanced to third reading, read by resolve only and put upon final passage. There being no objection, the rules were suspended.

After discussion by Mr. Marston, Mr. Doogan and Mr. Kilcher the question was called. The roll was called with the following result:

Yeas : 44 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Taylor, VanderLeest, White, Wien and Mr. President.

Nays: 9 - Cooper, Doogan, V. Fischer, Laws, Nerland, Poulsen, Reader, Sweeney and Walsh.

Absent: 2 - Robertson and Sundborg  
And so the resolution was adopted.

Mr. Hellenthal asked unanimous consent that the resolution be referred to the Committee on Style and Drafting. There being no objection, it was so ordered.

The President called for the final report of the Committee on

## Style and Drafting on the constitution.

Mr. Davis reported on behalf of the Chairman, Mr. Sundborg, who was at the newspaper plant working on the final format of the constitution checking to see that the changes and amendments made last night were incorporated correctly, that the Committee on Style and Drafting had completed its work and requested approval of the form made in styling the document. Mr. Davis asked unanimous consent for the approval of the committee's report. There being no objection, it was so ordered.

Mr. Armstrong moved and asked unanimous consent that the President appoint a committee to draft a pledge to Alaska's children which the President would sign on behalf of the delegates. There being no objection, it was so ordered. The President appointed Mr. Armstrong, Mr. Coghill, Mr. Walsh and Mr. V. Rivers. Mr. R. Rivers suggested that it be a bequest rather than a pledge. Mr. Armstrong accepted that suggestion.

A communication from the President of the Fairbanks Women's Club expressing appreciation for the tireless, devoted service of the delegates was read and ordered filed.

Letters and a telegram from Governor Christian L. Herter of Massachusetts, Governor J. Hugo Aronson of Montana and Governor George M. Leader of Pennsylvania expressing regrets at not being able to attend the signing ceremony were read and ordered filed.

Mr. Taylor asked unanimous consent for the suspension of the rules to proceed with the consideration of the resolutions which the committee on administration has ready and bypass the Style and Drafting Committee with the reservation that the committee could look them over and make changes after their adoption. Mr. V. Fischer objected. Mr. Taylor so moved. Mr. Emberg seconded. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, H. 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, R. Rivers, V. Rivers, Rosswog, Stewart, Smith, Sweeney, Taylor, VanderLeest, Walsh, White, Wien and Mr. President.

Nays: 6 - Buckalew, Doogan, V. Fischer, Poulsen, Reader and Riley.

Absent: 2 - Robertson and Sundborg.

and so the rules were suspended.

#### CONSIDERATION OF RESOLUTIONS

The resolution regarding the preparation of a memorial following the election of the senators and representative under the Alaska-Tennessee Plan was read.

Mr. Coghill moved and asked unanimous consent that the rules be suspended that the first reading be considered the second and third reading and that the resolution be adopted. There being no objection, the resolution was ordered adopted.

The resolution concerning Dr. Moberg was read. Mr. Coghill moved and asked unanimous consent that all rules be suspended and that the resolution be adopted by unanimous consent. There being no objection, the resolution was ordered adopted.

The resolution regarding the Press, Radio and Television was read.

Mr. Coghill moved and asked unanimous consent that all rules be suspended and that the resolution be adopted by unanimous consent. There being no objection, the resolution was ordered adopted.

The resolution regarding Chaplains was read. Mr. Coghill asked unanimous consent that all rules be suspended and the resolution be adopted by unanimous consent. Mr. Kilcher objected. Mr. Coghill so moved. Mrs. Sweeney seconded. The roll was called with the following result:

Yeas: 51 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Taylor, VanderLeest, Walsh, White, Wien and Mr. President.

Nays: 1 - Kilcher

Absent: 3 - Riley, Robertson and Sundborg  
and so the resolution was adopted.

Mr. Kilcher explained that the reason he voted no was because he didn't think a resolution was necessary since the chaplains had been paid.

The resolution regarding the students of the University was read. Mr. Coghill asked unanimous consent that all rules be suspended and that the resolution be adopted by unanimous consent. There being no objection, it was so ordered.

The resolution concerning the University officials was read. Mr. Coghill asked unanimous consent that all rules be suspended and the resolution be adopted by unanimous consent. There being no objection the resolution was ordered adopted.

The resolution regarding the disposition of the property and records of the convention and other unfinished business, was read.

Mr. V. Fischer asked for a one-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Coghill moved and asked unanimous consent that the rules be suspended and that the resolution be placed in second reading.

Mr. V. Rivers suggested an amendment to section 3 (d) so that more copies of the proceedings would be available.

Mr. Taylor rose to a point of order that there was nothing before the convention.

There being no objection to the unanimous consent request the resolution was advanced to second reading.

Mr. White moved that further consideration of the resolution be deferred until the next day. Mr. Riley seconded. Mr. V. Fischer asked unanimous consent. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that it be the policy of the convention that at the close of the signing ceremony the proper motion to recess be a motion to recess until the call of the chair. There being no objection, it was so ordered.

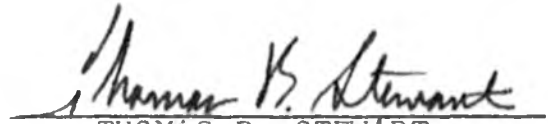
Mr. Collins moved that the convention now consider the adoption of the constitution for the State of Alaska in its present form. Mr. Walsh seconded.

The President stated that the question was "Shall the Convention agree upon the proposed constitution for the State of Alaska in its present form?"

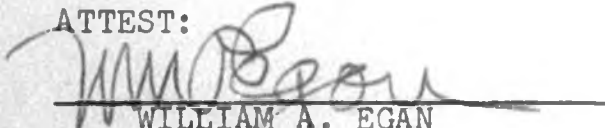
Mr. Davis moved that the previous question be put as previously

agreed upon. Without objection the previous question was ordered.

Mr. White asked unanimous consent that the convention stand adjourned until 2 p.m. Sunday. There being no objection, it was so ordered.

  
THOMAS B. STEWART  
Secretary

ATTEST:

  
WILLIAM A. EGAN  
President

Constitutional Convention  
Journal/61  
February 3, 1956  
*approved 2/16/56*

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SEVENTY-THIRD CONVENTION DAY, Friday, February 3, 1956

The Convention was called to order at 1:50 p.m. by President Egan.

The Invocation was given by Chaplain Ersmund Swaffer of Ladd Air Force Base.

The roll call showed all present except Mr. Taylor who was ill. The President declared a quorum to be present.

Mr. Kilcher introduced his wife who was present in the gallery.

Mr. White asked unanimous consent that the Journal for the 64th Convention day be approved with the follow correction:

Page 6, second paragraph from bottom, strike "it was so ordered" and insert "the amendment was adopted."

Mrs. Hermann asked that the following correction be made in paragraph 6:

Page 19, strike "since she had been absent during the debate".

There being no objection, the Journal was ordered adopted as corrected.

*delegates* Mrs. Sweeney introduced a resolution by Mr. King and herself extending thanks to the people of Fairbanks and the Tanana Valley for making the stay in the Golden Heart of Alaska so enjoyable. The resolution was read the first time. Mrs. Sweeney asked that all rules be suspended and that the resolution be considered in third reading at this time. There being no objection, the rules were suspended. The resolution was read the third time. Mr. Davis asked unanimous consent that the resolution be adopted. There being no objection, the resolution was adopted.

Mr. Cooper asked that the convention revert to the order of business of communications and that Mr. Ben Potter be extended the privilege of the floor to present a proclamation. There being no objection, it was so ordered.

Mr. Potter presented a proclamation from Acting Mayor Richard J. Greuel of Fairbanks proclaiming February 5, 1956 as Alaska Constitution Day in the City of Fairbanks. The proclamation was ordered made a part of the records of the convention.

61st Convention Day, Fri. Feb. 3, 1956.

PROCLAMATION

WHEREAS, since November 8, 1955 the fifty-five duly elected delegates to Alaska's Constitutional Convention have been working long and diligently in drafting a Constitution for the State of Alaska; and

WHEREAS, it is evident that the fruit of their labors will result in an outstanding Constitution for the State of Alaska; and

WHEREAS, the citizens of Fairbanks have been privileged to have this historic work accomplished in their midst; and

WHEREAS, on Sunday, February 5, 1956, the work of the Alaska Constitutional Convention will culminate in the signing of the completed Constitution of the State of Alaska; and

WHEREAS, said Sunday, February 5, 1956, will become a historic and memorable date in the history of Fairbanks as well as all of Alaska,

NOW, THEREFORE, I, RICHARD J. GREUEL, Acting Mayor of the City of Fairbanks, Alaska, do hereby proclaim Sunday, February 5, 1956 as Alaska Constitution Day in the City of Fairbanks, and do further convey the appreciation and congratulations of the City of Fairbanks to the fifty-five delegates of the Alaska Constitutional Convention for a job well done.

SIGNED in my hand this 3rd day of February, 1956.

/s/ Richard J. Greuel  
Richard J. Greuel, Acting Mayor  
of the City of Fairbanks, Alaska "

Mr. Hellenthal moved and asked that the following resolution be submitted to the appropriate committee for presentation to the convention: That the Fairbanks Daily News-Miner, its president and publisher, C. W. Snedden, and its staff, and all other papers or agencies that reported the progress of the Constitutional Convention be commended for their honest, objective and courteous reporting of matters dealing with the Convention.

Mr. Coghill stated that the Committee on Administration was working on resolutions and would present them to the Convention later.

The President declared a short recess.

AFTER RECESS

The President referred Mr. Hellenthal's proposed resolution to the Committee on Administration and called the attention of the delegates to the fact that the Administration Committee was preparing resolutions and if any delegate had an idea of a subject which should be covered that they contact the Administration Committee.

A telegram from Robert F. Kennon, Governor of Louisiana appointing Professor J. Kimbrough Owen to serve as his personal representative at the signing ceremonies, was read.

A telegram from G. Mennen Williams, Governor of Michigan, extending best wishes to the delegates on the occasion of the signing of the constitution, and expressing the hope that the occasion may speed the day when Alaska becomes a state of the union, was read.

A letter from Congressman Olin E. Teague of Texas expressing regrets at not being able to attend the signing ceremony, was read.

A letter from Luis Munoz Marin, Governor of Puerto Rico, expressing regrets at being unable to attend the ceremony of the signing of the constitution, was read.

A letter from E. L. Rankin, Jr., private secretary to Governor Luther H. Hodges of North Carolina, acknowledging the invitation to attend the signing of the constitution and expressing regrets at the governor's being unable to attend, was read.

A telegram to George Sundborg from Joseph T. Flakne, Programming Director of the Arctic Institute of North America, congratulating the delegates and thanking them for writing the constitution and expressing the hope that soon Alaska would be a state, was read.

A telegram to Mr. VanderLeest from Louis Middleton of Grand Rapids, Michigan, stating he would be arriving to attend the signing ceremonies was read. Mr. VanderLeest explained that Mr. Middleton had taken over, his drugstore in Grand Rapids in 1908 when Mr. VanderLeest came to Alaska.

A telegram addressed to Mr. Buckalew from Mrs. Buckalew stating that the Dallas Democratic Womens Club had passed a resolution for immediate statehood for Alaska as a result of a speech she made, was read.

The consideration of the calendar was called. Article XII was read the third time. Mr. Davis asked unanimous consent that Article XII, Sections 1 through 14 be considered together at this time. There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers asked unanimous consent that the rules be suspended, that Article XII be returned to second reading for the following specific amendment: Section 5, strike the last sentence. There being no objection, the rules were suspended. Mr. V. Rivers asked unanimous consent for the adoption of the amendment. Mr. Robertson objected for information purposes. After explanation by Mr. V. Rivers, Mr. Robertson withdrew his objection. There being no objection, the amendment was ordered adopted.

Mr. V. Rivers then asked unanimous consent to return the Article to third reading. There being no objection, it was so ordered.

After questions by Mr. Robertson/ <sup>and</sup> Mr. Coghill which were answered by Mr. Boswell, Mr. White and Mr. Hurley, the question was called. The question being "Shall Article XII, General and Miscellaneous, be agreed upon as part of the Alaska State Constitution?", the roll was called with the following result:

Yeas: 51 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal; Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher; Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog; Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien and Mr. President.

Nays: 0

Absent: 4 - H. Fischer, King, Londborg and Taylor.

and so the article was adopted.

Mr. Riley rose to inquire whether C. P. 17z was ever properly before the Convention.

The President declared a short recess in order to check the journal.

#### AFTER RECESS

The President stated that C. P. 17z had never been formally offered to the Convention by the Committee.

Mr. McNealy introduced C. P. 17z except that Section 32 be deleted and in lieu thereof a committee amendment inserting a new section 32 be considered in its place.

Mr. Johnson inquired whether the rules permitted the introduction of

a proposal at this late date without suspension of the rules. Mr. Riley, Chairman of the Rules Committee stated there was no limitation on the introduction of committee proposals.

Mr. Coghill made a parliamentary inquiry regarding making a motion that action taken on C. P. 17z the previous day be referred to as action taken today.

The President declared a short recess.

AFTER RECESS

Mr. Coghill moved and asked unanimous consent that the actions already taken on C. P. 17z be confirmed by the Convention as actions taken today.

Mr. Riley objected. Mr. Coghill so moved. Mr. Cooper seconded. Mr. R. Rivers inquired whether it would take a two-thirds vote. The President stated it would be a suspension of the rules and would require a two-thirds majority.

Mr. McNealy inquired whether it was possible to validate an invalid action.

The question being, "Shall the previous actions taken on C. P. 17z be considered as actions of today?", the roll was called with the following result:

Yeas: 34 - Awes, Boswell; Coghill, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson; Kilcher; Laws, Lee, McLaughlin, Metcalf; Nerland, Nolan, Peratovich, Poulsen, Reader, R. Rivers, V. Rivers; Robertson, Rosswog, Sundborg, Sweeney, Walsh, Wien and Mr. President.

Nays: 17 - Armstrong, Barr, Buckalew, Collins, Doogan, Hilscher, Knight; McCutcheon, McNealy, McNees, Marston, Nordale, Riley, Smith, Stewart, VanderLeest and White.

Absent: 4 - H. Fischer, King, Londborg and Taylor.

and so the motion failed.

C. P. 17z was read the first time. Mr. McNealy moved and asked unanimous consent that C. P. 17z be advanced to second reading. Mr.

Johnson objected. Mr. McNealy so moved, Mr. Knight seconded. The question being, "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 31 - Awes, Barr, Buckalew, Coghill, Cross Davis, Doogan, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Kilcher, Knight, Laws, McCutcheon, Mc Nealy, Mc Nees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, VanderLeest, White and Mr. President

Nays: 20 - Armstrong, Boswell, Collins; Cooper, Emberg, Hellen-thal, Hinckel, Johnson, Lee, McLaughlin, Nerland, Nolan, Poulsen, Reader, Robertson, Rosswog, Sundborg, Sweeney, Walsh and Wien.

Absent: 4 - H. Fischer, King, Londborg and Taylor.

and so the rules were not suspended.

C. P. 17z was referred to the Committee on Rules for assignment to the calendar.

Mr. V. Fischer asked if the proposal had to take its regular course. The President stated that was correct.

Mr. Cooper rose to a point of inquiry to ask whether it would be in order to take up Sections 30 and 31 of C. P. 17z under a suspension of the rules.

Mr. V. Rivers asked unanimous consent that the convention recess for the purpose of allowing the Rules Committee to set the calendar. Mr. Coghill objected. Mr. V. Fischer seconded. On voice vote the motion carried.

#### AFTER RECESS

Mr. Riley announced that the Rules Committee had met and placed C. P. 17z in second reading. C. P. 17z was read the second time. Mr. Coghill attempted to make an amendment. Mr. V. Fischer rose to a point of order to state that the proper order of business was for the Chairman of the Committee to give an explanation of the proposal. The President stated Mr. Fischer's point of order was well taken.

Mr. McNealy explained the Committee's position on the proposal. Mr. Coghill attempted to make an amendment.

Mr. White rose to a point of order to state that committee amendments were always considered first. The President stated that Mr. White's point of order was well taken.

Mr. McNealy moved the adoption of the following committee amendment:

Strike Section 32 and insert a new Section 32, as follows:

"If the Alaska-Tennessee Plan is approved by the voters of Alaska and Alaska has not subsequently been admitted as a State of the Union, the Territorial Legislature shall enact such additional measures as in its judgment are necessary and proper to assure attainment of that end."

Mr. VanderLeest seconded. After discussion by Mr. V. Fischer, Mr. White and Mr. Coghill, Mr. Johnson moved to amend the amendment as follows:

Strike all the matter enclosed in the quotation marks.

The President ruled the amendment out of order since it would completely obliterate the proposed amendment.

After further discussion by Mr. Boswell, Mr. McCutcheon, Mr. McLaughlin and Mr. Buckalew, the question was called. The question being, "Shall the Committee amendment to Section 32 of C. P. 17z be adopted?", the roll was called with the following result:

Yeas: 23 - Awes, Barr, Buckalew, Davis, Doogan, Emberg, V. Fischer, Hilscher, Hurley, Kilcher, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Nordale, Riley, V. Rivers, Stewart, VanderLeest, White and Mr. President.

Nays: 26 Armstrong, Boswell, Coghill, Collins, Cooper, Cross; Gray; Harris, Hellenenthal, Hermann, Hinckel, Johnson, Laws, McLaughlin, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, Robertson, Rosswog, Sundborg, Sweeney, Walsh and Wien.

Absent: 6 H. Fischer, King, Londborg, R. Rivers, Smith and Taylor

and so the amendment failed.

Mr. Coghill moved to lay C. P. 17z on the table. Mr. McNealy seconded.

Mr. V. Rivers requested a call of the assembly. Mr. Johnson stated that since the rules of the convention did not cover a call of the house, Roberts Rules of Order would apply and a call of the assembly would have to be made by motion.

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

The President declared a short recess.

AFTER RECESS

Mr. V. Rivers asked unanimous consent to withdraw his call of the assembly.

Mr. Kilcher moved that the convention recess. Mr. Poulsen seconded.

Mr. V. Rivers rose to a point of order that there was a motion on the floor.

The President stated that a motion to recess was always in order. On voice vote the motion lost and the convention was still in session.

Mr. Coghill asked unanimous consent to withdraw his motion to lay the proposal on the table. Mr. Buckalew objected. Mr. Coghill so moved. Mr. Cooper seconded. The roll was called with the following result:

Yeas: 35 - Boswell, Coghill, Cooper, Cross, Davis, Doogan, V. Fischer, Gray, Hermann, Hilscher, Hinckel; Hurley; Johnson; Kilcher; Knight, McLaughlin, McNees, Metcalf, Nerland; Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley; R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Walsh, White and Mr. President.

Nays: 16 - Armstrong, Awes, Barr, Buckalew, Collins, Emberg, Harris, Hellenthal; Laws, Lee, McCutcheon, McNealy, Marston, Robertson, Sundborg, Wien.

Absent: 4 - H. Fischer, King, Londborg, Taylor.

and so the motion was withdrawn.

Mr. Coghill attempted to make a motion. Mr. Sundborg stated that the amendment was not in order unless it had been cleared with the Ordinance Committee.

The President declared a short recess.

AFTER RECESS

Mr. McNealy moved to strike Section 30. Mr. Coghill seconded. Mr. V. Fischer asked for an explanation of why the committee chairman wished to strike the section. After Mr. McNealy's explanation, Mr. Hellenthal moved the previous question. Mr. Buckalew seconded.

The roll was called with the following result:

Yeas: 27 - Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, Emberg, Gray, Harris, Hellenthal, Hinckel, Hurley, Knight, McCutcheon, McLaughlin, McNealy, Peratrovich, Poulsen, Reader, Riley, Rosswog, Sweeney, VanderLeest, Walsh and Wien.

Nays: 24 - Armstrong, Cooper; Davis, V. Fischer, Hermann, Hilscher, Johnson, Kilcher, Laws; Lee, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, R. Rivers, V. Rivers, Robertson, Smith, Stewart, Sundborg, White and Mr. President.

Absent: 4 H. Fischer, King, Londborg and Taylor.

and so the previous question was ordered.

The question being, "Shall the amendment to strike Section 30 be adopted?", the roll was called with the following result:

Yeas: 36 - Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, Gray, Harris, Hellenthal, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Knight, Laws, Lee, McLaughlin, McNealy, Marston, Nordale, Poulsen, Reader, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien and Mr. President.

Nays: 15 Armstrong, Buckalew, V. Fischer; Hermann, McCutcheon, McNees, Metcalf, Nerland, Nolan, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson and White.

Absent: 4 H. Fischer, King, Londborg and Taylor.

and so the amendment was adopted.

Mr. McNealy moved the adoption of the following amendment: Delete Section 31. Mr. Doogan seconded. After discussion by Mr. Hellenthal, Mr. V. Fischer and Mr. McNealy, the question was called.

The question being, "Shall Section 31 be stricken?", the roll was called with the following result:

Yeas: 39 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, Knight, Laws, Lee, McLaughlin, McNealy, Marston, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien and Mr. President.

Nays: 12 - Davis, V. Fischer, Harris, Hurley, Kilcher, McCutcheon, McNees, Metcalf, Peratrovich, Poulsen, V. Rivers, White.

Absent: 4 - H. Fischer, King, Londborg, Taylor

and so the amendment was adopted.

Mr. Barr moved that the convention recess until 4:05 p.m. Mr. Kilcher seconded. Mr. McLaughlin announced that there would be a meeting of the Judiciary Committee if the motion carried. Mr. Sundborg announced a meeting of the Committee on Style and Drafting if the motion carried. On voice vote the motion lost and the convention remained in session.

Mr. Johnson moved that C. P. 17z as amended be indefinitely postponed. Mr. McNealy seconded.

The question being, "Shall C. P. 17z be indefinitely postponed?", the roll was called with the following result:

Yeas: 42 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, McLaughlin, McNealy, Marston, Nerland, Nolan, Peratrovich, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, Wien and Mr. President.

Nays: 10 - Buckalew, Doogan, Kilcher, McCutcheon, McNees, Metcalf, Nordale, Riley, V. Rivers, White.

Absent: 3 - H. Fischer, Londborg and Taylor.

and so C. P. 17z was indefinitely postponed.

Mr. V. Fischer asked whether there would be a resolution from the convention addressed to Congress requesting statehood or calling upon the legislature to take action.

Mr. Gray moved that the convention recess for twenty minutes. There being no objection, it was so ordered.

**AFTER RECESS**

A telegram from Ernest F. McFarland, Governor of Arizona, expressing regrets at being unable to attend the signing ceremonies, was read.

A telegram from Congressman John P. Saylor of New York, expressing regrets at being unable to attend and sending congratulations for taking another step towards statehood, was read.

Mr. Sundborg presented the report from the Committee on Style and Drafting on the complete constitution.

Mr. Sundborg asked unanimous consent for the adoption of the following changes in the report:

Page 38, strike sections 18 and 19 and renumber the succeeding sections in that article.

Page 39, Section 24, change "voter" to "voters".

Page 28, Section 2, strike the last sentence.

There being no objection, the changes were adopted.

Mr. Hilscher moved that the Committee on Style and Drafting explain the changes made and the rearrangement of sections. Mr. R. Rivers seconded. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the following changes made by the Committee be adopted:

Page 3, Section 16, line 3, insert the words "of twelve".

Page 6, Section 14, line 4, insert the word "three".

Page 15, change Article XV to read Article XIV in Sections 1 and 2 and on page 16; Section 7 make the same change.

Page 22, Section 8, change 'catastrophes' to "disasters".

Page 35, Election District 23 substitute "That part" for "All".

Page 27, Section 6, ~~change the first sentence into two sentences.~~ *make two sentences out of the first sentence.*

Page 28, Section 5, change commas to parentheses around "or affirm".

Page 30, Section 2 approve language as changed.

Page 37, Section 10, change Article XV to Article XIV two places in the section.

Page 38, Section 17, "subject to applicable acts of Congress" was changed to "except as otherwise provided by law".

There being no objection, the amendments were ordered adopted.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article XV be returned to second reading for the purpose of the following specific amendment: Add new section 24 as follows:

"Section 24. Ordinance No. 1 on ratification of the constitution, Ordinance No. 2 on the Alaska-Tennessee Plan, and Ordinance No. 3 on the abolition of fish traps, adopted by the Alaska Constitutional Convention and appended to this constitution, shall be submitted to the voters and if ratified shall become effective as provided in each ordinance."

There being no objection, the rules were suspended. Mr. Sundborg asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Hellenthal asked unanimous consent to change the "S" in "State" to lower case in Section 25 on page 39. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent to adopt the language used by the Style and Drafting Committee in Section 4 on page 41. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent for the adoption of the following changes made by Style and Drafting:

Page 42, change Article XIV to Article XV.

Page 42, Section 15 the reference to Section 27 should be "Section 25".

Article XIII, Section 1, strike the word "general" and insert the word "statewide".

Page 40 typographical error, word "ordinances" should be "Ordinances".

There being no objection, the changes were ordered adopted.

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

*Style and Drafting*  
AFTER RECESS

~~Mr. Davis~~ asked unanimous consent for the adoption of the action taken by the Committee in changing the wording. There being no objection, the language was adopted.

Mr. Sundborg asked unanimous consent for the adoption of the following changes in the report which were merely omissions by the printer:

Page 20, Section 11, after word "permits" insert "leases, and".

Section 11, page 20, strike "s" from "patents".

There being no objection, the language was ordered inserted.

Mr. V. Fischer explained the changes in arrangements made by the Committee on Style and Drafting.

Mr. Sundborg asked unanimous consent for the approval of the order arrangement as suggested by the Style and Drafting Committee.

After discussion the report of the Style and Drafting Committee as to the arrangement of the constitution was ordered adopted.

Mr. Sundborg explained that in order to get the constitution printed and ready for signing on Sunday the corrected copy should be returned to the printer no later than late tonight, and consequently suggested that the constitution be read in full tonight so that corrections could be noted.

Mr. White moved and asked unanimous consent that the Convention recess until 7:30 at which time the Chief Clerk would read the constitution. Mr. Kilcher objected. Mrs. Hermann seconded. On voice vote the convention recessed until 7:30 p.m.

*Mr. Beratovich presided in the absence of President Egan.*

AFTER RECESS

Mr. White asked unanimous consent for the approval of the journal for the 65th Convention day subject to the following corrections:

Page 1, third paragraph from the bottom, change "consideration" to "reconsideration"; page 1, paragraph 4, strike "s" from "Mr. Kilcher". Page 11, fifth paragraph from the bottom, in the next to the last line after "be adopted" insert "without objection, it was so ordered." Page 13, second paragraph between "substantive" and "phraseology" insert "or".

There being no objection, the journal was ordered approved as corrected.

Mr. White asked unanimous consent for the approval of the journal for the 66th Convention day subject to the following corrections:

Page 1, third paragraph from the bottom, insert "R." before "Rivers". Page 3, paragraph one, second line, change "Miss Sweeney" to "Mrs. Sweeney". Page 13, paragraph five, insert "to Article III" after "amendment".

There being no objection, the journal for the 66th Convention day was ordered approved as corrected.

Mr. Sundborg suggested that the Chief Clerk read the constitution an article at a time so questions and corrections could be made after each article. There being no objection, it was so ordered.

The Preamble and Article I were read.

Mr. Sundborg asked unanimous consent to insert a comma after "opportunities" in Section 1 and after "civil" in the Preamble. There being no objection, it was so ordered.

Article II was read.

Mr. Hurley asked unanimous consent to insert the following commas: after "elected" in Section 5; after "going to" in Section 6; after "secretary of state" in Section 5; after "revising" in Section 13. There being no objection, it was so ordered.

Article III was read.

Mr. Hurley asked unanimous consent to insert commas as follows: Section 6, after "the state"; Section 10, after "resigns"; Section 14, after "duties"; Section 16, after "duty" and after "department"; Section 21, after "commutations"; Section 22, after "powers" and "quasi-judicial".

Mr. McCutcheon asked unanimous consent that the rules be suspended that the constitution be returned to third reading and then to second reading for the purpose of a specific Legislative Committee amendment as follows:

Page 6, Section 12 of Article II, at the end of line 4, delete the period after "members" and add "and may expel a member with the concurrence of two-thirds of its members."

There being no objection, the rules were suspended.

Mr. McCutcheon moved the adoption of the amendment. Mrs. Nordale seconded. After discussion by Mr. McCutcheon, Mr. Johnson, Mr. Gray, Mr. Doogan, Mr. Coghill, Mr. V. Rivers, Mrs. Nordale, Mr. R. Rivers, Mr. Kilcher, Mr. Barr, Mr. Cooper, Mrs. Sweeney and Mr. Lee, the question was called.

The question being "Shall the amendment to Section 12 of Article II be adopted?", the roll was called with the following result:

Yeas: 27 - Armstrong, Awes, Boswell, Buckalew, Coghill, Doogan, Emberg, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Laws, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Sundborg, and Walsh

Nays: 18 - Barr, Cooper, Gray, Harris, Hurley, Johnson, Kilcher, Knight, McLaughlin, Nerland, Nolan, Poulsen, Rosswog, Stewart, Sweeney, VanderLeest, White, and Wien

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and Mr. President

and so the amendment was adopted.

Mr. V. Rivers asked unanimous consent for the suspension of the rules to return the constitution to second reading for the purpose of offering a specific Executive Committee amendment to Section 12 of Article III as follows:

Substitute the word "office" for the words "the state" in the first sentence.

There being no objection the rules were suspended.

Mr. V. Rivers asked unanimous consent for the adoption of the amendment. Mr. Harris objected. Mr. V. Rivers so moved. Mr. Buckalew seconded. Mr. Harris withdrew his objection. There being no objection, the amendment was ordered adopted.

Article IV was read.

Mr. Hurley asked unanimous consent to insert a comma in Section 14, after "the State". There being no objection, it was so ordered.

Mr. R. Rivers asked unanimous consent to suspend the rules to return the constitution to second reading for the purpose of the following specific amendment:

Section 4, line 3, insert "resident" between "and" and "of".

Mr. Harris objected. Mr. R. Rivers so moved. Mr. V. Rivers seconded. The question being "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 34 - Aves, Barr, Boswell, Buckalew, Coghill, Cooper, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hilscher, Hinckel, Hurley, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, VanderLeest, Walsh, and White

Nays: 11 - Armstrong, Harris, Hermann, Johnson, Kilcher, Knight, Laws, Lee, Metcalf, Sweeney, and Wien

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and Mr. President

and so the rules were not suspended.

Mr. McLaughlin moved and asked unanimous consent that the rules be suspended and the constitution be returned to second reading for the purpose of the following specific amendment:

Section 6 of Article IV, line 3, after the word "ballot", insert "in the manner provided by law".

There being no objection the rules were suspended.

Mr. McLaughlin asked unanimous consent for the adoption of the amendment. Mr. Johnson objected. Mr. McLaughlin moved and Mr. Metcalf seconded. After discussion by Mr. McLaughlin, Mr. V. Fischer, Mr. McLaughlin, and Mr. Hurley, Mr. Cooper requested a one-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. McLaughlin asked unanimous consent to withdraw his amendment.

Mr. McLaughlin asked unanimous consent to return the constitution to second reading for the purpose of the following specific amendment:

Section 6, Article IV, after the word "shall", insert ",in the manner provided by law,".

There being no objection, the rules were suspended. Mr. McLaughlin asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered.

Article V was read.

Article VI was read.

Mr. Sundborg asked unanimous consent that the following typographical error be corrected in Section 1 of Article VI: word "Under" should be "Until".

Mr. R. Rivers asked unanimous consent for the suspension of the rules to return the constitution to second reading for the purpose of the following specific amendment:

Section 10, at end of section change period to a comma and add "and thereafter until changed."

Mr. V. Fischer objected. Mr. R. Rivers moved. Mr. Metcalf seconded.

Mr. R. Rivers asked to explain the amendment. There being no objection, Mr. R. Rivers was allowed to speak on the amendment. Mr. V.

Fischer asked to be allowed to explain his objection. There being no objection, Mr. V. Fischer was allowed to speak.

The President declared a short recess.

AFTER RECESS

Mr. R. Rivers asked unanimous consent to withdraw his request for a suspension of the rules. There being no objection, it was so ordered.

Mr. Poulsen moved and asked unanimous consent that the Convention recess for twenty minutes. There being no objection, it was so ordered.

AFTER RECESS

*resumed*  
President Egan ~~took~~ the chair.

Mr. Knight moved and asked unanimous consent to expunge from the record of the previous day's journal all reference to Committee Proposal No. 17z, since it was never formally introduced the previous day. Mr. Hellenthal objected. Mr. Knight so moved. Mr. Buckalew seconded. After discussion by Mr. Hellenthal, Mr. Kilcher, Mr. Rosswog, Mr. McNees and Mr. R. Rivers, the question was called. The question being "Shall all reference to C. P. 17z be expunged from yesterday's journal?", the roll was called with the following result:

Yeas: 7 - Awe, Buckalew, Knight, Nordale, Riley, Smith, and White

Nays: 38 - Armstrong, Barr, Boswell, Coghill, Cooper, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Laws, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, R. Rivers, V. Rivers, Rosswog, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and VanderLeest

and so the motion failed.

Mr. Marston advised that he had received information from Dr. Patty that the Board of Regents of the University of Alaska had voted at their November 30th meeting that the name of the Student Union Building would be changed to "Constitution Hall".

Article VII was read.

Article VIII was read.

Mr. Hurley asked unanimous consent that on page 18, Section 3, a comma be inserted after "wildlife". There being no objection, it was so ordered.

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

AFTER RECESS

Articles IX, X and XI were read.

Article XII was read.

Mr. Sundborg requested a short recess so that the Committee on Style and Drafting could meet to draw up an amendment for Article XV. There being no objection, it was so ordered.

AFTER RECESS

Article XIII and XIV were read.

Article XV was read.

Mr. Sundborg asked unanimous consent for a suspension of the rules to return the constitution to second reading for the purpose of the following specific committee amendment:

Page 37, Section 10, strike last sentence.

Page 37, Section 11, strike section and substitute the following:

"Terms of Section 11. The first state legislators shall hold  
First State office for a term beginning with the day on which  
Legislators they assume office and ending at noon on the fourth  
Monday in January after the next general election,  
except that senators elected for four-year terms  
shall serve an additional two years thereafter. If  
the first general election is held in an even-numbered  
year, it shall be deemed to be the general election  
for that year."

There being no objection, the rules were suspended. Mr. Sundborg moved the adoption of the amendment. Mr. V. Rivers seconded. Mr. V. Fischer explained the necessity for submitting the amendment and asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Sundborg asked unanimous consent to return the constitution to second reading for the purpose of a specific committee amendment:

Section 9 of Article XV, third line, strike the word "qualify" and substitute the words "assume office".

There being no objection, the rules were suspended. Mr. Sundborg asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

The President stated that the record should show that since there had been no objection the constitution had been automatically returned to third reading after the rules had been suspended for the specific amendments.

Mr. Sundborg asked unanimous consent to correct a typographical error in Section 16 of Article XV as follows: Insert a comma after "filled", strike the "and" and strike "is appointed, he". There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent to make the following correction on page 40 under "Alaska-Tennessee Plan": change period to a colon at the end of Section 1.

Mr. Sundborg asked whether the delegates would accept the type used in the heading of the constitution. After discussion, Mrs. Hermann moved that the type remain as shown. Mr. Knight seconded. On voice vote the motion was adopted.

Mr. Sundborg asked for the opinion of the delegates as to centering the Article titles over the sections or as they were, on the middle of the page. Mr. V. Fischer moved that the titles be centered over the sections. Mr. Barr seconded. On voice vote the motion failed.

Mr. Sundborg requested a recess for the purpose of having the Style and Drafting Committee bring in a recommendation for the phrase to be inserted just before the signatures. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Sundborg submitted the following suggestion of the Committee on Style and Drafting:

"Agreed upon by the delegates to the Alaska Constitutional Convention at the University of Alaska, this fifth day of February, in the year of Our Lord one thousand nine hundred and fifty-six, and of the Independence of the United States, the one hundred and eightieth."

Mrs. Hermann moved that the recommendation of the Style and Drafting Committee be adopted. Mr. Hilscher seconded. Mr. Buckalew asked unanimous consent. Miss Awes and Mr. Johnson objected.

After discussion by Mr. R. Rivers, Miss Awes, Mr. Johnson, Mr. Kilcher, Mrs. Hermann, and Mr. Barr, Mr. Kilcher moved that the sentence be amended by inserting "and done" after "agreed upon". Mr. R. Rivers seconded. After discussion by Mr. Kilcher, Mr. V. Fischer and Mr. Johnson, the question was called. On voice vote the amendment to the motion failed.

Mr. Johnson moved to amend the sentence by striking the words "agreed upon" and substituting the word "done". Mr. McNealy seconded. On voice vote the amendment failed.

Mr. Nerland moved to strike "the" and substitute "these" on the first line. Mr. McCutcheon seconded. After hearing from Mrs. Hermann, Mr. Nerland asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. Hinckel moved the adoption of the following amendment:

Insert "Done and" before "agreed upon".

Mr. R. Rivers seconded. On voice vote the amendment failed.

Mr. McCutcheon moved the previous question. Mr. Buckalew seconded. On voice vote the motion failed.

Mr. V. Rivers moved the adoption of the following amendment:

Strike "to the Alaska" and insert "in" and insert "assembled" after "Convention".

Mr. Barr seconded. The roll was called with the following result:

Yeas: 32 - Armstrong, Awes, Barr, Boswell, Coghill, Doogan, Emberg, Gray, Harris, Hinckel, Hurley, Johnson, Kilcher, Laws, McCutcheon, McNealy, McNees, Marston, Nerland, Nolan, Peratrovich, Poulsen, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Nays: 13 - Buckalew, Cooper, V. Fischer, Hellenthal, Hermann, Hilscher, Knight, Lee, McLaughlin, Metcalf, Nordale, Riley, and Rosswog

Absent: 10 - Collins, Cross, Davis, H. Fischer, King, Londborg, Reader, Robertson, Taylor, and VanderLeest

and so the amendment was adopted.

The question being "Shall the proposed language offered by the Style and Drafting Committee as amended be adopted?", on voice vote the language was adopted.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting as concerned the final language of the Alaska State Constitution be accepted and that the changes made in the document as they have been agreed upon be adopted. There being no objection, it was so ordered.

Mr. White reported that the Chief Clerk reading in a "dignified" manner had read the Constitution in one hour and 26 minutes.

Mr. Riley asked that in view of Rule 50 the constitution should be ordered to the Committee on Style and Drafting.

The President referred the constitution to the Committee on Style and Drafting for a final report.

Mr. Barr moved that the Convention adjourn until 1:30 p.m.

Mr. R. Rivers asked that before adjournment he would like to move to extend a vote of gratitude to the Committee on Style and Drafting for a diligent, brilliant and valiant service. There being no objection, it was so ordered.

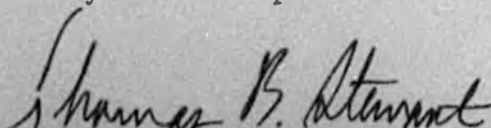
Mr. Sundborg stated that speaking for the Committee he did not believe the Committee on Style and Drafting had worked any harder than any of the substantive committees; that each committee had done a wonderful job, but the Style and Drafting Committee appreciated the kind thoughts of the delegates nevertheless.

Mr. Barr asked unanimous consent that the Convention stand adjourned until 2 p.m.

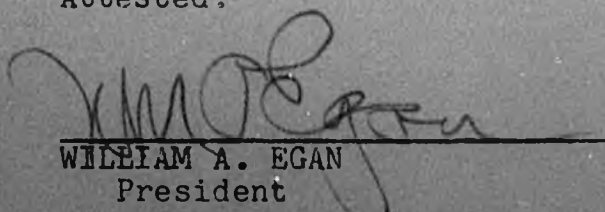
Mr. Coghill announced that the Administration Committee would meet at 11 a.m.

Mr. White announced that two planeloads of Anchorage residents sponsored by Operation Statehood would arrive in Fairbanks Saturday morning to visit the Convention and witness the signing ceremonies.

There being no objection to the unanimous consent request the Convention adjourned at 1:15 a.m. Saturday until 2 p.m.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President

Constitutional Convention  
Journal/60  
Approved Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SEVENTY-SECOND CONVENTION DAY, Thursday, February 2, 1956

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

The Invocation was given by the Rev. Powers of the Totem Park Nazarene Church.

Roll call showed all members present except Mr. Taylor who was reported ill. The President declared a quorum to be present.

The President called the attention of the delegates to the presence in the gallery of the Eighth Grade Class of the Main School of the Fairbanks Public School.

Mr. Lee introduced Mr. Ed Locken of Petersburg, member of the 1955 and earlier legislatures. The President expressed the pleasure of the delegates at Mr. Locken's having travelled from Petersburg to witness the signing of the Constitution and to see it in the making.

A telegram from Senator Warren G. Magnuson, expressing regret at inability to be present at the signing of the constitution was read and ordered filed.

A telegram from the Hon. Samuel W. King, Governor of Hawaii, expressing regrets at not being able to attend ceremony Sunday, February 5, was read and ordered filed.

Letters from Governor J. Bracken Lee of Utah; Governor Charles H. Russell of Nevada; Governor Lane Dwinell of New Hampshire; Governor Phil M. Donnelly of Missouri; Governor G. Mennen Williams of Michigan; Douglas Fisher, Executive Counsel for Governor Frank Clement of Tennessee and Phillip T. Drotning, Executive Secretary for Governor Walter J. Kohler of Wisconsin, expressing regrets at not being able to attend the signing of the constitution, were read and ordered filed.

A letter from Delegate E. L. Bartlett expressing gratitude for the invitation to attend the signing ceremony and expressing regrets at not being able to be present, was read and ordered filed.

72nd Day, Thursday, Feb. 2, 1956

A letter from Ancil H. Payne, President of Operation Statehood of Anchorage endorsing the "Tennessee Plan" was read and ordered filed.

A telegram from Walter J. Hickel, Republican National Committeeman and Alex Miller, Democratic National Committeeman inviting the delegates to a no-host dinner Saturday evening at the Travelers Inn was read.

The President declared a short recess.

#### AFTER RECESS

Mr. Davis introduced the Style and Drafting Committee's report on Article XIV, Section 26 of the Schedule and Section 14 of Article XII.

The report on Section 26 of Article XIV was read. After explaining the report Mr. Davis asked unanimous consent that the report of the Committee on Style and Drafting be adopted. Mr. Robertson objected. Mr. Davis so moved. Mr. Knight seconded. Mr. Lee requested a roll call. The roll was called with the following result:

Yeas: 50 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Vander-Leest, Walsh, White, Wien and Mr. President.

Nays: 3 - Laws, Reader, Robertson

Absent: 2 - Sundborg and Taylor.

and so the report was accepted.

Mr. Davis asked unanimous consent that the rules be suspended, that Section 26 of Article XIV be advanced to third reading, read by title only and placed on final passage. There being no objection, the rules were suspended.

Section 26 of Article XIV was read the third time.

Mr. Robertson spoke against including the section in the schedule. Mr. Buckalew moved the previous question. Mr. Poulsen seconded. On voice vote the motion failed and the previous question was not ordered.

There being no further debate, the question was called. The question being, "Shall Section 26 of Article XIV be agreed upon as part of the

schedule appended to the Alaska State Constitution?", the roll was called with the following result:

Yeas: 46 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley; Kilcher, King, Knight Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Walsh, Wien, Mr. President, and White.

Nays: 7 - Boswell, Johnson, Laws, Reader, R. Rivers, V. Rivers and Robertson.

Absent : 2 - Sundborg and Taylor

and so Section 26 was agreed upon as part of the schedule.

Mr. Davis asked that consideration of Article XII, Section 14 be considered later.

The President called attention to the invitation from Mr. Hickel and Mr. Miller.

Mr. Hellenthal moved that the invitation be accepted. Mr. Hilscher seconded. After discussion the motion was adopted.

Discussion concerning the signing ceremony followed and Mr. Coghill stated that the Committee on Administration estimated it would be about a two-hour ceremony.

The President stated that the matter of when final action on the constitution would be taken was still undecided.

Mr. White moved that the Convention rescind its action taken Monday in adopting a motion which was not too clear regarding the final vote, so that he could submit another motion. In order to let the delegates know what they would be voting on, the President allowed Mr. White to read his motion.

Mr. White moved that the convention rescind its action in adopting the policy motion on Monday regarding the final vote on the constitution. Mr. R. Rivers seconded. Mr. V. Fischer asked unanimous consent. Mr. Londborg objected. The roll was called with the following result:

Yeas: 52 - Armstrong, Awes; Barr, Boswell, Buckalew, Coghill, Collins; Cooper, 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, Perátrovich; Poulsen, Reader, Riley; R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Walsh, White, Wien and Mr. President.

Nays: 1 - Londborg

Absent: 2 - Sundborg and Taylor

and so the action was rescinded.

Mr. White moved that it be the policy of the convention to have final reading, debate and amendment of the constitution in Convention Hall at such time prior to 2 p.m. February 5 as the convention may decide, to then move and vote upon the calling of the previous question, and that following that vote the convention adjourn until 2 p.m., February 5 at which time the final roll call vote would be taken. Mr. V. Rivers asked to change "adjourn" to "recess", upon explanation Mr. V. Rivers withdrew his amendment and asked unanimous consent for the adoption of Mr. White's motion. Mr. Coghill asked for a two-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

There being no objection to the unanimous consent request, Mr. White's motion was adopted.

The report of the Committee on Style and Drafting on Article XII, Section 14 was read.

After Mr. Davis explained the report he moved that the report of the Committee on Style and Drafting on Section 14 of Article XII be accepted and asked unanimous consent. Mr. Emberg objected. The President declared a short recess.

#### AFTER RECESS

Mr. Emberg withdrew his objection. Mr. Davis withdrew his unanimous consent request for the adoption of the report.

Mr. Davis moved the adoption of the following committee amendment to Section 14:

Line 8, after "property" insert "including fishing rights,"

Mr. Metcalf seconded. Mr. Davis asked unanimous consent. There being no objection, the amendment was ordered adopted.

Mr. Davis asked unanimous consent that the report of the Committee on Style and Drafting as to Section 14, Article XII be accepted and that the changes in language be adopted. There being no objection, it was so ordered.

Committee Proposal No. 17z was read in full. Mr. Riley inquired if Committee Proposal 17z had been read a first time. By unanimous consent the rules were suspended, the previous full reading of Committee Proposal 17z was considered its first reading, and Committee Proposal 17z was placed on the calendar in second reading.

Committee Proposal No. 17z, Sections 30, 31 and 32 of the Schedule was read the second time.

Mr. R. Rivers proposed the following amendment to Section 31:

Line 9, change the word "shall" to the word "may".

Mr. Hellenthal rose to a point of order that the convention had not heard from the Committee as yet and that amendments were not in order.

The President stated that Mr. Hellenthal's point of order was well taken. Mr. R. Rivers withdrew his motion. Mr. McNealy reported on the proposal.

After questions from Mr. Hellenthal and Mr. R. Rivers, Mr. Hurley explained Section 31 and spoke on Section 32.

Mr. R. Rivers moved the adoption of the following amendment to Section 31:

Line 9 change "shall" to "may". Mr. McNealy seconded. Mr. R. Rivers asked unanimous consent for the adoption of the amendment. Mr. McCutcheon objected. After discussion by Mr. R. Rivers, Mr. Kilcher, Mr. Barr, Mr. Sundborg, Mr. Hellenthal and Mr. Buckalew, the question was called. The question being, "Shall Mr. R. Rivers' amendment be adopted?", the roll was called with the following result:

Yeas: 20 - Coghill, Collins, Cooper, Cross, Gray, Johnson, Laws, Londborg, McNealy; Metcalf, Nerland, Nolan, Peratrovich, Reader, R. Rivers, V. Rivers, Rosswog, Sweeney, Vander-Leest and Walsh.

Nays: 34 - Armstrong, Awes, Barr, Boswell, Buckalew, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nordale, Poulsen, Riley, Robertson, Smith, Stewart, Sundborg, White, Wien and Mr. President.

Absent: 1 - Taylor.

and so the amendment failed.

Mr. V. Rivers offered the following amendment to Section 31:

Line 8 after Section 31, insert the following: "To provide an orderly transition from a territorial to a state form of government it is declared and ordained that any ordinance or provision of the Schedule appended to this constitution remain in effect until changed by law or, if the nature of the provision requires, until other action or lapse of time renders it inoperative."

Mr. Hellenthal requested that the amendment be mimeographed. The President declared a short recess.

#### AFTER RECESS

Mr. V. Rivers moved the adoption of the amendment to Section 31. Mr. V. Fischer seconded. Action was withheld until mimeographed copies were available.

The President asked Mr. Peratrovich to take the chair.

Mr. Coghill moved to strike Section 32 of C. P. 17z. Mr. McLaughlin seconded.

After discussion by Mr. Sundborg, Mr. McCutcheon, Mr. McLaughlin, Mr. Buckalew, Mr. McNealy, Mr. Doogan and Mr. Hellenthal, Mr. Riley asked that the question be held over for a while in order to take up a special order of business. There being no objection, it was so ordered.

Mr. Doogan rose to speak off the record.

Following the discussion by Mr. Doogan, Mr. Riley asked unanimous consent that the Convention recess to fulfill the engagement to have coffee with the Department of History and Political Science. There being no objection, it was so ordered.

AFTER RECESS

Mr. Coghill's amendment being before the convention discussion followed by Mr. R. Rivers, Mr. Marston, Mr. V. Rivers, Mr. Boswell, Mr. White, Mr. Londborg, Mr. Hilscher, Mr. Hinckel, Mr. Nerland, Mr. Lee, Mr. Harris, Mr. Barr and Mr. V. Fischer. Mr. Davis rose to speak under personal privilege.

Mr. Coghill closed the argument. The question being, "Shall Mr. Coghill's amendment to strike Section 32 be adopted?", the roll was called with the following result:

Yeas: 37 - Armstrong, Awes, Boswell, Coghill, Collins, Cooper, Cross, Davis, Emberg, Gray, Harris, Hellenthal, Hermann, Hinckel; Johnson, King, Laws, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Walsh and Wien.

Nays: 16 - Barr, Buckalew, Doogan, H. Fischer, V. Fischer, Hilscher, Hurley, Kilcher, Knight, McCutcheon, McNealy, Nordale, Riley, Stewart, VanderLeest and White

Absent: 2 - Taylor and Mr. President

and so the amendment was adopted.

Mr. Davis moved that the Convention adjourn until 1:30 p.m. Mr. McNees served notice of his intention to reconsider his vote on striking Section 32 of C. P. 17z.

Mrs. Hermann rose to a point of inquiry regarding the rules, that it was too late in the proceedings to give notice to reconsider. The Chairman referred the matter to the rules committee and declared a short recess.

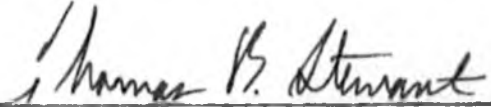
AFTER RECESS

Mr. Riley reported that the Rules stated that a motion for reconsideration would not be entertained after the 72nd day so that unless the motion were allowed today there would be no opportunity to do so on the next convention day.

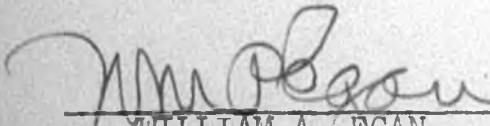
Mr. McNees served notice that he would move to rescind the action taken on striking Section 32 of C. P. 17z, and would offer an amendment to Section 32 if action were rescinded.

Mr. Coghill rose to a point of information to state the Mr. McNees could offer a new Section 32 without rescinding the action.

Mr. Davis renewed his motion to adjourn until 1:30 p.m. Friday. Mr. Sundborg seconded. There being no objection, the Convention adjourned at 5:15 p.m. until 1:30 p.m. Friday.

  
\_\_\_\_\_  
THOMAS B. STEWART  
Secretary

Attested:

  
\_\_\_\_\_  
WILLIAM A. EGAN  
President

Constitutional Convention  
Journal/59  
Approved Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SEVENTY-FIRST CONVENTION DAY, Wednesday, February 1, 1956

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

The Invocation was given by Chaplain Henry Foss of Ladd Air Force Base.

Roll call showed all present. The President declared a quorum to be present.

A telegram from Governor Averill Harriman of New York, expressing regrets at not being able to attend the signing of the Constitution and promising continued support for Alaska Statehood, was read and ordered filed.

Mr. McNealy introduced on behalf of the Committee on Ordinances and Transitional Measures a resolution entitled ORDERLY TRANSITION FROM TERRITORIAL TO STATEHOOD STATUS. The resolution was read for the first time.

Mr. V. Rivers asked unanimous consent that the rules be suspended and the resolution placed on the calendar in second reading. There being no objection, it was so ordered.

The resolution entitled ORDERLY TRANSITION FROM TERRITORIAL TO STATEHOOD STATUS was read the second time.

Mr. Stewart asked unanimous consent that "S.B. 50" be changed to "S.B. 49". There being no objection, it was so ordered.

Mr. Hellenthal asked whether resolutions will be appended to the constitution.

Mr. V. Rivers stated he understood the resolutions would be an appendix to the printed constitution.

Mrs. Sweeney suggested that the Committee on Engrossment and Enrollment be bypassed in referring the resolution to committee.

The President referred the resolution "Orderly Transition from Territorial to Statehood Status" to the Committee on Style and Drafting.

71st Day, Wednesday, Feb. 1, 1956

Mr. Sundborg submitted the report of the Committee on Style and Drafting on the first twenty-four sections of Article XIV, the Schedule, and Section 25, the Alaska-Tennessee Plan of the Schedule.

The report of the Committee on Style and Drafting on Section 25 of Article XIV was read.

Mr. Sundborg asked unanimous consent that the spelling of the word "provided" on page 3, lines 2 and 3, be corrected. There being no objection, it was so ordered.

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

Section 9, page 3, line 24, strike "in" after the word "occurring" and insert the word "after".

There being no objection, the amendment was ordered adopted.

Mr. White inquired regarding a section regarding vacancies which had been referred to the Committee on Style and Drafting and Ordinances to draft. This was concurred in by Mr. Buckalew who had made the motion.

Mr. Sundborg stated that the Committee had overlooked the request and would take care of it during the next recess.

Mr. V. Rivers called attention to the enacting clause of the schedule.

The President declared a short recess.

#### AFTER RECESS

Mr. McNealy moved and asked unanimous consent that the rules of the Convention concerning the resolve clause be amended with respect to the schedule to the constitution so that it reads "resolved that the following sections be adopted as a part of the schedule of the Alaska State Constitution" rather than the phrase used in Article XIV.

Mr. Riley stated that Mr. McNealy's suggestion paralleled the thinking of the Rules Committee and the Committee had prepared a rule to cover the question raised by Mr. V. Rivers.

Mr. McNealy withdrew his unanimous consent request, so that Mr. Riley could present the following new rule:

For purpose of schedule, ordinances and transitional measures the enacting clause shall be "Resolved that the following be agreed upon as part of the Schedule appended to the Alaska State Constitution."

Mr. Riley asked unanimous consent for the adoption of the rule. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that in the schedule being considered, Article XIV, Section 25, the enacting clause be amended as follows:

Strike the "a" before the word "part", strike the word "of" after "schedule" and insert "appended to"; strike the word "sections" on the first line and delete the word "adopted" and insert the words "agreed upon".

There being no objection, it was so ordered.

Mr. Sundborg asked for a recess so that the Committee on Style and Drafting and Ordinances could meet to take care of the matter of vacancies.

Mrs. Sweeney announced a meeting of the Committee on Engrossment and Enrollment during recess.

The President declared a recess of twenty minutes.

#### AFTER RECESS

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred Committee Proposal No. 17a, had found it correctly engrossed and the first enrolled copy correctly enrolled. Mrs. Sweeney asked unanimous consent for the adoption of the report. There being no objection, it was so ordered.

Mr. Sundborg asked that the rules be suspended; that Section 25 of Article XIV be returned to second reading for the purpose of the following specific committee amendment:

Section 4, page 2, line 19, at the end of the line add a new sentence as follows: "Any vacancy in these offices may be filled as prescribed by law."

There being no objection the rules were suspended.

Mr. Cooper suggested the use of "shall" instead of "may".

Mr. Sundborg stated that he would agree on behalf of the committee to the change.

Mr. Cooper moved that the word "shall" be used instead of "may" in Mr. Sundborg's amendment.

The President stated that Mr. Sundborg's amendment would have to be adopted prior to action on Mr. Cooper's amendment.

Mr. Sundborg moved the adoption of the amendment. Mrs. Hermann seconded. Mr. Sundborg renewed his unanimous consent request for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Cooper moved the adoption of the following amendment to the amendment:

Strike the word "may" and substitute the word "shall".

Mr. Kilcher seconded.

Mr. Johnson rose to a point of order to state that it would require a suspension of the rules.

Mr. Sundborg asked unanimous consent that the rules be suspended and Section 25, Article XIV, be returned to second reading for Mr. Cooper's amendment. There being no objection, the rules were suspended.

Mr. Cooper moved the adoption of the amendment. Mr. Kilcher seconded. After Mr. Kilcher and Mr. Cooper spoke, Mr. Sundborg asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Sundborg asked unanimous consent for the suspension of the rules to return Section 25 of Article XIV to second reading for the purpose of the following specific Style and Drafting amendment:

Section 1, page 1, line 9, strike the word "separate".

Mr. Hellenthal objected. Mr. Sundborg so moved. Mrs. Hermann seconded.

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

Yeas: 42 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nordale, Riley, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 7 - Laws, McCutcheon, Nolan, Poulsen, Reader, Rosswog, and Taylor

Absent: 6 - Coghill, Doogan, V. Fischer, Marston, Peratrovich, and R. Rivers

and so the rules were suspended.

Mr. Sundborg moved and asked unanimous consent for the adoption of the amendment. Mr. Kilcher seconded. On voice vote the amendment was ordered adopted.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Section 25 of Article XIV be advanced to third reading, read by title only and placed upon final passage.

Since the report had not been adopted, Mr. Sundborg withdrew his request for unanimous consent.

Mr. Sundborg asked unanimous consent that the report of the Style and Drafting Committee on Section 25 of Article XIV be accepted and the amendments therein be adopted. There being no objection, the report was ordered accepted and the amendments adopted.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Section 25 of Article XIV, the Alaska-Tennessee Plan, be advanced to third reading and placed on final passage. There being no objection, the rules were suspended.

Section 25 of Article XIV, the Alaska-Tennessee Plan, was read the third time.

After discussion by Mr. Londborg, Mr. Nolan, Mr. McNealy, Mr. Davis, Mr. Sundborg, Mr. Cooper, Mr. Marston and Mr. Rosswog, Mr. Cooper requested a recess. Mr. McNees asked that the Administration Committee meet during recess. Mr. McLaughlin moved the previous question. Mr. Buckalew seconded. On voice vote, the previous question was ordered.

The question being "Shall Section 25 of Article XIV be agreed upon as part of the schedule appended to the Alaska State Constitution?", the roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilcher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Riley, V. Rivers, Robertson, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Collins, Cooper, Laws, Reader, and Rosswog

Absent: 3 - Coghill, Peratrovich, and R. Rivers

and so the section was agreed upon as part of the schedule.

The report of the Committee on Style and Drafting on Article XIV, Schedule, Sections 1 to 24, was read.

Mr. Sundborg asked unanimous consent that the enacting clause be amended as follows:

At the end of the first line add the words "the schedule appended to".

Mr. Robertson objected. Mr. Sundborg so moved. Mr. V. Rivers seconded.

Mr. V. Rivers rose to a point of order to state a rule had just been adopted changing the enacting clause on the schedule. After questioning Mr. Riley, Mr. Robertson withdrew his objection. There being no objection, the amendment was ordered adopted.

After discussion and questions by the delegates, Mr. Sundborg stated that the Committee would have an amendment to Section 11 and requested a five-minute recess. There being no objection, the Convention recessed.

#### AFTER RECESS

Mr. Sundborg stated that the amendment to Section 11 contains several sentences and would be mimeographed.

Mr. Sundborg asked unanimous consent that the report of the Style and Drafting Committee as to the first 24 sections of Article XIV be accepted and the amendments therein be adopted.

Mr. V. Rivers objected temporarily. Mr. V. Rivers withdrew his objection.

There being no further objections, the report was ordered accepted and the amendments contained therein ordered adopted.

Mr. Johnson moved and asked unanimous consent for the suspension of the rules to submit the following specific amendment:

Section 21, page 7, line 13, after the first "the" add "superior court and the". Line 14, strike the word "once" and insert the following: "After the initial vacancies on the superior and supreme court are filled"; Line 15, strike the comma and insert the word "and".

There being no objection, the rules were suspended.

Mr. Johnson moved the adoption of the amendment. Mr. Robertson seconded. After questions from Mr. Hellenthal and Mr. White, Mr. McLaughlin requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Johnson made a parliamentary inquiry as to whether under the suspension of the rules he could offer an amendment to the amendment.

The President stated that this would not be possible, but that with unanimous consent he could ask for further suspension of the rules.

Mr. Johnson asked unanimous consent to suspend the rules to offer an amendment to the amendment. There being no objection, the rules were suspended. Mr. Johnson asked unanimous consent for the adoption of the following amendment to the amendment:

Delete from the amendment the reference to line 15 and substitute the following: line 15, strike the words "is appointed, he".

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

There being no objection the amended amendment was adopted.

The President stated he had neglected to refer Committee Proposal No. 17a after the report of the Committee on Engrossment and Enrollment. Committee Proposal No. 17a was referred to the Committee on Style and Drafting.

Mr. Sundborg asked unanimous consent for the suspension of the rules to return Article XIV, Sections 1 to 24 to second reading for the purpose of the following specific committee amendment:

Section 11, page 3, line 14, strike "in substance" and all of line 15, and insert "will be separate from the ballot on which candidates in the primary election are listed. Each of the propositions offered by the Alaska Constitutional Convention shall be set forth separately, but on the same ballot form. The first proposition shall be as follows: "

There being no objection, the rules were suspended.

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

Mr. Johnson moved that the Convention recess until 1:30 p.m. Mr. Sundborg objected. Mr. Barr seconded. Mr. McNealy announced a meeting of the Committee on Ordinances on recess.

Mr. Sundborg announced that the Committee on Style and Drafting would have no reports for the Convention until Thursday.

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

Mr. Sundborg asked unanimous consent that the rules be suspended and that the first twenty-four sections of Article XIV be advanced to third reading, be read by title only and placed on final passage. There being no objection, the rules were suspended.

Article XIV, was read the third time.

Mr. V. Rivers asked whether it was the understanding that all the matters in the schedule are subject to change by the legislature and by referendum. The President stated that in the opinion of the Chair, that was so.

Mr. Sundborg asked if the provisions of the schedule were self-executing and subject to being changed by the legislature.

The President stated that in his mind they would be self-executing and subject to change by law. He further stated that in his opinion the schedule was not bound by the constitutional provisions as are the provisions of the constitution.

Mr. Riley stated that Mr. V. Rivers asked whether the Convention understood the situation as he described it in relation to the schedule, but that the President had said in replying "in the opinion of the Chair" Mr. V. Rivers was correct.

The question being "shall the first twenty-four sections <sup>of Article XIV</sup> be agreed upon as part of the Alaska State Constitution?", the roll was called with the following result:

Yeas: 51 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 2 - Laws and Robertson

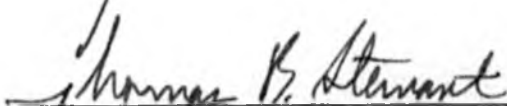
Absent: 2 - Peratrovich and R. Rivers

and so the schedule was agreed upon as part of the constitution.

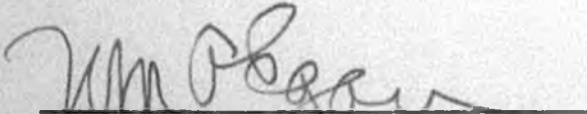
Mr. Sundborg asked unanimous consent that the Convention adjourn until 1:30 p.m., Thursday.

Mr. Coghill announced a meeting of the Committee on Administration at 5 p.m. at the Polaris Apt. 1012. Mr. McNealy announced a meeting of the Ordinances Committee on adjournment. Mr. Sundborg announced a meeting of the Committee on Style and Drafting at 1:30 p.m.

There being no objection to the unanimous consent request, the Convention adjourned at 12:30 p.m. until 1:30 p.m., Thursday.

  
\_\_\_\_\_  
THOMAS B. STEWART  
Secretary

Attested:

  
\_\_\_\_\_  
WILLIAM A. EGAN  
President

Constitutional Convention  
Journal/58  
Approved Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SEVENTIETH CONVENTION DAY, Tuesday, January 31, 1956

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

Mr. Robertson asked that the prayer by the Chaplain be given in honor of the memory of General John R. Noyes, the Adjutant General of the Alaska National Guard, who died the previous day in Nome as the result of injuries sustained in a plane crash while on national guard business.

Chaplain Henderson of Ladd Air Force Base delivered the following Invocation:

"Let us pray:

Our heavenly Father, remembering that in all occasions of life Thou hast told us to come unto Thee in prayer, on this day we would pause to honor and pay tribute to one who has served loyally in this Territory. We would pause for a moment of silence in honor and memory of General Noyes. Bless, O God, our Heavenly Father, all who are serving Thee and serving our country and this Territory. Bless these members of the convention in the progress they have made and in their duties, of which the completion is now near at hand, that in all things Thy divine guidance may be evidenced.

Through Christ, our Lord, Amen."

Roll call showed all members present. The President declared a quorum to be present.

Mr. Sundborg reported back to the Convention the Style and Drafting report on Article XV, the Apportionment Schedule; Article XV was referred to the Rules Committee for assignment to the calendar.

The Resolution "Friendly Relations with Canada" was read the second time. Mr. Marston asked unanimous consent to withdraw the Resolution "Friendly Relations with Canada" so that he could offer a substitute. There being no objection, it was so ordered.

Mr. Marston introduced the following resolution:

70th Day, Tuesday, Jan. 31, 1956

"WHEREAS, Alaskans and the people across the border in Canada have long been neighbors in the fullest sense of the word;

WHEREAS, the development of Alaska will increase the matters of common interest to the people of Alaska and their neighbors in Canada;

WHEREAS, the delegates of the Alaska Constitutional Convention keenly appreciate and desire to perpetuate the mutual feeling of affection and respect which has characterized the relationship of the people of Canada and the United States:

NOW THEREFORE BE IT RESOLVED by the Alaska Constitutional Convention:

1. That the Convention express the sincere hope that the people and government of Alaska under statehood will have the same friendly and mutually helpful relationship with their neighbors in Canada in the future as they have had in the past.
2. That the President of the Convention arrange for the wide dissemination of this resolution in Alaska and that he send copies to the President of the United States and the Secretary of State with the request that copies be forwarded to the Government of Canada for the information of the people of Canada, particularly those in British Columbia, Alberta, and the Yukon Territory."

The resolution was read the first time.

Mr. Marston asked that the rules be suspended and the resolution be advanced to second reading. There being no objection, it was so ordered. The Resolution entitled "Friendly Relations with Canada" was read the second time.

Mr. Marston asked that the rules be suspended, that the resolution be advanced to third reading, read by resolve only and put upon final passage. Mrs. Hermann objected. Mr. Marston so moved. Mrs. Fischer seconded. Mrs. Hermann stated that her objection was based on the fact that she thought the resolution should be referred to the Committee on Style and Drafting prior to final adoption.

The President stated that the resolution could be referred to the Committee on Style and Drafting after third reading.

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

Yeas: 34 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cross, Doogan, H. Fischer, Harris, Hellenthal, Hilscher, Hurley, Kilcher, King, Lee, Londborg, McCutcheon, McNees, Marston, Nerland, Nolan, Peratrovich, Poulsen, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, VanderLeest, Walsh, and Mr. President

Nays: 14 - Barr, Cooper, Emberg, Gray, Hermann, Hinckel, Knight, Laws, Metcalf, Reader, R. Rivers, Sweeney, White, and Wien

Absent: 7 - Davis, V. Fischer, Johnson, McLaughlin, McNealy, Nordale, and Sundborg

and so the rules were not suspended.

Mr. Hurley moved that the resolution be submitted to the Committee on Style and Drafting.

Mr. Marston asked if he could speak on the resolution.

Mr. Buckalew asked whether another attempt could be made to suspend the rules.

The President stated that the question had been considered, but that if there was no objection, Mr. Marston could speak on the resolution. There being no objection, Mr. Marston spoke on the resolution.

The resolution was referred to the Committee on Style and Drafting for a report.

The report of the Committee on Style and Drafting on Article XV, the Apportionment Schedule was read.

At the suggestion of Mr. Stewart, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Article XV:

Election District No. 24, the second line be changed to read "at the Bering Sea" instead of "of the Bering Sea".

There being no objection, it was so ordered.

At the suggestion of Mr. Cross, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Election Districts #22 and #23:

Change "Good Hope" to a single word "Goodhope".

There being no objection, it was so ordered.

At the suggestion of Mr. Coghill, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Election District No. 18:

After the words "Clear Creek" insert "near Blair Lakes."

There being no objection, it was so ordered.

At the suggestion of Mr. Cross, Mr. Sundborg asked unanimous consent that the word "Chamisso" be deleted from Election District No. 23. There being no objection, it was so ordered.

Mr. Peratrovich questioned the spelling of Suemez in Election District No. 1.

Mr. Sundborg asked unanimous consent that if it is discovered the spelling of Suemez was incorrect, that the Committee on Style and Drafting be authorized to correct it before it goes into the constitution. There being no objection, it was so ordered.

Mr. Gray asked for the privilege of the floor.

Mr. Gray asked for a five-minute recess to meet with delegates interested to be certain the community of Hoonah was in the right election district. Mr. Hellenthal suggested that the problem of Livengood be considered at the same time.

#### AFTER RECESS

Mr. Gray reported that there was no problem as concerned Hoonah, that the delegates had agreed it was in the correct district.

Mr. Kilcher raised a question as to Election District No. 12.

The President declared a short recess.

#### AFTER RECESS

At the request of the Chairman of the Apportionment Committee and Mr. Kilcher, Mr. Sundborg asked unanimous consent for the adoption of the following amendment to Election District No. 12:

Insert a semicolon after "Russian Rivers".

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent for the adoption of the following committee amendments to Election Districts No. 16 and 23:

Change "Saint" to "St."

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting on Article XV be accepted and that the amendments made in the article be adopted. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article XV, Apportionment Schedule, be advanced to third reading, read by title only and placed on final passage. There being no objection, the rules were suspended.

Article XV was read the third time.

The question being, "Shall Article XV, Apportionment Schedule, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 48 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Barr, McCutcheon, Nolan, V. Rivers, and Robertson

Absent: 2 - McNealy and Nordale

and so the article was adopted.

Mr. Sundborg asked unanimous consent to revert to the introduction of Committee reports. There being no objection, it was so ordered.

Mr. Sundborg reported the portion of Article XIV containing the Alaska-Tennessee Plan which had been referred to the Committee on Style and Drafting to make changes in language. The work had been done by the Ordinance Committee meeting with the Style and Drafting Committee.

The report of the Committee on Style and Drafting as to the Alaska-Tennessee Plan was read.

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

Insert parenthesis around Alaska-Tennessee Plan on lines 10 and 11 of page 1. Page 4, line 14, strike the word "of".

After discussion of subsection (10), Mr. V. Fischer suggested that on line 18 the word "in" be changed to "after", and asked unanimous consent for a short recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. V. Fischer requested on behalf of the Committee on Style and Drafting unanimous consent for the adoption of the following amendment:

Subsection 10, line 18, change "in" to "after".

There being no objection, it was so ordered.

Mr. Kilcher asked a question concerning subsection (9).

Mr. Rosswog spoke on a point of personal privilege.

Mr. Rosswog moved that Committee Proposal No. 17c, revised, not be a part of the constitution.

The President stated that it would take a suspension of the rules.

Mr. Rosswog moved to strike subsection 1 of C. P. 17c, revised.

The President declared a short recess.

#### AFTER RECESS

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

Mr. Rosswog moved that Section 29--the Alaska-Tennessee Plan--of C. P. 17c, revised, be stricken. Mr. Cooper seconded.

After Mr. Rosswog spoke on his motion, Mrs. Hermann rose to speak on a matter of personal privilege to invite all the delegates to have coffee and cake in honor of the birthday of the youngest member of the convention--Mr. Harris.

Mrs. Hermann asked unanimous consent that the Convention recess until 4 p.m. There being no objection, it was so ordered.

AFTER RECESS

An invitation from the Department of History and Political Science to an informal coffee hour at 3:30, Thursday, February 2, 1956, was read. <sup>1 p.m.</sup>

Mrs. Sweeney moved and asked unanimous consent that the Convention accept the invitation. There being no objection, it was so ordered.

The motion to strike Section 29 of C. P. 17c, revised, being before the Convention, Mr. White, Mr. Smith, Mr. V. Rivers, Mr. McNees, Mr. Coghill, Mr. Londborg, Mr. Kilcher, Mr. Davis, Mr. Barr and Mr. Armstrong spoke on the amendment. Mr. Rosswog closed the argument. The question being, "Shall the amendment of Mr. Rosswog be adopted?" the roll was called with the following result:

Yeas: 6 - Coghill, Laws, Londborg, Reader, Robertson,  
and Rosswog

Nays: 48 - 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, Lee, McCutcheon, McLaughlin,  
McNealy, McNees, Marston, Metcalf, Nerland, Nolan,  
Nordale, Peratrovich, Poulsen, Riley, R. Rivers,  
V. Rivers, Smith, Stewart, Sundborg, Sweeney,  
VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 1 - Taylor

and so the amendment failed.

After further discussion of the proposal by Mr. Londborg, Mr. McLaughlin, Mr. Davis, Mr. V. Fischer, Mr. Metcalf, Mr. Harris, Mr. Coghill, C. P. No. 17c, revised, was referred to the Committee on Engrossment and Enrollment.

Mrs. Sweeney asked unanimous consent that since there were only minor changes in the proposal as presented that it be referred directly to the Committee on Style and Drafting without reference to Engrossment and Enrollment. There being no objection, it was so ordered.

Mr. V. Rivers read into the record some references to court decisions.

A letter from Mr. Olaf Halverson of Nome regarding adoption of a plan whereby a percentage of the resources could be applied for educational purposes, was read and referred to Mr. Coghill.

Mr. Johnson asked Mr. McNealy whether consideration had been given to the inclusion of the filling of vacancies in the Congress in the Alaska-Tennessee Plan. After discussion by Mr. McNealy, Mr. Sundborg, Mr. Coghill, Mrs. Nordale and Mr. Londborg, Mr. Buckalew asked unanimous consent that the Committee on Style and Drafting be authorized to take up the question raised by Mr. Johnson and to confer with the Committee on Ordinances. There being no objection, it was so ordered.

The Style and Drafting Committee report on Article VIII, Natural Resources, was considered again.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Section 4, line 14, strike "conserved" and insert "maintained".

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the committee amendment. Mr. Sundborg stated that the Committee on Style and Drafting did not object to the amendment. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Line 20, page 2, insert comma after first "of", insert "permits for" before "exploration", strike "permits to" and insert "of,".

There being no objection, the rules were suspended.

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

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Page 3, line 23, delete the words "and processing" and insert a period after "extraction".

There being no objection, the rules were suspended.

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

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Page 3, line 24, insert the word "or" before the last word on the line.

There being no objection, the rules were suspended.

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

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Page 4, line 4, strike the sentence beginning "The granting of deeds, etc." and insert in lieu thereof the following:

"Discovery and appropriation shall initiate a right, subject to further requirements of law, to patent of mineral lands if authorized by the state and not prohibited by Congress."

There being no objection, the rules were suspended.

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

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific committee amendment:

Section 13, line 2 of page 5, strike the period and insert a comma and add the following "and to the general reservation of fish and wildlife."

There being no objection, the rules were suspended.

Mr. Riley asked unanimous consent for the adoption of the amendment. Questions were asked of Mr. Riley by Mr. Kilcher, Mr. Hellenthal, Mr. Rosswog, Mr. Hurley and Mr. Kilcher. There being no objection, the amendment was ordered adopted.

Mr. Riley reported that the committee wished to go on record for the retention of Section 19.

Mr. Johnson asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the following specific amendment:

Add new Section: "Regulation and administration of wildlife, including game fish, shall be delegated to a commission under such terms as the legislature shall prescribe."

Mr. Buckalew objected. Mr. Johnson so moved. Mr. Knight seconded. The question being, "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 18 - Armstrong, Boswell, Coghill, Cooper, Davis, H. Fischer, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Marston, Metcalf, Nolan, Peratrovich, and Sweeney

Nays: 36 - Awes, Barr, Buckalew, Collins, Cross, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, Lee, McCutcheon, McLaughlin, McNees, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 1 - Taylor

and so the rules were not suspended.

Mr. Smith asked unanimous consent that the rules be suspended, that Article VIII, Natural Resources, be advanced to third reading, read by title only and put upon final passage. There being no objection, the rules were suspended.

Article VIII, Natural Resources, was read the third time.

After debate by Mr. Hurley, Mr. Marston, Mr. White, Mr. Johnson, Mr. Boswell, Mr. Smith and Mr. V. Rivers, Mr. Buckalew moved the previous question. Mr. Collins seconded. On voice vote, the previous question was ordered.

The question being, "Shall Article VIII, Natural Resources, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 53 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, 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, R. Rivers, V. Rivers,

Robertson, Rosswog, Smith, Stewart, Sundborg,  
Sweeney, Walsh, White, Wien, and Mr. President

Nays: 0 -

Absent: 2 - Taylor and VanderLeest

and so the article was adopted.

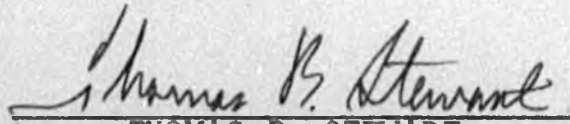
Mr. Sundborg requested a one-minute recess. There being no objection, it was so ordered.

AFTER RECESS

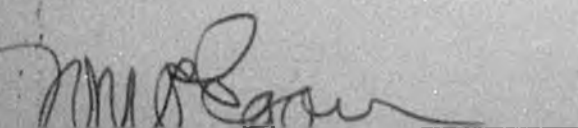
The President stated that in his opinion, it might be better to adjourn at this time until 9 a.m. and possibly work until noon Wednesday and then adjourn so that the committees could work in the afternoon.

Mr. Johnson stated that in view of the statement of the President, he asked unanimous consent that the Convention adjourn until 9 a.m. Wednesday. The following announcements were made: Style and Drafting on adjournment; Administration Wednesday afternoon; Ordinances on adjournment.

There being no objection to the unanimous consent request, the Convention adjourned at 6 p.m. until 9 a.m. Wednesday.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President

Constitutional Convention

Journal/57

Approved

Feb. 6, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-NINTH CONVENTION DAY, Monday, January 30, 1956

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

The Invocation was given by Chaplain Martin Luther Shaner of Ladd Air Force Base.

Roll call showed all members present. The President declared a quorum to be present.

Mr. Knight asked unanimous consent that the Journal for the 63rd day be approved subject to the following correction: change "Mirth" to "Myrth". There being no objection, the Journal was ordered approved.

Mr. Sundborg introduced the Style and Drafting report on Local Government which was referred to the Rules Committee for assignment to the calendar.

Mr. Boswell reported that the special committee appointed to answer the communications received regarding Section 5 of the original resources article had prepared a statement and had sent it out, together with the enrolled copy of the resources proposal under the signature of the President of the Convention.

Mr. Poulsen asked whether it would be out of order to put in an amendment to the Tennessee Plan at this time. The President stated that the proposal had been referred to the Committee on Style and Drafting.

Mr. Hurley asked unanimous consent to allow Mr. Poulsen to present his amendment at this time. There being no objection, it was so ordered.

Mr. Poulsen moved and asked unanimous consent that the words "Alaska-Tennessee Plan" be used wherever "Tennessee Plan" appears in the proposal 17c revised. Mr. R. Rivers objected. Mr. White seconded. After questioning Mr. Poulsen, Mr. R. Rivers withdrew his objection. Mr. Metcalf objected. After discussion by Mr. Marston, Mr. V. Fischer, Mr. Barr and Mr. McLaughlin, the roll was called with the following result:

69th Day, Monday, January 30, 1956

Yeas: 50 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White and Wien

Nays: 1 - Mr. President

Absent: 4 - Cooper, Doogan, Hilscher, and McCutcheon

and so the amendment was adopted.

Mr. Riley asked for a short recess until copies of the calendar were available.

Committee Proposal No. 17a was considered again.

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

Strike the last sentence of Section 24 pertaining to violations.

There being no objection, the amendment was ordered adopted.

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

Section 25, strike the word "constitutional".

There being no objection, it was so ordered.

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

Section 24, line 4, change "effective" to "operative" and change "entry into force" to "effective date".

Mr. Taylor and Mr. Buckalew objected. Mr. Gray seconded. On voice vote, the amendment was ordered adopted.

Mr. McNees moved reconsideration of his vote on the amendment offered by Mr. Boswell to strike sections 24 and 25. Mr. Doogan

seconded. Mr. Davis brought up the fact that the sections were substantially changed now from the sections Mr. Boswell had requested to strike. The President declared a fifteen-minute recess.

#### AFTER RECESS

Letters from Governor William G. Stratton of Illinois, Governor Goodwin J. Knight of California, Governor Arthur B. Langlie of Washington, expressing thanks for the invitation to attend the signing ceremony, and regrets at not being able to attend, were read and ordered filed.

The President stated that since amendments had been made to Sections 24 and 25 subsequent to Mr. Boswell's motion to strike, there would have to be agreement that the motion for reconsideration would be on the section in its present form. Mr. Hurley moved and asked unanimous consent that if Mr. McNees' motion failed, that the Convention then have before it the sections in their present form.

Mr. Davis suggested that Mr. McNees withdraw his motion to reconsider and make a motion to strike the sections in their present form.

Mr. McNees withdrew his motion to reconsider for the moment.

Mr. Johnson rose to a point of order that unless Mr. McNees withdrew his motion to reconsider, positively no other action could be taken on the proposal.

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

Mr. McNees withdrew his motion to reconsider with the understanding that another motion to strike Sections 24 and 25 would be in order.

Mr. R. Rivers stated that Mr. McNees could make that motion if he so desired.

Mr. V. Rivers moved the adoption of the following amendment:

Strike Sections 24 and 25 and insert in lieu thereof the following: "Section 24. Provision shall be made for the elimination of commercial fish traps operated in the Coastal waters of the State by the first State legislature prior to its adjournment".

Mr. Metcalf seconded. After discussion by Mr. V. Rivers, Mr. Buckalew, Mr. McNees, Mr. Sundborg and Miss Awes, Mr. Lee asked a question of

Mr. V. Rivers. Mr. Hellenthal questioned Mr. V. Rivers. Mr. Peratrovich, Mr. Riley, and Mr. Kilcher spoke on the amendment. Mr. Sundborg questioned Mr. Kilcher. Mr. Hellenthal rose to a point of order to state that the questions should be put through the Chair. Mr. Sundborg spoke and Mr. V. Fischer spoke. Mr. Kilcher rose to a point of order that Mr. V. Fischer was not speaking to the amendment. The President stated that Mr. Kilcher's point of order was not well taken since Mr. Fischer was explaining why he was against the amendment. Further discussion continued by Mr. Hilscher, Mr. Barr and Mr. Lee. Mr. V. Rivers, requested a roll call vote. The questions being, "Shall Mr. V. Rivers' amendment to Sections 24 and 25 of 17a be adopted?", the roll was called with the following result:

Yeas: 12 - Barr, Boswell, Collins, Cross, Hilscher, Johnson, McNealy, McNees, Reader, R. Rivers, V. Rivers, and Robertson

Nays: 42 - Armstrong, Awes, Buckalew, Coghill, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 1 - Cooper

and so the amendment failed.

Mr. White moved the adoption of the following amendment:

Strike Sections 24 and 25 as amended. Mr. Sundborg seconded.

After Mr. White spoke, Mr. Davis raised the question of whether Mr. White's amendment was in order.

The President stated that this was the third time he had been placed in the position of allowing the convention to act on something which should properly be out of order but seemed to be a question of policy and so had been allowed. He further stated that a proposal cannot be killed in second reading and it is not in order to strike that part of the proposal which virtually kills it.

Mr. V. Fischer pointed out that Sections 24 and 25 are only a part of C. P. 17 and it would not kill the proposal.

The President stated Mr. V. Fischer was correct and that Mr. White's motion was in order.

After further discussion by Miss Awes, Mr. Robertson, and Mr. McCutcheon, Mr. Hellenthal moved the previous question. Mr. Buckalew seconded. Mr. Buckalew withdrew his second when he realized Mr. White had not been given the opportunity to close the argument. Mr. Hinckel seconded the motion. Mr. V. Fischer asked unanimous consent that Mr. White be permitted to close. Mr. Kilcher rose to a point of order. The question being, "Shall the previous question be ordered?", the roll was called with the following result:

Yeas: 16 - Awes, Barr, Coghill, Gray, Hellenthal, Hinckel, King, Lee, McCutcheon, McLaughlin, Metcalf, Peratrovich, Poulsen, Sundborg, Taylor, and White

Nays: 38 - Armstrong, Boswell, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, Knight, Laws, Londborg, McNealy, McNees, Marston, Nerland, Nolan, Nordale, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, VanderLeest, Walsh, Wien, and Mr. President

Absent: 1 - Cooper

and so the previous question was not ordered.

Further debate by Mr. Peratrovich, Mr. Smith, Mr. Emberg, Mr. Boswell, Mr. Hellenthal and Mr. Marston, Mr. McCutcheon rose to a point of order that the motion to strike was not valid since all the argument had been on the same matter and he believed the convention was considering something which had been acted on previously.

The President referred the matter of Mr. White's amendment to the Rules Committee for consideration, and declared a short recess.

Mr. V. Rivers asked unanimous consent that the Convention recess until 1:30 p.m. Mr. Hellenthal objected.

Mr. White rose to a point of order to explain his position in presenting the amendment. Mr. McCutcheon rose to a point of order to state that there already was a point of order before the Convention to be decided.

The President stated that Mr. White would be allowed to present his point of order after the point of order referred to the Rules Committee is decided.

The following committee announcements were made prior to recess: Local Government at 1 p.m.; Style and Drafting on recess; Rules on recess.

The Convention recessed until 1:30 p.m.

AFTER RECESS

Mr. Riley stated that the point of order was not well taken since the matter to be voted to be stricken had changed substantially since the previous motion to strike was acted upon.

The President stated that the ruling of the Rules Committee would be the ruling of the Chair.

Further debate by Mr. Knight, Mr. Metcalf, Mr. Barr, Mr. V. Rivers, Mr. Buckalew, Mr. Taylor and Mr. White followed. The question being, "Shall Mr. White's amendment to strike Sections 24 and 25 be adopted?", the roll was called with the following result:

Yeas:           16 - Armstrong, Barr, Boswell, Collins, Cross, Harris, Hilscher, Johnson, Laws, McNees, Reader, R. Rivers, V. Rivers, Robertson, Stewart and White

Nays:           38 - Awes, Buckalew, Coghill, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Absent:         1 - Cooper

and so the amendment failed.

Mr. V. Fischer spoke on the privilege of the floor.

The President declared a short recess.

AFTER RECESS

The President announced that a photographer would be arriving at 2 p.m. to take pictures of all the committees and the employees, and it would be in order to recess for that purpose.

Mr. Johnson moved and asked unanimous consent that the Convention recess for the purpose of pictures until the call of the Chair. Mr. Sundborg asked that the Style and Drafting Committee meet during the recess. Mrs. Sweeney announced a meeting of the Committee on Engrossment and Enrollment.

There being no objection, the Convention recessed until the call of the chair.

#### AFTER RECESS

Mr. Hilscher introduced Mr. Lawrence Davies of the New York Times who would be covering the Convention until the 75th day.

Committee Proposal No. 17a was referred to the Committee on Engrossment and Enrollment.

Mr. Hilscher spoke on a matter of personal privilege.

The President asked Mr. Peratrovich to take the Chair.

The report of the Committee on Style and Drafting on Article X, LOCAL GOVERNMENT, was read.

Mr. Sundborg announced that the subcommittee which had worked on the article was composed of Mr. McLaughlin, Mrs. Nordale and Mr. Johnson, and asked Mr. McLaughlin to explain the article.

Mr. McLaughlin asked that the following insertions be made in the Committee report:

At the end of Section 6, add the following sentence: "It may exercise any powers or functions in an unorganized borough which the assembly may exercise in an organized borough".

On page 3, line 5, insert ",reclassified," after "classified".

Section 15, strike "At the time a borough is organized," and "performing local functions", and insert in lieu of the last phrase "existing at the time a borough is organized,", and change "s" to "S" in "special".

Correct the spelling of "borough" in Section 7.

Section 3, line 12 of page 1, add the word "population," at the end of the line.

Mrs. Hermann asked unanimous consent that on line 9, page 4, the hyphen be placed after the first "m". There being no objection, it was so ordered.

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

Line 21 of Section 14, strike the period and word "it", and on

line 22, strike the word "shall" and insert the word "to" after "government".

Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Sundborg asked to add to his amendment offered before the recess the following:

Strike the comma after "governments" and insert a period and insert after the period the words "It shall".

There being no objection, the amendment was adopted.

Mr. McLaughlin asked unanimous consent that the report of the Style and Drafting Committee be accepted as to style only. There being no objection, it was so ordered.

Mr. Buckalew offered the following amendment:

Change "borough" wherever it appears in article to the word "county".

Mr. Doogan rose to a point of order that this had already been decided.

Mr. Johnson stated that under a suspension of the rules the amendment would be in order.

Mr. Buckalew moved that the rules be suspended and that Article X be returned to second reading for specific amendment. Mr. Cooper seconded. The roll was called with the following result:

Yeas:	20 - Barr, Buckalew, Coghill, Collins, Cooper, Emberg, H. Fischer, Gray, Harris, Johnson, Kilcher, King, Laws, Londborg, Metcalf, Nolan, Peratrovich, Poulsen, Reader, and Wien
Nays:	31 - Armstrong, Awes, Boswell, Cross, Davis, Doogan, V. Fischer, Hellenthal, Hermann, Hinckel, Hurley, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, and White
Absent:	4 - Hilscher, McNealy, Riley, and Mr. President

and so the rules were not suspended.

Mr. Johnson moved that the Convention recess for twenty-five minutes. Mr. Coghill seconded.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting during the recess.

There being no objection, the Convention recessed.

#### AFTER RECESS

President Egan took the Chair.

Mr. Barr rose to speak under personal privilege regarding changing the name of the local government unit. Considerable discussion followed, and Mr. Barr was advised that it would take a suspension of the rules to change the name from "borough" to "county". Mr. Barr asked if he offered another name than "county", would that take a suspension of the rules. The President stated he would rule that it would be a phraseology change only.

Mr. Barr moved the adoption of the following amendment:

Change "borough" to "area" where it appears in Article X.

Mr. Kilcher seconded. Mrs. Hermann stated she believed it would take a suspension of the rules. The President stated in line with his previous ruling, this would be merely a phraseology change. Mr. V. Fischer pointed out that it would be a substantive change since the word "area" is used on page 2 in another sense.

The President stated that in this case, the use of another word for the word "borough" would be a substantive change, since it would create confusion.

Mr. Barr asked unanimous consent for the withdrawal of his amendment. There being no objection, it was so ordered.

The President declared a short recess.

#### AFTER RECESS

Mr. Barr moved that the Convention rescind its action on adopting the word "borough" for the name of the local government unit. Mr. Knight seconded. The roll was called with the following result:

Yeas:           16 - Barr, Boswell, Coghill, Collins, Cooper, H. Fischer, Johnson, Kilcher, Knight, Laws, Londborg, Metcalf, Nolan, Poulsen, Reader, and Wien

Nays: 35 - Armstrong, Awes, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, and Mr. President

Absent: 4 - Buckalew, Hilscher, McNealy, and Robertson

and so the action was not rescinded.

Mr. Rosswog moved the adoption of the following amendment:

That the words "it deems necessary or advisable" from the enrolled copy be restored to the report on Style and Drafting.

Mr. White seconded. Mr. McLaughlin asked unanimous consent. Mr. Davis objected. On voice vote, the amendment was adopted.

Mr. McLaughlin moved the adoption of the new sentence in Section 6 offered earlier. Mr. Doogan seconded. Mr. Rosswog stated that the amendment had the approval of the Local Government Committee and asked unanimous consent for its adoption. There being no objection, it was so ordered.

Mr. McLaughlin asked unanimous consent that the substantive change made by the Committee on Style and Drafting by inserting the sentence beginning on line 5 of page 4 beginning "The change shall become effective forty-five days etc." be adopted. There being no objection, it was so ordered.

Mr. Johnson moved that the original language of the Style and Drafting report as to Section 15 be restored. Mr. Coghill seconded.

Mr. White stated that the Section had not been changed; that the recommendation of Mr. McLaughlin had not been adopted.

Mr. Sundborg asked if Mr. Johnson would withdraw his amendment so that the report could be adopted.

Mr. Johnson withdrew his amendment.

Mr. Sundborg asked unanimous consent that the amendments or changes reported in the Style and Drafting Committee redraft of Article X be adopted.

The President stated that since the changes had been acted on separately, it would be better to continue the practice.

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

Mr. Sundborg asked unanimous consent that the change in Section 15 as proposed by Mr. McLaughlin earlier be adopted. Mr. Johnson objected. Mr. Sundborg so moved. Mrs. Hermann seconded.

Mr. Johnson stated he believed this to be a substantive change. Mr. Doogan explained that it was merely an amendment to clarify.

The President ruled that the amendment was substantive and would require a suspension of the rules.

Mr. Sundborg withdrew his amendment.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article X be returned to second reading for the purpose of submitting the following specific amendment:

Section 15, strike "At the time a borough is organized," change "s" to "S" in "special", and strike "performing local functions" and insert therefor "existing at the time a borough is organized,".

Mr. Coghill objected, Mr. Sundborg so moved. Mr. White seconded. The question being, "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 43 - Armstrong, Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Londborg, McCutcheon, McLaughlin, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 8 - Coghill, Cooper, Hurley, Johnson, Laws, Lee, Marston, and Peratrovich

Absent: 4 - Buckalew, McNealy, McNees, and Robertson

and so the rules were suspended.

Mr. Sundborg moved the adoption of the amendment. Mr. Gray seconded. The roll was called with the following result:

Yeas: 36 - Awes, Barr, Collins, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, Metcalf, Nerland, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 15 - Armstrong, Boswell, Coghill, Cooper, Davis, Emberg, Hurley, Johnson, Laws, Londborg, Marston, Nolan, Peratrovich, Reader, and Stewart

Absent: 4 - Buckalew, McNealy, McNees, and Robertson

and so the amendment was adopted.

Mr. Sundborg asked unanimous consent that the amendments and changes made by the Style and Drafting Committee in Article X be adopted. Mr. Barr stated he had an amendment.

Mr. Sundborg withdrew his motion.

Mr. Barr moved the adoption of the following amendment:

Section 2, page 1, line 7, strike the word "borough" and substitute therefor the word "section", and take like action wherever the word "borough" may appear throughout the article.

Mr. Sundborg seconded. After discussion by Mr. Barr, Mr. Davis, Mr. Sundborg, Mr. Hellenthal, the question was called. On voice vote, the amendment failed.

Mr. Kilcher moved the adoption of the following amendment:

Change the spelling of "borough" to "boro".

Mr. Buckalew seconded. On voice vote, the amendment failed.

Mr. Sundborg moved that the rules be suspended so that no more amendments could be offered on the question of changing the name "borough" in Article X. Mr. Barr seconded. The roll was called with the following result:

Yeas: 18 - Awes, Barr, Boswell, Davis, V. Fischer, Hilscher, Hinckel, Hurley, Lee, McCutcheon, McLaughlin, Marston, Nerland, Nordale, Rosswog, Sundborg, Taylor, and Mr. President

Nays: 34 - Armstrong, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Johnson, Kilcher, King, Knight, Laws, Londborg, Metcalf, Nolan, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sweeney, VanderLeest, Walsh, White, and Wien

Absent: 3 - McNealy, McNees, and Robertson

and so the rules were not suspended.

Mr. Doogan asked unanimous consent for the adoption of the report of the Committee on Style and Drafting. Mr. White objected. Mr. Doogan so moved. Mr. White withdrew his objection. Mr. Barr objected. Mr. V. Rivers seconded. The roll was called with the following result:

Yeas: 49 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 3 - Barr, Johnson, and Laws

Absent: 3 - McNealy, McNees, and Robertson

and so the report was adopted.

Mr. Sundborg asked unanimous consent that the Rules be suspended, that Article X be advanced to third reading, read by title only, and placed upon final passage. Mr. Johnson objected. Mr. Doogan seconded. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Barr, Coghill, Johnson, Laws, and Londborg

Absent: 3 - McNealy, McNees, and Robertson

and so the rules were suspended.

The question being, "Shall Article X, LOCAL GOVERNMENT, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Barr, Coghill, Johnson, Laws, and Nolan

Absent: 3 - McNealy, McNees, and Robertson

and so the article was adopted.

Mr. Doogan moved and asked unanimous consent that the Convention recess until 7 p.m. The following committee announcements were made: Style and Drafting on recess.

Mr. Hellenthal rose to a point of order to ask what was on the calendar. Mr. Sundborg and Mr. Riley stated that the article on Resources would be ready and possibly another article.

There being no objection, the Convention recessed until 7 p.m.

#### AFTER RECESS

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment to whom had been reported C. P. No. 14 and C. P. No. 17b had compared the same with the originals and found them correctly engrossed and the first enrolled copies correctly enrolled. Mrs. Sweeney asked unanimous consent that the report be adopted. There being no objection, it was so ordered.

Mr. Sundborg submitted the report of the Committee on Style and Drafting on Article VIII, Natural Resources. Mr. Sundborg asked unanimous consent that the report be considered at this time. There being no objection, the report was read.

Mr. Sundborg stated that no substantive changes had been made in the report, and the redraft had been prepared by a subcommittee of Mr. Hurley, Mrs. Hermann and Mr. Armstrong and he asked Mr. Hurley to make the report.

Mr. Hurley asked unanimous consent for the adoption of the following committee amendments:

Page 2, line 15, change second word "of" to "or", line 7, same page, strike extra "the".

There being no objection, the amendments were ordered adopted.

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

Line 22, page 3, following the word "permits", insert "leases and", and strike "and leases" later in the line.

There being no objection, the amendment was ordered adopted.

Mr. Hurley asked unanimous consent that the rules be suspended and Article VIII be returned to second reading for the following specific amendment:

Line 3, page 4, strike "and" and insert "or", and insert the word "either" before "the extraction".

Mr. Doogan objected. Mrs. Hermann seconded. Mr. Doogan withdrew his objection. There being no further objection, the rules were suspended.

Mr. Hurley moved the adoption of the amendment. Mrs. Hermann seconded. After discussion by Mr. Riley and Mr. Johnson, Mr. Hurley withdrew his amendment.

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

#### AFTER RECESS

Mr. Riley asked unanimous consent for the suspension of the rules for the purpose of making a specific substantive amendment to line 3 of page 4, strike "and" and insert "or".

The President declared a short recess.

AFTER RECESS

Mr. Riley withdrew his request for a suspension of the rules.

Mr. Riley asked unanimous consent to suspend the rules to return Article VIII to second reading for the following specific amendment:

Lines 3 and 4 - on line 3, strike "and" and insert "or", on line 4, strike the period and insert a comma and add "or for both".

There being no objection, the rules were suspended.

Mr. Riley moved the adoption of the amendment and asked unanimous consent. There being no objection, the amendment was ordered adopted.

The President declared a short recess.

AFTER RECESS

Mr. Hurley moved the adoption of the following amendment:

Section 14, line 4, delete "law" and insert "the legislature".

Mr. Johnson objected. Mr. Poulsen seconded.

After discussion by Mr. Buckalew, Mr. White, Mr. Gray and Mr. Coghill, Mr. V. Fischer rose to a point of order to state that the discussion was not pertinent to the question. The question was called. On voice vote, the amendment was adopted.

Mr. V. Rivers requested a recess. There being no objection, it was so ordered.

AFTER RECESS

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

Section 3, line 10, strike the comma after "wildlife".

There being no objection, the amendment was ordered adopted.

After discussion by Mr. Barr, Mr. Hinckel and Mr. Davis, Mr. Hurley moved that the report of the Style and Drafting Committee on Article VIII be adopted as to phraseology only. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the purpose of the following specific amendment:

Page 3, line 8, Section 9, insert "unnecessarily" between "in" and "impair".

There being no objection, the rules were suspended.

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

Mr. Riley asked unanimous consent for the suspension of the rules to return Article VIII to second reading for the purpose of the following specific amendment:

Page 6, line 1, insert "resultant" before "damages".

There being no objection, the rules were suspended.

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

There being no further amendments at this time, Article VIII was referred to the Rules Committee for assignment to the calendar.

Mr. McNees asked that the record show he would have voted in the affirmative on the adoption of the Article on Local Government into the constitution. It was so ordered.

The President brought up the question of the final vote on the constitution being taken before the signing ceremony. Mr. White so moved. Mr. Kilcher asked how long it would take to read the document. It was estimated it would take an hour or more. Mr. Armstrong suggested that it be read the third time on Saturday.

Mr. Hurley asked unanimous consent that the final reading and vote on the constitution take place in Constitution Hall on or before Saturday, February 4. Mr. Rivers asked if Mr. Hurley would amend his motion to include that it be read by preamble and title just prior to the signing. Mr. Cross seconded. On voice vote, the motion was adopted.

Mr. Sundborg submitted the report of the Committee on Style and Drafting on Article XII, General and Miscellaneous Provisions. The report was read.

Mr. Sundborg reported that there was one more provision to be included in the miscellaneous provisions concerning native rights

which would be returned to the convention within a short time, and asked that if any of the substantive committees had provisions which should be included, that they submit them as soon as possible.

Mr. Sundborg reported that the subcommittee on Style and Drafting which had worked on this article was composed of Mr. Davis, Mr. V. Fischer, and Mr. Sundborg, and he asked Mr. Fischer to report on the changes made by the committee.

Mr. V. Fischer asked unanimous consent that the rules be suspended, and Article XII be returned to second reading for the purpose of the following specific committee amendment:

After Section 8, insert following new Section 9:

"As used in this constitution, the terms "by law" and "by the legislature", or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI."

There being no objection, the rules were suspended.

Mr. Fischer asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

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

Page 2, line 7, change "dischage" to "discharge".

There being no objection, it was so ordered.

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

Section 6, page 2, line 21, strike word "both" and insert in lieu thereof the word "either" and change "sexes" to "sex".

Mr. Sundborg objected. Mr. McLaughlin so moved. Mr. Kilcher seconded. Mr. V. Fischer requested a one-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. McLaughlin withdrew his motion.

Mr. Sundborg asked unanimous consent for the suspension of the rules to return Article XII to second reading for the purpose of the following specific amendment:

Line 21, ~~strike~~ "persons of both sexes", and insert in lieu thereof "either sex".

There being no objection, the rules were suspended.

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

Mr. V. Rivers submitted the following amendment:

"Separability clause. Should the Congress of the United States reject any ordinance or transitory provision attached to this constitution the balance of the constitution and its attached ordinances and transitory provisions shall not be impaired thereby."

Mr. V. Fischer rose to a point of order to state that the amendment was out of order and should be considered under transitional measures and ordinances.

The President stated that the proposed amendment would be held until transitional measures are considered.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting as to the first 13 sections of Article XII be accepted and that the amendments and changes therein made by the committee be adopted. There being no objection, the report was accepted and adopted.

Article XII was referred to the Committee on Rules for assignment to the calendar.

Mr. Sundborg announced that the Article on the Judiciary had not been given a number, and he asked unanimous consent that the convention adopt the following:

The Judiciary Article shall be designated Article IV.

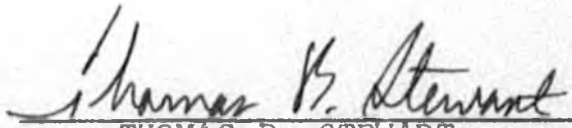
There being no objection, it was so ordered.

Mr. Boswell moved and asked unanimous consent that the Convention adjourn until 1:30 p.m. Tuesday. The following committee announcements


were made: Resources on adjournment; Style and Drafting on adjournment; Administration at 11 a.m. Tuesday in Apt. 1012 Polaris.

Discussion regarding signing and distribution of copies of the constitution followed. Mr. Buckalew suggested that the four district judges be given copies.

There being no further business and no objection to the unanimous consent request, the convention adjourned at 9 p.m. until 1:30 p.m. Tuesday.

  
\_\_\_\_\_  
THOMAS B. STEWART  
Secretary

Attested:

  
\_\_\_\_\_  
WILLIAM A. EGAN  
President

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

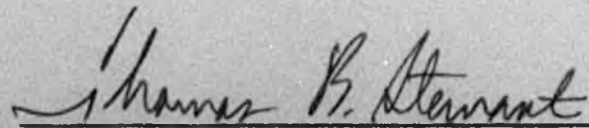
Nays: 19 - Boswell, Cooper, Cross, V. Fischer, Gray, Hellenthal, Hilscher, King, Knight, Laws, Londborg, Marston, Metcalf, Reader, V. Rivers, Rosswog, Stewart, Sundborg, and Walsh

Absent: 7 - Awes, Barr, Coghill, Collins, R. Rivers, Taylor, and VanderLeest

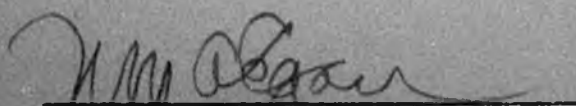
and so the action was rescinded.

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

Constitutional Convention  
Journal/55  
Approved Feb. 4, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTY-SEVENTH CONVENTION DAY, Saturday, January 28, 1956

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

The Invocation was given by Father Boileau of the Catholic Church.

Roll call showed all members present. The President declared a quorum to be present.

Mr. Knight asked unanimous consent that the Journal for the 59th day, which had been corrected according to Mr. Londborg's request of the previous day, be approved. There being no objection, it was so ordered.

Mr. White asked unanimous consent that the Journal of the 62nd day be approved subject to the following correction: Page 1, bottom of page, change "1955" to "1956". There being no objection, it was so ordered.

Mr. Sundborg reported the Committee on Style and Drafting redrafts of Article IX, Finance and Taxation, and Article XIII, Amendment and Revision. The articles were referred to the Rules Committee for assignment to the calendar.

Mrs. Sweeney reported that the Committee on Engrossment and Enrollment, to whom had been referred C. P. No. 12, MISCELLANEOUS PROVISIONS, had compared same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled. C. P. No. 12 was referred to the Committee on Style and Drafting.

Mr. Hellenenthal asked unanimous consent that the rules be suspended and C. P. No. 14 be returned to second reading for the following specific committee amendment:

Strike Section 1 and substitute the following:

"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:

67th Day, Saturday, Jan. 28, 1956

<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-Chitna-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 "

There being no objection, the rules were suspended.

Mr. Hellenthal moved the adoption of the amendment. Mr. Robertson objected. Mr. Hinckel seconded. Mr. Robertson requested a roll call. The roll was called with the following result:

Yeas: 43 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Smith, Stewart, Walsh, White, Wien, and Mr. President

Nays: 7 - Collins, Johnson, Laws, Nolan, Robertson, Sundborg, and Sweeney

Absent: 5 - Doogan, Riley, Rosswog, Taylor, and VanderLeest

and so the amendment was adopted.

Mr. Hellenthal asked unanimous consent that the spelling of "Wrangell" be corrected in the amendment. There being no objection, it was so ordered

Mr. Hellenthal asked unanimous consent for the suspension of the rules to return C. P. No. 14 to second reading for the following specific committee amendment:

Delete Section 2 and insert the following:

"Senate 1 Section 2. Members of the Senate shall be elected  
 Districts 2 from the Senate districts and in the numbers shown  
 3 below:

<u>Name of District</u>	<u>Composed of Election Districts</u>	<u>Number of Senators</u>
A, Southeastern	1, 2, 3, 4, 5 and 6	2
B, Ketchikan-Prince of Wales	1 and 2	1
C, Wrangell-Petersburg-Sitka	3 and 4	1
D, Juneau-Yakutat	5 and 6	1
E, Southcentral	7, 8, 9, 10, 11, 12 13 and 14	2
F, Cordova-Valdez	7 and 8	1
G, Anchorage-Palmer	9 and 10	1
H, Seward-Kenai	11 and 12	1
I, Kodiak-Aleutians	13 and 14	1
J, Central	15, 16, 17, 18, 19 and 20	2
K, Bristol Bay-Bethel	15 and 16	1
L, Yukon-Kuskokwim	17 and 18	1
M, Fairbanks-Fort Yukon	19 and 20	1
N, Northwestern	21, 22, 23 and 24	2
O, Barrow-Kobuk	21 and 22	1
P, Nome-Wade Hampton	23 and 24	1 "

There being no objection, it was so ordered. Mr. Hellenthal moved the adoption of the amendment. Mr. Cooper seconded. Mr. Robertson requested a roll call. The roll was called with the following result:

Yeas: 45 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Walsh, White, Wien, and Mr. President

Nays: 5 - Barr, Laws, Nolan, Robertson, and Sweeney

Absent: 5 - Doogan, Riley, Rosswog, Taylor, and VanderLeest

and so the amendment was adopted.

Mr. Hellenthal moved and asked unanimous consent that in the description of election districts, Election District No. 9 be shown as "Palmer-Wasilla-Talkeetna", rather than "Talkeetna-Palmer-Wasilla". There being no objection, it was so ordered.

The schedule with description of election districts was referred to the Committee on Engrossment and Enrollment.

Mr. Sundborg reported the Committee on Style and Drafting's redraft of Article VI, Legislative Apportionment. Article VI was referred to the Rules Committee for assignment to the calendar.

Committee Proposal No. 17b was considered again in second reading.

Mr. Hellenthal moved the adoption of the following amendment:

Delete Sections 9 and 10.

Mr. Marston seconded. After discussion by Mr. Hellenthal, Mr. Hilscher, Mr. McNealy, Mr. R. Rivers and Mr. Kilcher, the question was called. On voice vote the amendment failed.

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

Section 21, line 13, page 7, insert "certified to have been" after the word "are".

Mr. McNealy objected. Mr. Cooper seconded. After discussion by Mr. McNealy and Mr. R. Rivers, Mr. R. Rivers requested a short recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. R. Rivers asked unanimous consent to include in his amendment the following: on line 12, change "30" to "10". Objection was heard. Mr. R. Rivers so moved. Mr. Stewart seconded. After discussion by Mr. V. Rivers, Mr. R. Rivers, and Mr. McNealy, Mr. R. Rivers asked unanimous consent to withdraw his amendment to the amendment. Mr. Kilcher objected. The question being "Shall the amendment to the amendment be adopted?", on voice vote the amendment failed.

The question being "Shall the original amendment offered by Mr. R. Rivers be adopted?", on voice vote the amendment was adopted.

Mr. McNealy moved the adoption of the following committee amendment:

Delete Section 23, page 8, and insert:

"Until Alaska is admitted as a state and the courts provided for in the Judicial Article\_\_\_are organized, the courts, jurisdiction and judicial system in the territory shall remain as at present constituted until otherwise provided by law or this constitution.

"When the state courts are organized, new actions shall be commenced and filed therein, and all pending causes in the present constituted courts brought under or by virtue of territorial law shall be transferred to the proper state court, or agency, as though commenced, filed or lodged therein at the first instance, subject to applicable Acts of Congress."

Mr. Buckalew seconded. After discussion by Mr. McNealy, Mr. Hellenthal, Mr. R. Rivers, Mr. Poulsen, Mr. Kilcher, Mr. Buckalew and Mr. Hellenthal, the President declared a fifteen-minute recess.

#### AFTER RECESS

Mr. Hilscher spoke under personal privilege.

A letter received by Mr. Doogan from the New York Daily News regarding the pronunciation of the word "borough" was read by Mr. McLaughlin. Mr. V. Fischer asked that the communication be mimeographed and made available to all delegates. There being no objection, it was so ordered.

Mr. McNealy moved the adoption of the following amendment to the amendment to Section 23:

Strike "at present" on line 4 and add after "constituted" the following language "on date of admission".

Mr. Marston seconded. Mr. Taylor asked unanimous consent. There being no objection, it was so ordered.

Mr. McNealy moved the adoption of the following amendment to the amendment to Section 23:

Strike the word "present" in line 8 and insert after "courts" on line 8, "on date of admission".

Mr. Knight seconded. On voice vote the amendment to the amendment was adopted.

The question being "Shall the amendment to Section 23 as amended be adopted?", on voice vote the amendment was ordered adopted.

Mr. Johnson moved to strike Section 26. Mr. Metcalf seconded. On voice vote the amendment was adopted.

Miss Awes moved the adoption of the following amendment:

Section 10, line 11, after "flag" add comma and words "official song and official bird"; line 12, after "flag" add comma and words "official song and official bird".

Mr. Buckalew seconded. After discussion by Miss Awes and Mr. Kilcher, the question was called. On voice vote the amendment failed.

Mr. McNealy moved the adoption of the following amendment:

Section 21, page 7, line 13, strike words "the legislators are certified to have been elected" and insert "the President's proclamation announcing the results of the elections".

Mr. Buckalew seconded. After discussion by Mr. Hellenthal, Mr. Buckalew, and Mrs. Wien, the question was called. On voice vote the amendment was ordered adopted.

Mr. R. Rivers moved the adoption of the following amendment:

Strike Section 7 and renumber the subsections.

Mr. Nerland seconded. On voice vote the amendment was adopted.

Mr. V. Rivers spoke under privilege of the floor.

Mr. Peratrovich rose to state he believed the delegates were abusing the privilege of the floor.

The President stated he had been allowing, on previous occasions, points of order during the privilege of the floor, but that the delegates should state the reason for wishing the privilege of the floor.

Mr. McCutcheon stated that Robert's Rules of Order state that the privilege of the floor is to get the attention of the Chair at once, to ask a question, to attend to some matter of business that cannot wait.

C. P. 17b was referred to the Committee on Engrossment and Enrollment.

The President called for the consideration of the report of the Committee on Style and Drafting as to the amendments referred to it.

Mr. Sundborg reported that the Committee on Style and Drafting would report on the redraft of substantive amendments to Article III later.

Mr. McNealy rose to a point of information regarding the reconsideration vote on C. P. 17a. The President stated that it could be taken up at a later time. Mr. Riley stated that it had been decided earlier that the reconsideration would be taken up when the sections in question were on the calendar.

The report of the Committee on Style and Drafting relating to Article IX was read.

Mr. Sundborg announced that the subcommittee of Style and Drafting who had worked on the redraft was composed of Mr. Johnson, Mrs. Nordale and Mr. McLaughlin, and Mr. Johnson would give the explanation of the changes made. After Mr. Johnson gave an explanation, Mr. Nerland requested a short recess.

There being considerable discussion of Section 8, Mr. R. Rivers suggested that the Finance and Style and Drafting Committees meet with interested delegates during the noon recess.

Mr. Johnson asked unanimous consent that the Convention recess until 1:30 p.m. The following committee announcements were made: Style and Drafting on recess; Finance on recess with the Style and Drafting Committee; Administration at 3:30 p.m. There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

#### AFTER RECESS

Consideration of Article IX, Finance and Taxation, report of the Style and Drafting Committee continued.

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

Section 8, page 3, line 2, strike "by law" and substitute "as provided by law and without ratification".

There being no objection, the amendment was ordered adopted.

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

Section 15, page 4, line 26, after "assets" insert "and records"; line 27, strike "assets" and substitute "the property".

There being no objection, the amendment was ordered adopted.

Mr. Taylor called attention to the incorrect spelling of "benefited" on page 3.

At the suggestion of Mr. Nerland, Mr. Sundborg asked unanimous consent for the adoption of the following amendment:

Page 2, line 10, insert a comma after "levied" and on line 11, insert a comma after the word "made".

There being no objection, it was so ordered.

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

Page 3, line 25, drop one "t" from "benefited".

There being no objection, it was so ordered.

Mr. Riley moved the adoption of the following amendment:

Section 5, page 2, line 6, insert "possessory" after "other".

Mr. Barr objected. Mr. Stewart seconded. After discussion by Mr. Riley and Mr. Barr, Mr. Riley asked for a short recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Riley asked unanimous consent to withdraw the amendment until substantive amendments would be considered. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting as to Article IX be accepted and the amendments made by the Committee be adopted. There being no objection, it was so ordered.

Mr. White asked unanimous consent for suspension of the rules to return Article IX to second reading for the following specific Finance Committee amendment:

Section 8, page 2, lines 23 and 24, strike "a majority vote in each house of the legislature" and insert in lieu thereof the word "law".

There being no objection, the rules were suspended. Mr. White asked unanimous consent for the adoption of the amendment. Mr. Gray objected. Mr. White so moved. Mr. Knight seconded. After explanation by Mr. White, Mr. Gray withdrew his objection. After discussion by Mr. Taylor, Mr. Johnson, Mr. Barr, Mr. Buckalew, Mr. R. Rivers and Mr. Londborg, the question was called. On voice vote the amendment was adopted.

Mr. V. Rivers moved that the rules be suspended and Article IX be returned to second reading for the following specific amendment:

Section 7, lines 19 and 20, strike the words "date of ratification" and insert in lieu thereof "effective date"; insert a period after "constitution" on line 20 and strike the rest of the sentence.

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

Yeas: 42 - Armstrong, Awes, Boswell, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Nays: 9 - Barr, Cooper, Hellenthal, Johnson, Knight, Laws, Londborg, Taylor, and White

Absent: 4 - Coghill, V. Fischer, Metcalf, and VanderLeest

and so the rules were suspended.

Mr. V. Rivers moved the adoption of the amendment. Mr. R. Rivers seconded. After discussion by Mr. V. Rivers, Mr. V. Fischer, Mr. McLaughlin, Mr. Barr, and Miss Awes, Mr. V. Rivers closed the argument. Mr. Kilcher asked a question of Mr. V. Rivers. Mr. Londborg rose to speak on the amendment. Mr. Hellenthal rose to a point of order that Mr. V. Rivers had closed the argument. Mr. V. Fischer rose to a point of order that since Mr. Londborg had not spoken Mr. Hellenthal was out of order. Mr. Sundborg asked unanimous consent that Mr. Londborg be allowed to speak. Mr. Kilcher objected. The question being "Shall Mr. Londborg be allowed to speak?", on voice vote Mr. Londborg was allowed to speak on the amendment. Mr. V. Rivers spoke again. Mr. Kilcher rose to explain that the reason he voted "no" was because he didn't believe it was necessary to vote on allowing Mr. Londborg to speak. The question was called on the adoption of Mr. V. Rivers' amendment. On voice vote the amendment failed.

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

#### AFTER RECESS

Mr. Johnson spoke on a point of personal privilege.

Mr. Riley asked unanimous consent for the suspension of the rules to return Article IX to second reading for the following specific amendment:

Section 5, line 6, strike word "other".

There being no objection, the rules were suspended. Mr. Riley moved the adoption of the amendment. Mr. Taylor asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was ordered adopted.

Mr. Sundborg moved and asked unanimous consent that the rules be suspended, that Article IX, Finance and Taxation, be advanced to third reading, read by title only and placed on final passage. There being no objection, the rules were suspended.

Article IX, Finance and Taxation, was read the third time.

After statements by Mr. Armstrong, Mr. Barr and Miss Awes, the question was called. The question being "Shall Article IX, Finance and Taxation, be adopted as a part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 51 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, and Mr. President

Nays: 0 -

Absent: 4 - Coghill, Doogan, Marston, and VanderLeest

and so the article was adopted.

The report of the Committee on Style and Drafting on Article XIII, Amendment and Revision, was read.

Mr. Sundborg announced that the redraft of the Article had been done by Mr. McLaughlin, Mr. Armstrong and Mr. Johnson and that Mr. McLaughlin would explain the changes made.

Mr. McLaughlin gave an explanation and after a question from Mr. Smith, Mr. McLaughlin requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McLaughlin moved and asked unanimous consent to strike the word "approved" on line 2 of Section 1 and insert in lieu thereof the word "proposed". There being no objection, the amendment was ordered adopted.

Mr. Sundborg asked a question regarding Section 3. Mr. McLaughlin requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McLaughlin moved the adoption of the following amendment:

Page 2, line 3, after the word "convention" insert the words "if the vote is in the negative the proposal will be placed on the ballot ten years thereafter."

The President ruled that the amendment was a substantive one and should be considered later. Mr. McLaughlin withdrew his amendment.

Mr. Sundborg moved and asked unanimous consent that the report of the Style and Drafting Committee on Article XIII, Amendment and Revision, be accepted and that the amendments made by the Committee be adopted.

The President stated that since some of the changes were substantive the rules should be suspended.

Mr. Sundborg moved that the rules be suspended and that the Style and Drafting Committee's report be accepted and that the amendments as contained in that report be adopted. There being no objection, the rules were suspended and the report was adopted.

Mr. Hellenthal had a question re language. Mr. Johnson stated that Mr. Hellenthal was out of order since the report had just been adopted by the Convention.

Mr. R. Rivers stated that now was the time for substantive amendments.

After questions by Mr. Hellenthal, which were answered by Mr. McLaughlin and Mr. Sundborg, Mr. V. Fischer requested a three-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Sundborg asked unanimous consent that Article XIII be recommitted to the Committee on Style and Drafting. Mr. Kilcher objected. Mr. Sundborg so moved. Mr. Boswell seconded. Mr. Kilcher requested the

reason for returning the article to Style and Drafting. Mr. McLaughlin stated that there was a patent ambiguity.

Mr. Sundborg stated that the Committee on Style and Drafting would meet during the next recess.

The question being "Shall Article XIII be committed to the Style and Drafting Committee?", on voice vote the article was committed.

The President declared a twenty-five-minute recess during which the Committee on Style and Drafting would meet. Mr. Coghill announced a meeting of the Committee on Administration during the recess.

#### AFTER RECESS

Mr. Sundborg reported Article XIII back from the Committee on Style and Drafting unchanged.

Mr. Davis asked unanimous consent for a suspension of the rules to return Article XIII to second reading for the purpose of offering as an individual the following specific amendment:

Section 3, page 2, line 3, after the word "convention" insert the following sentence: "If a majority of the votes cast on the question are in the negative, the question need not again be placed on the ballot until the end of the next ten-year period."

Mr. V. Rivers seconded. Mr. V. Fischer requested a recess. There being no objection, it was so ordered.

#### AFTER RECESS

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

Yeas: 48 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Emberg, Kilcher, Laws, Londborg, and McNees

Absent: 2 - Doogan, and Marston

and so the rules were suspended.

Mr. Davis moved the adoption of the amendment. Mr. Armstrong seconded. After discussion by Mr. Davis, Mr. Smith, Mr. Hellenthal, Mr. Barr, Mr. Kilcher, Mr. R. Rivers, Mr. McLaughlin and Mr. Hinckel, the question was called. On voice vote the amendment was ordered adopted.

Mr. Sundborg moved and asked unanimous consent that the rules be suspended, that Article XIII, Amendment and Revision, be advanced to third reading, read by title only and placed on final passage. There being no objection, it was so ordered.

Article XIII was read the third time.

There being no debate, the question was called. The question being "Shall Article XIII be adopted as a part of Alaska's State Constitution?", the roll was called with the following result:

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

Nays: 0 -

Absent: 2 - Doogan and Marston

and so the article was adopted.

Mr. Sundborg stated that the Committee on Style and Drafting submitted the following report on the amendments to the Executive Article which had been referred to it:

That Section 13 read as follows:

"Section 13. Provision shall be made by law for succession to the office of governor and for an acting governor in the event that the secretary of state is unable to succeed to the office or act as governor. No election of a secretary of state shall be held except at the time of electing a governor."

And that Section 23 read as follows:

"The legislature shall have sixty days of a regular session, or a full session if of shorter duration, to disapprove these executive orders. Unless disapproved by resolution concurred in by a majority of the members in joint session, these orders become effective at a date thereafter to be designated by the governor."

Mr. Sundborg asked unanimous consent that the report of the Style and Drafting Committee be accepted and that the amendments therein be adopted. Mr. Taylor objected for a moment, but withdrew his objection. There being no further objection, the report was ordered accepted and adopted.

Mr. V. Rivers asked unanimous consent that the rules be suspended to return Article III to second reading for the purpose of the following specific amendment:

Section 14, lines 19 and 20, strike the words "or other officer".

There being no objection, the rules were suspended.

Mr. V. Rivers moved the adoption of the amendment. Mr. Cooper seconded. Mr. V. Rivers asked unanimous consent. There being no objection, the amendment was ordered adopted.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article III, The Executive, be advanced to third reading, read by title only and placed on final passage. There being no objection, it was so ordered.

Article III was read the third time.

Mr. V. Fischer spoke briefly on the excellence of the article.

The question being "Shall Article III, the Executive, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

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

Nays: 0 -

Absent: 2 - Doogan and Marston

and so the article was adopted.

Mr. Sundborg announced that there were fifteen articles in all and that nine of the articles had been adopted by the Convention.

Mr. Coghill inquired whether the Convention would have a session on Sunday. The President stated that he believed it would be proper to have a meeting on Sunday.

Mr. McNeas moved and asked unanimous consent that the Convention have a session Sunday afternoon. After discussion it was decided that the hour would be 2 p.m. There being no objection, it was so ordered.

A memorandum from Mr. Moberg calling the delegates' attention to turning in biographical data was read.

The report of the Committee on Style and Drafting on Article VI was read. The report had been prepared by Mr. Davis, Mr. V. Fischer and Mr. Sundborg. Mr. Davis explained the report. Mr. Davis asked unanimous consent for the correction of the following typographical errors: Section 12, line 21, delete "C", and change "and" to lower case; Section 1, line 6, change "2" to "1"; Section 2, line 9, change "1" to "2".

There being no objection, it was so ordered.

Mr. Hinckel asked a question regarding Section 5. Mr. V. Fischer and Mr. Davis answered.

Mr. Cooper asked whether the words "Section 4" could not be added on line 11 of Section 5. Mr. Davis stated that it had been the policy of the Committee on Style and Drafting to refrain from using references to other sections by number. After further discussion by Mr. Hellenthal, and Mr. Coghill, Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

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

Section 5, page 2, line 11, after word "in" add "Section 4 of".

There being no objection, it was so ordered.

Mr. Londborg had a question which Mr. Davis stated constituted a change in substance and should be considered later.

After discussion by Mr. Barr and Mr. McCutcheon, Mr. Johnson moved that the Convention recess until 7 p.m. Mr. Kilcher seconded. Mr. Sundborg announced a meeting of the Committee on Style and Drafting on recess. On voice vote the Convention recessed until 7 p.m.

#### AFTER RECESS

The report of the Style and Drafting Committee on Article VI being before the Convention, Mr. Cooper asked a question re Section 7. Mr. Davis answered. Mr. Cooper asked that the Convention recess so that the Committee on Apportionment and the Style and Drafting Committee and other interested delegates could meet. There being no objection, it was so ordered.

#### AFTER RECESS

After a recess of one hour the Convention was called to order.

Mr. Davis asked unanimous consent for the adoption of the following Committee on Style and Drafting amendment:

Section 6, page 2, line 14, delete the word "section" and substitute the word "article".

There being no objection, it was so ordered.

Mr. Davis stated that the Committee on Style and Drafting had an amendment to offer which might be substantive:

Section 7, lines 23 and 24, strike the words "southeastern, south central, central and northwestern".

Mr. V. Fischer rose to a point of order to refer to the enrolled copy and to point out that it was a substantive change.

Mr. Davis moved the adoption of the amendment. Mr. Cooper seconded.

Mr. V. Fischer asked whether the request was for a suspension of the rules.

The President declared a short recess.

#### AFTER RECESS

The President ruled that the amendment was a substantive change.

Mr. Davis moved that the rules be suspended and Article VI be returned to second reading for a specific amendment. Mr. Stewart seconded.

Mr. Sundborg stated that this was a departure from the established procedure - the report of the Committee on Style and Drafting should be adopted first.

Mr. Davis withdrew his request for a suspension of the rules.

Mr. Barr moved the adoption of the following amendment:

Section 9, page 3, line 17, before the word "political" insert the word "partisan".

Mr. Kilcher seconded. Mr. Sundborg stated the Committee did not feel the amendment was substantive.

Mr. Kilcher asked unanimous consent that the amendment be adopted. There being no objection, the amendment was adopted.

Mr. Sundborg moved and asked unanimous consent that the report of the Committee on Style and Drafting be accepted and the amendments adopted.

Mr. Taylor objected to hear Mr. Davis' amendment. The President stated that the amendment was substantive and could not be considered at this time. Mr. Taylor withdrew his objection.

There being no objection, the report was ordered accepted and adopted.

Mr. Davis moved to suspend the rules to return Article VI to second reading for the following specific amendment:

Section 7, lines 23 and 24, page 2, strike "Southeastern, Southcentral, Central and Northwestern".

Mr. Stewart seconded. Mr. Sundborg asked unanimous consent that the motion be debatable. Mr. Harris objected. The question being, "Shall the rules be suspended?", the roll was called with the following result:

Yeas: 51 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien and Mr. President

Nays: 0 -

Absent: 4 - Coghill, Collins, H. Fischer, Marston.

and so the rules were suspended.

Mr. Davis moved the adoption of the amendment. Mr. Taylor asked unanimous consent for the adoption of the amendment. Mr. McCutcheon objected. Mr. Gray seconded. After discussion by Mr. Rosswog, Mr. V. Rivers, Mr. Harris, Mr. Hellenthal, Mr. Johnson, Mr. Hinckel, Mr. Walsh, Mr. Taylor and Mr. Barr, Mr. Davis closed the argument. Mr. Harris requested a roll call. The roll was called with the following result:

Yeas: 45 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan, Reader, Riley, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 6 - McCutcheon, Nordale, Peratrovich, Poulsen, R. Rivers, and V. Rivers

Absent: 4 - Coghill, Collins, H. Fischer, and Marston

and so the amendment was adopted.

Mr. Taylor moved the suspension of the rules and the adoption of the following amendment:

Section 9, page 3, lines 16 and 17, strike the last sentence of the section.

Mr. Knight seconded. Mr. Taylor asked unanimous consent. Mr. Robertson objected.

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

Yeas: 31 - Armstrong, Awes, Buckalew, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Laws, McCutcheon, McLaughlin, McNees, Metcalf, Nordale, Riley, V. Rivers, Sundborg, Sweeney, Taylor, VanderLeest, White, Wien, and Mr. President

Nays: 19 - Barr, Boswell, Cooper, Cross, Hellenthal, Hinckel, Lee, Londborg, Nerland, Nolan, Peratrovich, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Smith, Stewart, and Walsh

Absent: 5 - Coghill, Collins, H. Fischer, McNealy, and Marston  
and so the rules were not suspended. After questions from Mr. Robertson, Mr. Metcalf, Miss Awes, Mr. Stewart, and Mr. Robertson, Mr. McCutcheon asked that the Chief Clerk read the motion made by Mr. Taylor.

The President declared a recess to check the record.

AFTER RECESS

The President stated that on Mr. McCutcheon's question Mr. Taylor had made a compound motion and was in error in stating the question.

Mr. McCutcheon stated that since the motion was incorrectly put, the suspension of the rules could be voted on again.

The President ruled that Mr. McCutcheon's contention was correct.

Mr. Taylor moved that the rules be suspended for the purpose of specific amendment. Mr. McCutcheon seconded. Mr. Sundborg asked unanimous consent. Mr. Reader objected. The roll was called with the following result:

Yeas: 37 - Armstrong, Awes, Boswell, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, Knight, McCutcheon, McLaughlin, McNees, Metcalf, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, White, Wien, and Mr. President

Nays: 13 - Barr, Buckalew, Cross, Hinckel, King, Laws, Lee, Londborg, Nerland, Poulsen, Reader, Stewart, and Walsh

Absent: 5 - Coghill, Collins, H. Fischer, McNealy, and Marston

and so the rules were suspended.

Mr. Taylor moved the adoption of the following amendment:

Section 9, lines 16 and 17, page 3, strike the last sentence of the Section.

Mr. Knight seconded.

After discussion by Mr. Hellenthal, Mr. Sundborg, Mrs. Hermann, Mr. McLaughlin, Mr. McCutcheon, Mr. Taylor, Mr. Riley, and Mr. Barr, the question was called. On voice vote the amendment was adopted.

Mr. Kilcher requested a one-minute recess.

AFTER RECESS

Mr. Kilcher offered an amendment to Article VI, Section 5 as follows:

Section 5, add to Line 11:

"Districts that have in this manner lost their representation shall regain it when in the next census they meet the requirements under which they were originally established."

Mr. Cooper rose to a point of order to object.

*Mr. Hellenthal* The President ruled Mr. Cooper out of order. Mr. Kilcher spoke. ~~Mr. Kilcher~~ rose to a point of order that the motion should be to suspend the rules.

Mr. Kilcher rose to a point of order to state that Mr. Cooper was out of order when he rose to object when the amendment was introduced. Mr. Kilcher asked unanimous consent to be allowed to answer Mr. Cooper. Mr. McCutcheon objected and then withdrew his objection. Mr. Kilcher spoke. Mr. Cooper rose to a point of order. Mr. Kilcher spoke again. Mr. Riley stated that there was a valid point of order since Mr. Kilcher should not be speaking on the amendment until after the rules had been suspended.

The President declared the Convention at recess while the Rules Committee decided the point of order.

#### AFTER RECESS

The President asked Mr. Kilcher whether he moved to suspend the rules to return Article VI to second reading for specific amendment. Mr. Kilcher so moved. Mrs. Hermann seconded. The roll was called with the following result:

Yeas: 31 - Awes, Barr, Buckalew, Cooper, Davis, Emberg, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, Lee, Londborg, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Peratrovich, Poulsen, Riley, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Walsh, Wien, and Mr. President

Nays: 17 - Armstrong, Boswell, Cross, Doogan, V. Fischer, Gray, Hellenthal, King, Knight, McNealy, Nolan, Nordale, Reader, R. Rivers, Sweeney, Taylor, and White

Absent: 7 - Coghill, Collins, H. Fischer, Laws, Marston, Stewart, and VanderLeest

and so the rules were not suspended.

Mr. Sundborg reported that the amendments adopted had been cleared with the Committee on Style and Drafting and he would like to have Mr. Hellenthal make the motion to advance Article VI to third reading.

Mr. Hellenthal asked unanimous consent that the rules be suspended, that Article VI, Legislative Apportionment, be advanced to third reading, read by title only and placed on final passage. There being no objection, it was so ordered.

Article VI, Legislative Apportionment, was read the third time.

Mr. V. Rivers spoke against the article. Mr. Kilcher, Mr. Hellenthal, and Mr. Smith spoke in favor of the article. The question being "Shall Article VI, Legislative Apportionment, be adopted as a part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 45 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nordale, Peratrovich, Reader, Riley, R. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien, and Mr. President

Nays: 5 - McCutcheon, Nolan, Poulsen, V. Rivers, and Robertson

Absent: 5 - Coghill, Collins, H. Fischer, Marston, and VanderLeest  
and so the article was adopted.

Mr. Hilscher asked unanimous consent for the introduction of the following resolution:

"Introduced by Doogan, Emberg, Harris, Hermann, Hilscher, Hurley, Kilcher, Knight, Lee, McCutcheon, McNealy, McNees, Metcalf, Peratrovich, Riley, Stewart, Smith, Sundborg, Taylor, VanderLeest, White, Wien

WHEREAS, in a spirit of complete selflessness and at great personal expenditure of time, effort and money, and

WHEREAS, as a fully enfranchised American citizen, he shares with all Alaskans an earnest desire to see that we achieve our rightful free-born heritage within the American nation; and

WHEREAS, he has made numerous trips to Alaska to assist us in our aspirations for statehood, and has outlined in great detail to this convention and to the people of Alaska the historical advantages of the Tennessee Plan;

THEREFORE, be it resolved that Mr. George H. Lehleitner of New Orleans, Louisiana, be hereby designated and acclaimed by this body to be an Honorary Member of the Alaska Constitutional Convention and an Honorary Ambassador of Good Will from this Convention to the People of the United States and to the members of Congress in our endeavor to achieve Statehood for Alaska."

Mr. V. Fischer asked that the names of all the delegates be included as sponsors of the resolution. Mr. Hilscher asked unanimous consent that Mr. Fischer's request be adopted. There being no objection, it was so ordered.

Mr. Poulsen suggested that the words "Tennessee" be changed to "Alaska" in referring to the plan.

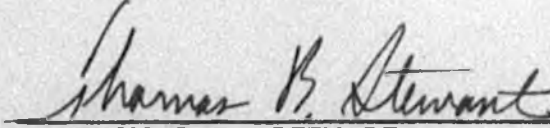
There being no objection, the resolution was ordered adopted and spread on the Journal.

Mr. Robertson inquired if the adoption of Article VI automatically adopted Article XV referred to in the article. The President stated that the article did not carry Article XV with it.

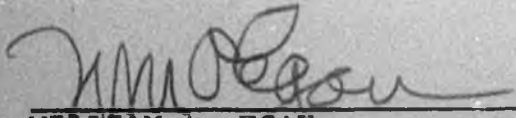
Mr. Riley asked unanimous consent that the Convention adjourn until 2 p.m. Mr. McNees asked unanimous consent that the reconsideration of his vote on C. P. No. 17a be held over. The President stated that the reconsideration would automatically be held until C. P. No. 17a was on the calendar again.

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

There being no objection to the unanimous consent request, the Convention adjourned at 10 p.m. until 2 p.m., Sunday.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President

Constitutional Convention

Journal/54

Approved

Feb. 3, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-SIXTH CONVENTION DAY, Friday, January 27, 1956

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

The Invocation was given by Mr. Londborg.

Roll call showed all members present. The President declared a quorum to be present.

Mr. Knight reported on the reading of the Journal for the 59th day and asked unanimous consent for its approval. Mr. Londborg rose and asked that the roll call for the name of the local government unit on page 14 be corrected to show the names of the delegates. The approval of the journal was held until later.

Business of the Convention then turned to consideration of Article V, Suffrage and Elections.

Mr. R. Rivers asked unanimous consent for the suspension of the rules to return Article V to second reading for the following specific amendment:

Page 1, line 3, following the word "article" strike the words "and not barred by any other provision of law".

There being no objection, the rules were suspended.

Mr. Rivers moved the adoption of the amendment. Mrs. Hermann seconded.

Mr. Hellenthal rose on a point of information and stated that a similar amendment had been considered by the Committee.

Mr. Hurley asked a question of Mr. Hellenthal which he answered. After Mr. Hellenthal spoke, Mr. Londborg addressed a question to Mr. R. Rivers, and Mr. V. Fischer spoke. Mr. R. Rivers asked unanimous consent for a one-minute recess. There being no objection, the President declared a recess.

66th Day, Friday, Jan. 27, 1956

AFTER RECESS

Mr. R. Rivers spoke on personal privilege. Mr. R. Rivers asked unanimous consent for the adoption of the following amendment:

Line 4, Section 1, page 1, change the period to a comma and add "subject to any other qualifications imposed under this constitution".

Miss Awes objected.

Mr. R. Rivers asked unanimous consent that the amendment include the following:

Strike comma on line 2 and insert "and".

Miss Awes objected. Mr. R. Rivers moved the adoption of his amendment, including the additions. Mr. V. Rivers seconded. Mr. Armstrong asked that the Convention recess so the amendment could be studied. The President declared a short recess.

AFTER RECESS

Mr. Barr asked unanimous consent that the rules be suspended to return Article V to second reading for the purpose of offering the following specific amendment:

Page 1, line 6, strike the words "actual, bona fide and continuous" before the word "resident" and insert the word "legal" before the word "resident".

Mr. McNealy objected. Mr. Knight seconded. The roll was called for the suspension of the rules with the following result:

Yeas: 38 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Riley, V. Rivers, Smith, Sundborg, Sweeney, Taylor, and VanderLeest.

Nays: 12 - Coghill, Davis, Hellenthal, Londborg, McNealy, Nordale, Reader, Robertson, Rosswog, Walsh, Wien, and Mr. President

Absent: 5 - Collins, Nolan, R. Rivers, Stewart, and White

and so the rules were suspended.

Mr. Barr moved the adoption of the amendment. Mr. Knight seconded. After discussion by Mr. Barr, Mr. Sundborg, Miss Sweeney, Mr. Taylor and Miss Awes, Mr. Taylor asked for a division of the question. Mr. V. Rivers asked unanimous consent to amend the amendment. Mr. Taylor requested a short recess. The President stated that there could be no other amendment offered under suspension of the rules but the amendment before the Convention.

#### AFTER RECESS

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

Mr. Barr asked unanimous consent for suspension of the rules for the purpose of returning Article V to second reading to present a specific amendment. Mr. Londborg objected for the purpose of hearing the amendment. Mr. Barr's amendment was read as follows:

Section 1, line 6, strike "an actual, bona fide and continucus" and insert "a" at the end of line 6; strike "like".

Mr. McNealy objected. Mr. Barr so moved. Mr. Knight seconded. The roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Sundborg, Sweeney, Taylor, VanderLeest, and Wien

Nays: 11 - Coghill, Cross, Davis, Hellenthal, Londborg, McNealy, Robertson, Rosswog, Smith, Walsh, and Mr. President

Absent: 4 - Collins, Nolan, Stewart, and White

and so the rules were suspended.

Mr. Coghill moved and asked unanimous consent that the question be called at five minutes to 10 a.m. Mr. Barr agreed. Mr. Hellenthal spoke. Mr. Buckalew objected. Mr. Doogan seconded. Mr. Kilcher directed a question to Mr. Coghill. Mr. McCutcheon requested that the time limit run from the time of the beginning of the actual debate and that two-and-one-half minutes be allowed for each side of the question. Mr. Coghill then moved and asked unanimous consent that the question be put at 10 a.m. The roll to limit debate was called with the following result:

Yeas: 18 - Barr, Coghill, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hilscher, Johnson, Kilcher, Knight, Laws, Londborg, McNealy, Metcalf, Peratrovich, VanderLeest, and Wien

Nays: 33 - Armstrong, Awes, Boswell, Buckalew, Cooper, Cross, Davis, Emberg, Hellenthal, Hermann, Hinckel, Hurley, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sundborg, Sweeney, Taylor, Walsh, and Mr. President

Absent: 4 - Collins, Nolan, Stewart, and White

and so the motion failed.

After discussion by Mr. Barr, Mr. R. Rivers and Mr. Hellenthal, Mr. Barr rose to a point of order regarding the time limit on debate. The President stated that there was no time limit on debate.

After discussion by Mr. Hellenthal and Mr. McLaughlin, Mr. Hellenthal rose to a point of order. Mr. McLaughlin spoke. Mr. V. Fischer moved and asked unanimous consent for the previous question. There being no objection, the previous question was ordered. The question being "Shall the amendment as proposed by Mr. Barr be adopted?", the roll was called with the following result:

Yeas: 35 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Laws, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nordale, Riley, R. Rivers, V. Rivers, Smith, Sundborg, Sweeney, Taylor, VanderLeest, and Wien

Nays: 17 - Coghill, Cross, Davis, Hellenthal, Knight, Londborg, McNealy, Marston, Peratrovich, Poulsen, Reader; Robertson, Rosswog, Stewart, Walsh, White and Mr. President

Absent: 3 - Collins, Hinckel, and Nolan

and so the amendment was adopted.

Mr. R. Rivers asked unanimous consent to withdraw his amendment. There being no objection, it was so ordered.

Mr. R. Rivers asked unanimous consent to suspend the rules and return the article to second reading to present an amendment to Section 1. There being no objection, the rules were suspended. Mr. R. Rivers moved the adoption of the following amendment:

Page 1, lines 3 and 4, after the word "this" delete the following: "article and not barred by any other provision of law" and substitute the words "Constitution and laws enacted pursuant thereto".

Mr. R. Rivers asked unanimous consent for the adoption of his amendment. Mr. McNealy objected. Mrs. Nordale seconded.

After discussion by Mr. R. Rivers, Mr. McNealy, and Miss Awes, Mr. Davis asked unanimous consent to return the article to the Style and Drafting Committee to draft language regarding the proposed amendment. Mr. R. Rivers agreed. Mr. Hellenthal spoke. Mr. Davis withdrew his motion. Mr. Hurley moved and asked unanimous consent to recess until 9:50 a.m. There being no objection, the President declared a recess.

#### AFTER RECESS

Mr. Doogan asked unanimous consent that the Journal for the 60th Convention day be approved as read. There being no objection, it was so ordered.

Mr. Doogan asked unanimous consent that the President take under consideration the possibility of excusing the members of the Style and Drafting Committee from plenary sessions who are not actively engaged in reporting an article on the floor. Mrs. Hermann objected. Mr. V. Fischer pointed out that under Rule 18 it is necessary to ask permission before a committee meeting can be held during plenary session.

After further discussion by Mr. Barr and Mr. Sundborg, Chairman of the Committee on Style and Drafting, the President ruled that there being no further objection to the unanimous consent request the Style and Drafting Committee could hold meetings during plenary session using its own judgment as to how many members should be absent from the floor at a time.

Mr. R. Rivers asked that Article V be held on the calendar until his amendment to Section 1 had been mimeographed. There being no objection, it was so ordered.

The report of the Style and Drafting Committee on Article VII, Health, Education and Welfare, was read.

Mr. Hurley reported on the Style and Drafting changes.

Questions regarding substance were raised and Mr. Armstrong rose to a point of order to state that the questions were not in order at this time since the discussion was concerned with changes in phraseology only.

Miss Awes proposed the following Committee amendment to Section 3 and asked whether it was substance change or not: Strike Section 3 and substitute "The State shall provide for public welfare."

The President declared a short recess.

AFTER RECESS

The President ruled that it was not a substantive change.

Miss Awes asked unanimous consent to suspend the rules to return the article to second reading for specific amendment. Mr. Metcalf objected. Miss Awes withdrew her motion.

Mr. Sundborg asked unanimous consent that the report of the Committee on Style and Drafting on Article VII be accepted and that the changes in wording which appear in the report be adopted. Mr. Metcalf objected.

Mr. Metcalf moved the adoption of the following amendment in phraseology:

Section 1, line 2, after "public schools" insert "which shall be".

Mr. Knight seconded. On voice vote the amendment failed.

Mr. Sundborg renewed his unanimous consent request. There being no objection, the report was ordered accepted and the changes adopted.

Miss Awes moved that the rules be suspended and that Article VII be returned to second reading for specific amendment. Mr. Doogan seconded. The roll was called with the following result:

Yeas: 42 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Poulsen, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 9 - Cooper, Cross, Harris, Kilcher, Laws, Metcalf, Peratrovich, Reader, and Taylor

Absent: 4 - Collins, Hilscher, Hinckel, and Nolan

and so the rules were suspended.

Miss Awes moved the adoption of the following amendment:

Strike Section 3 and substitute: "The legislature shall provide for public welfare."

Mr. Armstrong seconded. After discussion by Miss Awes, Mr. Armstrong and Mrs. Hermann, the question was called. On voice vote the amendment was adopted.

Mr. Cooper spoke on a matter of personal privilege.

Mr. Sundborg asked unanimous consent that the rules be suspended, that Article VII, Health, Education and Welfare, be advanced to third reading, read by title only and placed on final passage. There being no objection, the rules were suspended.

Article VII was read the third time. The question being, "Shall Article VII, Health Education and Welfare, become a part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 48 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 4 - Coghill, Laws, Londborg, Metcalf

Absent: 3 - Collins, Hinckel, and Nolan

and so the article was adopted.

The report of the Style and Drafting Committee on Article III, The Executive, was read.

Mr. Sundborg reported that a subcommittee consisting of Mr. Armstrong, Mr. Hurley and Mrs. Hermann had worked on the article and Mr. Armstrong would explain the changes in phraseology.

Mr. Armstrong gave an explanation of the changes made.

Mr. Boswell called attention to a typographical error on page 6, line 6 in the spelling of "legislature".

Mr. Sundborg moved and asked unanimous consent that the report of the Style and Drafting Committee be accepted and that the changes in wording proposed by the Style and Drafting Committee be adopted. There being no objection, it was so ordered.

Mr. V. Rivers requested that it be held over until after the noon recess so that the Executive Committee could meet and discuss proposed amendments in substance.

Mr. Coghill asked unanimous consent that the rules be suspended, that Article III be returned to second reading for the following specific amendment:

Section 26, page 7, line 3, after the word "law" strike the comma and insert a period and strike the balance of the sentence.

Mr. Buckalew objected. Mr. Coghill so moved. Mr. Londborg seconded. The question being, "Shall the rules be suspended?", the roll was called with the following result:

- Yeas: 13 - Coghill, Cooper, Hurley, Kilcher, Laws, Londborg, McNealy, Metcalf, Nerland, Peratrovich, R. Rivers, Walsh and Wien
- Nays: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Cross, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Johnson, King, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Nordale, Poulsen, Reader, Riley, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, VanderLeest, White, and Mr. President
- Absent: 6 - Collins, Davis, V. Fischer, Hinckel, Nolan, and Sundborg

and so the rules were not suspended.

Mr. Coghill asked for the privilege of the floor. Mr. Buckalew objected. Mrs. Hermann rose to state that the privilege of the floor was not debatable. Mr. Buckalew withdrew his objection.

Mr. Coghill spoke on personal privilege.

Mr. Doogan asked unanimous consent that the Convention recess until 1:30 p.m. The following committee announcements were made: Mr. Armstrong announced a meeting of a subcommittee of the Style and Drafting Committee with Mr. Riley and Mr. Boswell of the Resources Committee at 12:45 p.m.; Mr. Hellenthal announced a meeting of the Apportionment Committee at 12:00 noon and asked Mr. Kilcher, Mr. Metcalf, Mr. Hurley and Mr. Cross to be present; Ordinances at 1:00 p.m.; Judiciary on recess; Style and Drafting on recess; and Administration just prior to the plenary session. There being no objection to the unanimous consent request the Convention recessed until 1:30 p.m.

#### AFTER RECESS

Mr. Knight spoke on personal privilege.

Mr. V. Rivers asked unanimous consent for the suspension of the rules to return Article III to second reading for the purpose of offering the following specific amendment: Strike Section 10 and insert the following:

"Section 10. If the governor elect dies, resigns or is disqualified, the secretary of state elect shall succeed to the office of governor for the full term. If the governor elect fails to assume his office for any other reason, the secretary of state elect shall act as

governor and if the governor elect does not assume his office within six months of the beginning of the term, the secretary of state shall then succeed to the office."

There being no objection, the rules were suspended.

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

Copies of the amendment not being available, Mr. V. Rivers asked to hold action on his amendment until the mimeographed copies were ready.

Mr. Hurley asked unanimous consent to take up the suggested amendment to the Article on Suffrage and Elections. There being no objection, Article V was considered again.

Mr. R. Rivers asked unanimous consent to withdraw his amendment, offered earlier, to Article V. There being no objection, it was so ordered.

Mr. Davis moved the adoption of the following amendment offered by Mr. Davis, Mr. R. Rivers and Mr. McLaughlin:

Strike Section 1 and substitute the following:

"Section 1. Every citizen of the United States who is at least nineteen years of age, who meets registration requirements which may be prescribed by law, and who is qualified to vote under this Article, may vote in any state or local election. He shall have been, immediately preceding the election, for one year a resident of Alaska and for thirty days a resident of the election district in which he seeks to vote. He shall be able to read or speak the English language as prescribed by law, unless prevented by physical disability. Additional voting qualifications may be prescribed by law for bond issue elections of political subdivisions."

Mr. Davis asked unanimous consent for the suspension of the rules to return Article V to second reading for the purposes of offering the above amendment. There being no objection, the rules were suspended.

Mr. Davis moved the adoption of the amendment. Mrs. Hermann seconded. Mr. R. Rivers asked unanimous consent. There being no objection, the amendment was ordered adopted.

Mr. Johnson asked unanimous consent that the rules be suspended, that Article V be advanced to third reading, read by title only and put upon final passage. There being no objection, the rules were suspended. Article V was read the third time. The question being, "Shall the rules be suspended and Article V be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 46 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Riley, R. Rivers, V. Rivers, Rosswog, Stewart, Sweeney, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Nays: 4 - Laws, Londborg, McNealy, and Reader

Absent: 5 - V. Fischer, Smith, Sundborg, White; and Robertson

and so the article was adopted.

At the request of Mr. Hellenthal and with the unanimous consent of the Convention, the following amendments to Committee Proposal No. 14 "Description of the Election Districts" were adopted:

Page 2, District No. 3, third line after the word "north" insert the following: "and partly bounded on the north by a line drawn between Cape Fanshaw and the north side of Pybus Bay".

Page 3, District No. 6, sixth line delete the second "and" also the word "Islands" and insert a comma after the word "Douglas". After the word "Shelter" insert a comma and the words "and Benjamin Islands,".

Page 4, District No. 7 on the first line, beginning with the word "including" strike the balance of the section, and substitute the following: "not including the Tiekel River on the west; and up to and including the Chitina River on the east."

Page 4, District No. 8, line 5, beginning with the word "but", strike the balance of the sentence and insert the following: "and including the Tiekel River on the West, and above but not including the Chitina River on the east."

Mr. Hellenthal moved the adoption of the following amendment and asked unanimous consent:

Page 4, District No. 9, sixth line, after the word "including" insert the words "the area draining into the". After the word "River" insert the following words: "from the north and from the south".

Mr. Taylor objected to the unanimous consent for information purposes. Mr. Taylor then withdrew his objection and there being no further objection to the unanimous consent request the amendment was ordered adopted.

Mr. Hellenthal moved and asked unanimous consent for the adoption of the following amendment to Committee Proposal No. 14 "Description of the Election Districts".

Page 5, District No. 10, line 6 after the word "tributaries" strike the balance of the section and substitute the following: "to but not including Beluga River on the south."

Mr Kilcher objected to call attention to another amendment in that district description.

Mr. Helenthal then asked unanimous consent to include in his amendment the following:

Strike the words "and Beluga" at the end of line 5, page 5, Section 10.

There being no objection the amendment as amended was adopted.

At the request of Mr. Hellenthal and with the unanimous consent of the Convention, the following amendments were adopted:

Page 5, Section 11, line 2, strike the words "and including Chugach and Windy Bays" and insert in lieu thereof "Gore Point". Also strike the period at the end of section 11 and insert a semicolon and the following words: ";and to and including the confluence of the Kenai and Russian Rivers on the west".

Page 5, District No. 12, line 2, after the word "into" insert the following: "the Gulf of Alaska"; also strike the words "but not" and inset in lieu thereof the word "and".

Page 5, District No. 12, line 3, strike the words "by Chugach Bay" and insert in lieu thereof "into Port Dick"; also after the word "south" insert the words "to Gore Point".

Page 5, District No. 12, line 4, strike the word "River" and insert in lieu thereof the word "Creek"; also strike the semicolon after the word "north" and insert the following: "and the area east of the confluence of the Kenai and Russian Rivers and".

Page 5, District No. 12, line 6, strike the word "Chakachatna" and insert in lieu thereof the word "Beluga" and change comma to a semicolon after "River" on line 6; also line 7, strike the words "Chakehamna Lake".

Page 7, District No. 19, line 2, after the word "Creek" insert a comma and the words "near Blair Lakes,".

Page 8, Section No. 22, lines 2 and 3, strike the words "but not" and insert in lieu thereof the word "and"; line 3, strike the word "Buckland" and insert in lieu thereof the words "Good Hope".

Page 8, District 23, line 3, delete the word "and" and insert in lieu thereof the words "but not"; line 4 delete the word "Buckland" and insert in lieu thereof the words "Good Hope"; also delete the second word "and" and insert in lieu thereof the words "but not".

Page 9, District 24, line 1, delete the words "but not" and insert in lieu thereof the word "and".

Page 3, correct spelling of "Krugof" to "Kruzof", "Burners" to "Berners", "Yokobi" to "Yakobi".

Reference to the Pastolic River in sections 23 and 24 so as to spell it with a "k" instead of a "c"; correct spelling of "Shamisso" to "Chamisso".

The description of the election districts (schedule to C.P. No. 14) was referred to the Committee on Engrossment and Enrollment.

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

#### AFTER RECESS

Mr. Coghill asked permission to revert to committee reports and submitted the program for the official signing of the constitution as prepared by the Committee on Administration. Mr. Coghill moved and asked unanimous consent for adoption of the program. Mr. Doogan objected to state that the program should say "Recess" instead of "Adjournment".

Mr. Doogan withdrew his amendment. Mr. Buckalew objected. Mr. Doogan seconded.

After discussion by Mr. Barr, Mr. Hinckel, Mr. Doogan, and Mr. Boswell, Mr. Barr moved that a signed copy of the constitution be presented to the University of Alaska. Mr. Taylor seconded. Mr. Nerland asked unanimous consent. There being no objection, it was so ordered.

Mr. Johnson asked that the official gavel be presented to the University of Alaska at the Sunday night dinner, February 5, 1956.

There being no objection the report was adopted as amended on voice vote.

A discussion followed on several phases of the report. Mr. Doogan made a motion that the delegates accept the dinner invitation of the University. Mr. Kilcher seconded, and on voice vote the motion carried.

Mr. Coghill asked unanimous consent that the 100 copies be printed on a parchment or high grade paper. There being no objection, it was so ordered.

The President stated that the Committee on Administration would meet tomorrow and any delegates having suggestions to offer could meet with the Committee.

Mr. White inquired of the Chair if it were permissible to have the roll call on the Suffrage and Elections Article show his vote in favor of the article since he was away on Convention business when the vote was taken. The President ordered the record to show that Mr. White would have voted in the affirmative on Article V. Mr. Sundborg, Mr. V. Fischer and Mr. Smith made similar requests and the Chief Clerk was instructed to let the record show that they also would have voted in the affirmative on Article V.

*to Article III*  
Mr. V. Rivers asked unanimous consent that he be allowed to withdraw the previous amendment) and substitute another. Mrs. Sweeney objected for more information. Mrs. Hermann rose to a point of inquiry to find out if amendments would go to the Style and Drafting Committee. The President stated that they wouldn't go to Style and Drafting until after the third reading.

Mr. Johnson moved and asked unanimous consent to recess for fifteen minutes. There being no objection, the President declared the Convention at recess.

#### AFTER RECESS

A telegram from Charles W. Wilson, mayor of Palmer stating,

"The people of Palmer express their thanks for your efforts in framing a constitution and congratulations for the excellent results."

was read and ordered filed.

Mr. V. Rivers asked unanimous consent for the suspension of the rules to return Article III to second reading for the purpose of offering the following amendments:

Mr. Riley objected for clarification. After clarification by Mr. V. Rivers there being no further objection, the rules were ordered suspended.

At the request of Mr. V. Rivers and with the unanimous consent of the Convention the following amendments were adopted:

Section 10, Page 2, strike the section and insert the following:

"Section 10. If the governor-elect dies, resigns or is disqualified, the secretary of state elected with him shall succeed to the office of governor for the full term. If the governor-elect fails to assume office for any other reason, the secretary of state elected with him shall serve as acting governor and shall succeed to the office if the governor-elect does not assume his office within six months of the beginning of the term."

Section 13, Page 3, strike the section and insert the following:

"Section 13. Provision shall be made by law for succession to the office of governor in the event that the secretary of state is unable to succeed to the office. Provision shall also be made for a person to serve as acting governor in the event that the secretary of state is unable to act as governor. No election of a secretary of state shall be held except at the time of electing a governor."

Section 23, Page 6, line 4, insert period after the word "orders", strike balance of section and substitute the following:

"These orders shall become effective after sixty days of a regular session of the legislature have elapsed following their issuance or at the close of the next regular session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of the legislature in joint session."

Mr. Sundborg asked unanimous consent that the amendments adopted to Article III be referred to the Committee on Style and Drafting. There being no objection, it was so ordered.

Committee Proposal 17b was read the second time.

Mr. Sundborg moved and asked unanimous consent that those portions of the Miscellaneous Provisions which have been referred to Engrossment and Enrollment be referred to the Committee on Style and Drafting.

Mrs. Sweeney advised that the Miscellaneous Provisions were being held until all miscellaneous provisions had been referred to Engrossment and Enrollment and, in line with Mr. Sundborg's request, those provisions which had been referred would be reported out immediately.

Mr. McNealy moved and asked unanimous consent that the following committee amendment to C.P. No. 17b be adopted:

Section 3, line 8, strike the words "not inconsistent" and insert the word "consistent".

There being no objection, the amendment was adopted.

Mr. Hellenthal moved and asked unanimous consent that the following amendment be adopted:

Section 5, line 9, insert "health districts," after "school districts,".

There being no objection, the amendment was adopted.

Mr. McNealy moved the adoption of the following committee amendment:

Section 6, page 2, lines 15 and 16, strike the words "performing functions vested by this constitution in the State" and insert "of the Territory, or under its laws," and on line 18, delete "those" and insert "their".

Mr. Stewart seconded.

Mr. White stated that the word to be deleted by Mr. McNealy was "these", not "those".

Mr. McNealy asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

Mr. Nerland moved and asked unanimous consent that Section 7 of C.P. No. 17b be deleted since the matter is covered in the Finance Article.

After discussion by Mr. V. Rivers, Mr. Hellenthal, Miss Awes, Mrs. Nordale and Mr. V. Rivers, Mr. Nerland asked to withdraw his amendment.

Mr. Nerland asked unanimous consent to strike the first sentence of Section 7.

Mr. Johnson asked whether the last sentence would be retained in the ordinances.

Mr. Nerland stated that would be his intention.

The President declared a short recess.

#### AFTER RECESS

Mr. Nerland asked that action on Section 7 be held over until a committee meeting could be held.

Mr. Stewart moved that the Convention adjourn until 9 a.m., Saturday. Mr. Lee seconded.

Mr. McNees asked unanimous consent that his reconsideration on striking sections 24 and 25 of 17a be considered at the time 17a would be on the calendar. There being no objection, it was so ordered.

Mr. Lee withdrew his second. Mr. Taylor seconded.

Mr. Coghill asked unanimous consent for adjournment. Mr. Doogan objected.

The following announcements were made: Finance on adjournment; Style and Drafting on adjournment; Engrossment and Enrollment on adjournment.

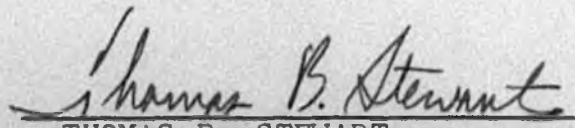
The question being "shall the Convention adjourn until 9 a.m. Saturday?", the roll was called with the following result:

Yeas: 38 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, McNealy, Marston, Nerland, Nolan, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, and Wien

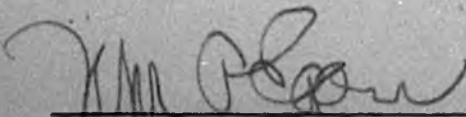
Nays: 10 - Doogan, Kilcher, Laws, Lee, Londborg, McCutcheon, McNees, Metcalf, Peratrovich, and Mr. President

Absent: 7 - Barr, Davis, V. Fischer, McLaughlin, Nordale, Robertson, and VanderLeest

and so the Convention adjourned at 5 p.m. until 9 a.m., Saturday.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President

Constitutional Convention  
Journal/53  
Approved Feb. 3, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-FIFTH CONVENTION DAY, Thursday, January 26, 1956

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

The Invocation was given by the Rev. Robert W. Shepperd of the First Church of the Nazarene. At the request of Mr. Sundborg and with the unanimous consent of the Convention the prayer given by Rev. Shepperd was ordered spread on the Journal.

"Our Heavenly Father, we pause to give Thee grateful thanks for these men and these women, the framers of the Constitution for the future State of Alaska. We thank Thee, our Father, for all their abundant labors, their selfless interest and devotion to duty they have felt and answered and especially for those aims for which they have labored, many of which have been answered as of this good day. Recognizing, O Lord, that all good government is ordained of God, we would pray Thy blessings upon this group as they come to the consummation of this great document and indeed upon the document itself, that it may find recognition among those in positions of high authority and that we may take our proper place as a sister state among those in our great republic of which we may be justly proud and for which we give Thee grateful thanks and thus we pray Thy blessings on these men and these women in the days ahead and indeed that all mankind may be vitally interested in perpetuating good government. This we pray. In the Lord's name we pray, Amen.

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

The President announced that the seventh grade of the Fairbanks Main School was in attendance.

Mr. Doogan stated that the first order of business scheduled was Mr. Harris' consideration. In view of Mr. Harris' absence the reconsideration was held in abeyance until later in the day.

Mr. Hilscher spoke on a matter of personal privilege.

The President called for the second reading of the election district schedule of Committee Proposal No. 14.

65th Day, Thursday, Jan. 26, 1956

Mr. Doogan rose to a point of order that the Preamble and Bill of Rights had been on the calendar when the Convention adjourned the day before.

Mr. Davis reported that Style and Drafting did not have the report on the amendments to the Bill of Rights ready at this time.

Mr. Hellenthal asked unanimous consent that before the descriptions were read that the following committee changes be adopted as a part of the report:

Page 8, lines 20 and 21 strike "Toolik" and substitute "Kugaruk". Page 1, strike "Clarence Strait" and "Ernest Sound" and substitute "Burroughs Bay and the east side of Clarence Strait". Page 2, strike "that area drained by Bradfield Canal and its tributaries" and substitute "Lemesurier Point".

There being no objection, the changes were ordered adopted as a part of the report.

The description of the election districts was read the second time.

After discussion it was decided to hold the proposal in second reading until a committee meeting could be held to discuss changes in the descriptions.

Mr. Sundborg presented the report of the Style and Drafting Committee with respect to amendments made to Article II, the Legislature.

The Style and Drafting Committee recommended the following changes to the amendments to Sections 5 and 16:

"Section 5. No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state or member of Congress. This section shall not apply to employment by or election to a constitutional convention."

"Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature."

Mr. Sundborg moved and asked unanimous consent that the report of the Style and Drafting Committee be accepted. There being no objection, it was so ordered.

Mr. Sundborg moved that the rules be suspended, that Article II, the Legislature, be advanced to third reading, read the third time by title only and placed on final passage.

Mr. Taylor rose to a point of information regarding the inclusion of the word adopted in connection with accepting the report of the Committee on Style and Drafting.

Mr. Sundborg withdrew his unanimous consent request for a suspension of the rules at this time.

Mr. Sundborg asked unanimous consent that the report of the Style and Drafting Committee regarding Article II amendments presented earlier be adopted. There being no objection, it was so ordered.

Mr. Sundborg renewed his unanimous consent request for a suspension of the rules to advance Article II to third reading.

Mr. McNees raised a question as to changes in substance. Mr. Sundborg denied any changes made by Style and Drafting. Mr. V. Fischer questioned Mr. McNees regarding the changes allegedly made by Style and Drafting. The President declared a short recess.

#### AFTER RECESS

There being no objection, the rules were suspended and Article II, the Legislature, was read the third time.

After debate by Mr. Cooper, Mr. Robertson, Mr. Barr, Mrs. Sweeney, Mr. McNealy, Mr. Taylor, Mr. V. Rivers and Mr. Johnson, Mr. Buckalew moved the previous question. Mr. Taylor seconded. Mr. Cooper requested a roll call. The roll was called with the following result:

Yeas: 21 - Awes, Barr, Buckalew, Collins, Cross, Emberg, V. Fischer, Gray, Hilscher, Hinckel, Kilcher, Lee, McCutcheon, McNees, Marston, Metcalf, Nerland, Peratrovich, Poulsen, Reader, and Taylor

Nays: 29 - Armstrong, Boswell, Cooper, Davis, H. Fischer, Hellenthal, Hermann, Hurley, Johnson, King, Knight, Laws, Londborg, McNealy, Nolan, Nordale, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 5 - Coghill, Doogan, Harris, McLaughlin, and Riley

and so the previous question was not ordered.

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

AFTER RECESS

Mr. Smith addressed a question to Mr. Robertson. After Mr. Nolan, Mr. Londborg and Mr. R. Rivers spoke, the question was called. The question being "Shall Article II, the Legislature, be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 46 - Armstrong, Awes, 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, McCutcheon, McNealy, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Poulsen, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 6 - Barr, Londborg, Nolan, Reader, Robertson, and Sweeney

Absent: 3 - Coghill, McLaughlin, and Riley

and so the article was adopted.

Mr. Hellenthal moved that the rules be amended so that in third reading a delegate be confined to one minute in explaining his vote and in the alternative he be given the opportunity to make a written statement which would be a part of the record. Mr. Kilcher seconded.

After discussion by Mr. Barr, Mr. Johnson and Mr. Nolan, the President declared a short recess.

AFTER RECESS

Mr. Hellenthal asked unanimous consent to withdraw his motion.

Article I having been held over was called on the calendar. Mr. Davis suggested that the article be considered without Section 18. The President ordered that consideration of Article I would be withheld until the amended Section 18 was ready.

Mr. McCutcheon noted that since Mr. Harris had arrived reconsideration of his vote be taken up at this time.

Mr. Harris moved reconsideration of his vote on Mr. Kilcher's amendment to Section 2 of C. P. No. 17a. Mr. Buckalew seconded.

After discussion by Mr. Stewart, Mr. Kilcher, Mr. Armstrong, Mr. Kilcher, Mr. Buckalew, Mr. Robertson, Mr. White, Mr. Hellenthal, Mr. V. Rivers, Mr. McNealy, Mr. V. Fischer, and Mr. Taylor, Mr. Harris closed the argument. Mr. V. Rivers requested a roll call vote. The question being "Shall Mr. Kilcher's amendment to Section 2 of C. P. No. 17a be adopted?", the roll was called with the following result:

Yeas: 16 - Buckalew, Cross, H. Fischer, Harris, Hurley, Kilcher, Londborg, McCutcheon, McNees, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, White, and Mr. President

Nays: 38 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, Robertson, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, and Wien

Absent: 1 - McLaughlin

and so the amendment failed.

Mr. Johnson asked unanimous consent for a fifteen-minute recess. Prior to recess Miss Awes announced a meeting of the Committee on Bill of Rights during recess and Mr. Hellenthal announced a meeting of the Committee on Apportionment upon recess. There being no objection, the Convention recessed until 4 p.m.

#### AFTER RECESS

Mr. R. Rivers moved the adoption of the following amendment to C. P. No. 17a.

Section 2. Strike the section and substitute the following:

"Unless otherwise determined as hereinafter set forth the capital of the State of Alaska shall be at Juneau.

"Within 5 years from the admittance of Alaska as a State of the Union, the legislature shall establish a capital site survey commission to study the merits and demerits of potentially suitable sites for the permanent capital in line with the best interests of the people of the whole state. Upon completion of its studies the commission shall report to the Legislature and to the public. The legislature shall then provide for a referendum by the people at a statewide election or series of statewide elimination elections until a majority of the voters voting on the proposition have concurred on a particular site, after which the seat of government shall be retained at Juneau or changed as rapidly as feasible to the new site, as the case may be."

Mr. Poulsen seconded.

Mr. Sundborg asked whether C. P. No. 17a was properly before the Convention.

The President stated that the reconsideration of Mr. Harris' vote brought the proposal before the Convention in second reading again.

After discussion by Mr. R. Rivers, Mr. Doogan, Mr. V. Fischer, Mr. McNees, Mr. Hilscher, and Mr. Emberg, the question was called. Mr. Sundborg requested a roll call. The question being "Shall Mr. R. Rivers' amendment to Section 2 of C. P. No. 17a be adopted?", the roll was called with the following result:

Yeas: 11 - Cross, H. Fischer, Harris, Hinckel, Hurley, Londborg, McCutcheon, McNees, Poulsen, R. Rivers, and V. Rivers

Nays: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Davis, Doogan, Emberg, V. Fischer, Gray, Hermann, Hilscher, Johnson, King, Knight, Laws, Lee, McNealy, Marston, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Absent: 4 - Hellenthal, Kilcher, McLaughlin, and Metcalf

and so the amendment failed.

Mr. Boswell stated he had an amendment to Section 20 and 21.

Mr. Buckalew asked if Mr. Boswell would withhold his amendment until a committee amendment could be offered.

Mr. Boswell agreed.

Mr. Johnson rose to ask whether the Convention was considering 17b or 17a since the numbers of the sections were in conflict.

The President declared a short recess.

#### AFTER RECESS

The President stated that the proposal before the Convention was C. P. No. 17a.

Mr. Buckalew moved the adoption of the following committee amendment:

Strike Sections 20 and 21 and substitute the following:

"Section 20. If this constitution shall be accepted by the electors and a majority of all the votes cast for and against the proposition to abolish fish traps shall be cast for adoption of the proposition, then the following shall become effective:

'As a matter of immediate public necessity, to relieve economic distress among individual fishermen and those dependent upon them for a livelihood, to conserve the rapidly dwindling supply of salmon in Alaska, to ensure fair competition among those engaged in commercial fishing, and to make manifest the will of the people of Alaska pending the establishment of the first state legislature, the use of fish traps for the taking of salmon for commercial purposes is hereby prohibited in all the coastal waters of the State until otherwise provided by law. Violations of this section shall be punishable by a fine not to exceed \$5,000.00 and by confiscation of the fish traps. The police power of the State shall be used to the extent necessary to enforce this section.'

Section 21. Each qualified voter who offers to vote upon this Constitution shall be given a ballot by the election judges which in substance shall contain the following proposition:

Shall the proposed constitutional provision prohibiting the use of fish traps for the taking of salmon for commercial purposes until otherwise provided by law, become effective?"

\_\_\_\_\_ YES

\_\_\_\_\_ NO

Mr. Knight seconded.

Mr. V. Fischer moved the adoption of the following amendment to the amendment:

Strike the words "until otherwise provided by law" in sections 20 and 21.

Mr. Buckalew asked unanimous consent for the adoption of the amendment to the amendment. There being no objection, it was so ordered.

After discussion regarding C. P. No. 17 and C. P. No. 17b, Mr. McNealy asked unanimous consent to withdraw C. P. No. 17 to avoid confusion. There being no objection, it was so ordered.

Mr. Hurley asked unanimous consent that the numbers of 17a be renumbered to correspond with 17b. There being no objection, it was so ordered.

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

#### AFTER RECESS

Mr. Lee spoke and requested a roll call vote on adoption of the amendment as amended. After further discussion by Mr. Hilscher, Mr.

Taylor, Mr. Hinckel, Mr. V. Fischer, Mr. Buckalew and Mr. R. Rivers, the question was called. The question being "Shall the Committee amendment to 17a be adopted?", the roll was called with the following result:

Yeas: 49 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 2 - Laws and Robertson

Absent: 4 - Collins, Kilcher, McLaughlin, and Stewart

and so the amendment as amended was adopted.

Mr. Boswell moved the adoption of the following amendment:

Strike Sections 24 and 25.

Mr. Cooper seconded.

After discussion by Mr. Boswell, Mr. Buckalew, Mr. Rosswog, Mr. Emberg, Mr. Taylor and Mr. Peratrovich, Mr. Sundborg asked unanimous consent that the Convention recess until 7 p.m. The following committee announcements were made: Executive at 6:45 p.m.; Finance on recess; Rules immediately on recess; Ordinances on recess.

There being no objection to the unanimous consent request, the Convention recessed until 7 p.m.

#### AFTER RECESS

Further debate on Mr. Boswell's motion to strike Sections 24 and 25 of C. P. 17a continued by Mr. Smith, Mr. McNealy, Mrs. Hermann, Mr. Poulsen, Mr. R. Rivers, Mr. Hurley, Mr. Hilscher, Mr. V. Rivers, Mr. Smith, and Mr. Robertson; Mr. Lee questioned Mr. Robertson; Mr. Riley asked a question of Mr. Buckalew and Mr. Hellenthal asked a question of Mr. Riley; Mr. Boswell closed the argument. Mr. Lee requested a roll call. The question being "Shall Mr. Boswell's amendment be adopted?", the roll was called with the following result:

Yeas: 19 - Armstrong, Barr, Boswell, Cooper, Cross, Davis, Doogan, Hilscher, Johnson, Laws, Londborg, McNealy, Metcalf, Reader, R. Rivers, V. Rivers, Robertson, Walsh, and Wien

Nays: 30 - Awes, Buckalew, Coghill, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Riley, Rosswog, Smith, Sweeney, Taylor, White, and Mr. President

Absent: 6 - Collins, McLaughlin, Nolan, Stewart, Sundborg, and VanderLeest

and so the amendment failed.

Mr. Buckalew asked unanimous consent for the adoption of the following amendment to Section 24:

Strike the words "pending the establishment of the first state legislature" and retain the comma.

Objection was heard. Mr. Buckalew so moved. Mr. Emberg seconded. The roll was called with the following result:

Yeas: 26 - Awes, Buckalew, Coghill, Cross, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hinckel, Kilcher, King, Knight, Laws, Lee, McCutcheon, Marston, Nerland, Nordale, Peratrovich, Smith, Stewart, Taylor, Wien, Rosswog, and Mr. President

Nays: 24 - Armstrong, Barr, Boswell, Cooper, Davis, Doogan, H. Fischer, Hermann, Hilscher, Hurley, Johnson, Londborg, McNealy, McNees, Metcalf, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Sweeney, Walsh, and White

Absent: 5 - Collins, McLaughlin, Nolan, Sundborg, and VanderLeest.

and so the amendment was adopted.

Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Buckalew asked unanimous consent for the adoption of the following amendment to Section 24:

Strike "by a fine not to exceed \$5,000.00 and".

There being no objection, the amendment was ordered adopted.

Mr. Kilcher asked unanimous consent for the adoption of the following amendment to Section 24:

Strike the last sentence of Section 24.

Mr. Doogan objected. Mr. Kilcher so moved. Mr. Knight seconded. On voice vote the amendment was adopted.

Mr. Taylor moved the adoption of the following amendment:

Strike the last five lines of Section 25 and insert the following: "Shall the proposed constitutional ordinance prohibiting the use of fish traps for the taking of salmon be adopted?"

The President declared a short recess.

#### AFTER RECESS

Mr. Marston seconded Mr. Taylor's motion.

Mr. Londborg suggested that the words "for commercial purposes" be inserted after "salmon" in Mr. Taylor's amendment. Mr. Taylor asked unanimous consent that the words be included as a part of the amendment. There being no objection, it was so ordered.

Mr. V. Fischer asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered.

Mr. Hilscher moved that the last sentence of Section 24 beginning "violation" be stricken. Mr. Robertson seconded. After discussion by Mr. Hilscher, Mr. R. Rivers, Mr. Lee, Mr. Buckalew, Mr. Taylor, Mr. V. Fischer, Mr. Barr, Mrs. Hermann, and Mr. Smith, Mr. Hellenthal requested a recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Hilscher asked unanimous consent for the withdrawal of his amendment. There being no objection, it was so ordered.

Mr. Buckalew asked unanimous consent for the adoption of the following amendment to Section 24:

On lines 3 and 4 strike the word "proposition" and insert the word "ordinance" and insert the following language after the word "effective" on line 4. "Upon the entry into force of this constitution".

Mr. Hellenthal objected. Mr. Buckalew so moved. Mr. Knight seconded. After discussion by Mr. Hellenthal, and Mrs. Hermann, Mr. V. Rivers spoke on privilege of the floor.

After Mr. Buckalew spoke on the amendment, the question was called. On voice vote the amendment was adopted.

After question from Mr. Armstrong regarding the amendment offered by Mr. Hilscher which was withdrawn, the President declared a short recess.

#### AFTER RECESS

Mr. Buckalew asked unanimous consent that C. P. 17a be held until a time certain to get the penalty provision worked out. Mr. Metcalf objected.

Mr. McNealy stated that he would like the proposal carried over until another day and that he would like the members to consider the legal implications of the ordinances.

Mr. Buckalew moved that the proposal be held over. Mr. Emberg seconded. On voice vote the motion carried.

Mr. McNees gave notice of his intention to reconsider his vote on Mr. Boswell's amendment to strike Sections 24 and 25.

Mrs. Sweeney reported that the committee on Engrossment and Enrollment to whom had been referred C. P. 8a on Resources had compared the same with the original and found it correctly engrossed and the first enrolled copy correctly enrolled. Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment be adopted. *without objection, it was so ordered.* Committee Proposal 8a was referred to the Committee on Style and Drafting.

Mr. Sundborg reported that the Committee on Style and Drafting was ready to report on the amendments to the Preamble and Bill of Rights.

Mr. Sundborg moved the adoption of the following Style and Drafting Committee amendment to Section 18:

Strike Section 18 and substitute the following:

"In civil cases where the amount in controversy exceeds two hundred fifty dollars, the right of trial by jury is preserved to the same extent as it existed at common law. The legislature may make provision for a verdict by not less than three-fourths of the jury, and in courts not of record, may provide for a jury of not less than six or more than twelve."

Mr. Taylor asked unanimous consent. There being no objection the amendment was ordered adopted.

Mr. Sundborg moved the adoption of the following Style and Drafting Committee amendment:

Section 3, page 2, line 1, after the word "denied" insert "the enjoyment of".

Mr. Hellenthal seconded. Mr. Johnson asked unanimous consent. There being no objection, the amendment was ordered adopted.

Mr. Sundborg asked unanimous consent for the adoption of the following Style and Drafting Committee amendment to the Preamble:

Fourth line, after the word "liberty" add "within the Union of States".

There being no objection, the amendment was ordered adopted.

Mrs. Hermann requested that the record show that she did not approve of the last two amendments from the Committee on Style and Drafting, but would not object to their adoption. Mrs. Nordale asked that the record show that she was in accord with Mrs. Hermann's position.

Mr. V. Rivers moved that, in accordance with his notice given the previous Convention day, the Convention rescind its action taken on voting down Mr. White's amendment to the Preamble to insert the preamble of the enrolled copy in the report of Style and Drafting. Mr. Cooper seconded.

After discussion by Mr. Armstrong and Mrs. Hermann, Mr. Sundborg requested the Chief Clerk to read the two preambles.

After Mr. White spoke, Mrs. Hermann requested a roll call. The question being "Shall the Convention rescind its action taken on voting down Mr. White's amendment to the Preamble?", the roll was called with the following result:

Yeas: 8 - H. Fischer, V. Fischer, Kilcher, Laws, Poulsen, V. Rivers, White, and Wien

Nays: 41 - Armstrong, Awes, Barr, Boswell, Puckalew, Cooper, Cross, Davis, Doogan, Imberg, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McNealy, McNees, Metcalf, Nerland, Nordale, Peratrovich, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, and Mr. President

Absent: 6 - Coghill, Collins, McLaughlin, Marston, Nolan, and VanderLeest

and so the Convention did not rescind its action.

Miss Awes proposed the following Committee amendment and asked whether it would be a substantive phraseology change:

Section 19, strike "except in case of absconding debtors" and substitute: "but this does not prohibit civil arrest of absconding debtors."

The President declared a short recess.

#### AFTER RECESS

The President ruled that the proposed amendment was not substantive, just a clarifying amendment.

Miss Awes asked unanimous consent for the adoption of the Committee amendment to Section 19. There being no objection, the amendment was ordered adopted.

There being no further amendments Mr. Sundborg asked unanimous consent that the rules be suspended, that the Preamble and Article I, Declaration of Rights, be advanced to third reading, read by title only and placed on final passage.

Mr. Kilcher offered an amendment to Section 19 to insert a period after "~~but~~" and strike the rest of the sentence.

Mr. Taylor rose to a point of order that Mr. Kilcher was out of order.

The President stated that Mr. Kilcher's speaking at the time constituted an objection to the unanimous consent request and Mr. Kilcher was in order.

Mr. Kilcher asked unanimous consent that the rules be suspended and Article I be returned to second reading for specific amendment as stated above. Mr. Sundborg requested a roll call. The roll was called with the following result:

Yeas: 15 - Barr, Boswell, Buckalew, V. Fischer, Harris, Hurley, Kilcher, Lee, Londborg, Marston, Nerland, Nordale, Riley, Stewart and Sundborg

Nays: 35 - Armstrong, Awes, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Hellenthal Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, McCutcheon, McNealy, McNees, Metcalf, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Sweeney, Taylor, Walsh, White, Wien, and Mr. President

Absent: 5 - Coghill, Collins, McLaughlin, Nolan, and VanderLeest

and so the rules were not suspended.

Mr. Sundborg renewed his request for the suspension of the rules to advance the Preamble and Declaration of Rights to third reading. There being no objection, it was so ordered.

Mr. Barr asked that the Convention recess until 9:50 p.m.--20-minute recess.

Mr. Hellenthal announced a meeting of the Committee on Apportionment during the recess.

Mr. McCutcheon objected to the request for recess.

Mr. Barr moved that the Convention recess for twenty minutes. Mr. Doogan seconded. On voice vote the motion carried.

#### AFTER RECESS

Mr. Metcalf asked to have Section 19 of Article I read.

The Preamble and Declaration of Rights was read the third time.

Mr. Doogan inquired into the importance of reading the Articles in their entirety, instead of by title only.

The President stated that there was nothing in the Act which set up the Convention which prohibited suspending the rules and reading the articles the third time by title only.

The question being "Shall the Preamble and Declaration of Rights be adopted as part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 44 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, Lee, Londborg, McCutcheon, McNees, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers,

Rosswog, Sundborg, Sweeney, Taylor, Walsh, White,  
Wien, and Mr. President

Nays: 0

Absent: 11 - Collins, V. Fischer, McLaughlin, McNealy, Marston,  
Nolan, Peratrovich, Robertson, Smith, Stewart, and  
VanderLeest

and so the Article was adopted.

Mr. Sundborg asked unanimous consent that the Convention revert to the order of business of committee reports. There being no objection, it was so ordered.

Mr. Sundborg reported back to the Convention the Style and Drafting redraft of the article on the Executive, Article III. Article III, the Executive, was referred to the Rules Committee for assignment to the calendar.

The report of the Committee on Style and Drafting on Article V, Suffrage and Elections, was read.

Mr. Sundborg asked unanimous consent that the following amendment by the Committee on Style and Drafting be incorporated into the redraft as if it were a part thereof:

Section 1, line 6, after the word "year" strike the article "a" and insert the following "an actual, bona fide and continuous"; at the end of the same line, after the article "a", insert the word "like".

Mr. Riley inquired whether it was a Committee Amendment as such or just an amendment to incorporate the material in the report.

Mr. Sundborg stated it was merely to incorporate the language of the enrolled copy into the report which had been taken out, but which, if deleted, would constitute a substantive change.

Mr. Sundborg announced that the subcommittee on Style and Drafting who had redrafted the article consisted of Mrs. Hermann, Mr. McLaughlin and Mr. Johnson.

There being no objection to the unanimous consent request to incorporate the amendment into the report, the language was ordered incorporated. The President announced that the insertion of the language into the report did not preclude amending that section later.

Mrs. Hermann explained the changes made by Style and Drafting.

After questions by Mr. Londborg, Mr. Barr, Mr. Taylor and Mr. Metcalf, Mr. Hellenthal stated he would like to be heard on the residence statement. Mr. Johnson rose to a point of order that there was nothing before the Convention.

Mr. V. Fischer pointed out that the questions should be directed only to changes in language and that questions regarding substance were out of order at this time.

The President stated Mr. Fischer was entirely correct.

Mr. Hellenthal stated that the Committee on Suffrage and Elections had reviewed the report of the Style and Drafting Committee and had no objection to it whatsoever.

Mrs. Nordale asked Mr. Davis a question regarding the use of certain language to modify "resident". Mr. McCutcheon rose to a point of order that since the language was in the report the question was out of order at this time. The President stated that Mr. McCutcheon was correct.

Mr. Davis suggested that the amendments regarding the matter of resident requirements be taken up at this time.

Mr. Buckalew offered the following amendment to Section 1.

Strike "an actual, bona fide and continuous resident" and insert "a resident and inhabitant of Alaska".

Mr. Buckalew withdrew his amendment.

Mr. Sundborg moved and asked unanimous consent that Section 6 be referred to the Committee on Ordinances for incorporation in the Transitional section of the constitution. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the report of the Style and Drafting Committee on the Article on Suffrage and Elections be accepted and that the changes made in language be adopted. Mrs. Hermann objected. Mr. R. Rivers seconded.

Mr. Hellenthal stated he wished to speak on the words used to modify "resident" in Section 1.

Mr. Davis stated that the words were in the report and there was no issue unless someone moved to strike the language.

Mrs. Hermann withdrew her objection to acceptance of the report.

There being no objection, the report of the Committee on Style and Drafting was accepted and the changes in language were adopted.

Mr. Riley asked unanimous consent for a two-minute recess.

AFTER RECESS

Mr. Riley asked unanimous consent for a suspension of the rules to return Article V to second reading for the following specific amendment:

Page 1, line 6, strike "an actual, bona fide and continuous", strike "like", insert the article "a" after "year".

Mr. Hellenthal objected. Mr. Riley so moved. Mr. McCutcheon seconded. The roll was called with the following result:

Yeas: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Lee, McCutcheon, McNees, Marston, Metcalf, Nerland, Nordale, Reader, Riley, R. Rivers, V. Rivers, Smith, Sundborg, Sweeney, Taylor, White, Wien, and Mr. President

Nays: 13 - Coghill, Davis, Gray, Hellenthal, Hinckel, Knight, Laws, Londborg, McNealy, Peratrovich, Poulsen, Rosswog, and Walsh

Absent: 6 - Collins, McLaughlin, Nolan, Robertson, Stewart, and VanderLeest

and so the rules were not suspended.

Mr. Hellenthal requested the privilege of the floor for five minutes. Mr. McCutcheon objected.

Mr. Doogan moved that the Convention rescind its action on the suspension of the rules. The President stated that action on suspending the rules cannot be rescinded.

Mr. Barr moved that Mr. Hellenthal be given the privilege of the floor for five minutes. Mr. Knight seconded. Mr. McCutcheon stated he believed it would require a suspension of the rules. Mr. Londborg rose to a point of order. After Mr. Davis and Mr. Barr spoke the question was called. On voice vote the motion failed and Mr. Hellenthal was not granted the privilege of the floor.

Mrs. Hermann asked that the question of rescinding action on suspension of the rules be referred to the Rules Committee.

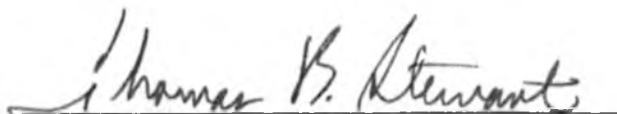
The President declared a short recess.

AFTER RECESS

The President advised Mr. Doogan that a motion to rescind cannot apply to a suspension of the rules motion.

Mr. Rosswog moved that the Convention adjourn until 1:30 p.m. Mr. Coghill seconded. The following Committee announcements were made: Ordinances at 1 p.m.; Style and Drafting on recess and in the morning; Finance briefly on adjournment; Suffrage and Elections at 1 p.m. On voice vote the motion to adjourn failed.

Mr. Riley spoke on a matter of personal privilege. Mr. Riley moved that the Convention adjourn until 9 a.m. Mr. Knight seconded. On voice vote the Convention adjourned at 11:30 p.m. until 9 a.m., Friday.



THOMAS B. STEWART  
Secretary

Attested:



WILLIAM A. EGAN  
President

Constitutional Convention  
Journal/52  
Approved Jan. 2, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTY-FOURTH CONVENTION DAY, Wednesday, January 25, 1956

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

The **Invocation** was given by the Rev. James Gamble of the Pentacostal Holiness Church.

Roll call showed all members present. The President declared a quorum to be present.

The Convention was declared at ease so that the delegates could sign their names for the use of the Fairbanks News-Miner in their special edition concerned with the ceremony of signing the constitution.

AFTER RECESS

Mr. Robertson asked unanimous consent that it be the policy of the Convention when it adjourns on the last day that it do so in honor of Judge James Wickersham who submitted the first Statehood bill to Congress when he was delegate. Mr. V. Rivers asked if Mr. Robertson would include Judge Anthony J. Dimond. Mr. Robertson stated he thought the Convention had recessed in honor of Judge Dimond at the Christmas recess. Mr. Riley advised that the Convention had adjourned in honor of Judge Dimond one day in November in honor of Anthony J. Dimond Day.

Mr. Robertson agreed to the inclusion of Judge Dimond in his unanimous consent request. There being no objection, it was so ordered.

A telegram addressed to Delegate Hilscher from Cliff Webber of Anchorage, criticizing him for neglecting to make provisions for fish and wildlife in the Constitution, was read and ordered referred to the special committee composed of Mr. Smith, Mr. White and Mr. Boswell, who will attempt to answer each and every message received relating to the subject.

Mr. Smith stated that the Committee on Resources had several minor amendments to Proposal 8a and requested that it be made a first order of business so the proposal could be referred to the Committee on Engrossment and Enrollment.

64th Day, Wednesday, Jan. 25, 1956

Mr. Sundborg reported to the Convention the Style and Drafting Committee's redraft on the Legislative Article and the Preamble and Declaration of Rights. The reports were referred to the Rules Committee for assignment to the calendar.

Mr. Sundborg asked unanimous consent that Mr. Kimbrough Owen, adviser to the Committee on Style and Drafting, be given the privilege of the floor to speak to the delegates to point out the matter with which the Committee is concerned. There being no objection, Mr. Owen was given the privilege of the floor and gave an account of the matters Style and Drafting were checking on to make each article conform with the other.

The approval of the Journal was delayed until later in the day.

Mr. Marston asked that his resolution regarding friendly relations with Canada be taken up at this time, and stated that he had a revised version.

Mr. Riley, as Chairman of the Rules Committee, suggested that Mr. Marston could either withdraw his original resolution or submit the revised version as an amendment when the resolution came up for consideration.

Mr. Marston advised that he would hold the matter and submit it as an amendment at the proper time.

Mr. Smith asked unanimous consent to revert to the consideration of Committee Proposal No. 8a for amendment purposes. There being no objection, it was so ordered.

The President declared a short recess so the delegates could obtain copies of the proposal.

#### AFTER RECESS

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

Page 1, line 10, strike "now"; page 1, line 11, strike period and add "upon the date of ratification of this constitution by the people of Alaska."

Mr. V. Rivers objected in order to discuss the matter. Mr. Riley so moved. Mr. White seconded. Mr. V. Rivers and Mr. Buckalew spoke on the amendment. On voice vote the amendment was adopted.

Mr. Riley moved the adoption of the following committee amendment:

Section 2, pages 1 and 2, strike lines 15, 16 and 17 of page 1 and strike through "state," on line 1 of page 2.

Mr. White seconded. On voice vote the amendment was adopted.

Mr. Riley moved the adoption of the following committee amendment:

Page 2, line 6, change period to a comma and add: "subject to preferences among beneficial uses".

Mr. Stewart seconded. On voice vote the amendment was adopted.

Mr. Riley moved the adoption of the following committee amendment:

Page 2, line 7, strike "as defined by the Legislature" and insert the same language on page 6, line 2, following word "state".

Mr. Knight seconded. On voice vote the amendment was adopted.

Mr. Riley moved the adoption of the following committee amendment:

Page 4, lines 1 and 2, strike "or interests therein".

Mr. Stewart seconded. On voice vote the amendment was adopted.

Mr. Riley moved the adoption of the following committee amendment:

Page 5, line 20, the insert material should follow "shall" instead of "use" and be set off by commas.

Mr. Knight seconded. On voice vote the amendment was adopted.

Mr. Riley moved the adoption of the following committee amendment:

Page 5, line 24, strike "of" and substitute "among".

Mr. Marston seconded. On voice vote the amendment was adopted.

Mr. Riley called attention to Style and Drafting to transpose Sections 7 and 8.

Committee Proposal No. 8a was referred to the Committee on Engrossment and Enrollment.

Mr. White moved reconsideration of his vote on the amendment of Mr. Smith on Section 2 of Committee Proposal No. 16 and asked for a one-minute recess so that a new Section 2 which he proposed may be placed on the delegates' desks because it was germane to the question to know that he proposed to substitute another Section 2 if the Smith amendment failed. There being no objection to the recess, it was so ordered.

AFTER RECESS

Mr. White moved his reconsideration at this time. Mr. Marston seconded.

After discussion by Mr. White, Mr. Robertson, Mr. Smith, Mr. Sundborg and Miss Awes, Mr. Hurley asked unanimous consent that the discussion of Mr. White's amendment be allowed even though it had not been presented. There being no objection, it was so ordered.

Discussion by Mr. McLaughlin, Mr. Hilscher, Mr. V. Fischer, Mr. Barr, Mr. Coghill, Mr. V. Rivers, Mr. Marston, Mr. Davis, Mr. Buckalew, Mr. Hurley and Mr. Metcalf followed.

Mr. McNees moved recess until 4:05 p.m. Mr. Johnson seconded. On voice vote the motion failed.

After discussion by Mrs. Hermann and Mr. Hinckel, Mr. White closed the argument. The roll was called with the following result:

Yeas: 31 - Armstrong, Awes, Buckalew, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, McCutcheon, McLaughlin, McNees, Nordale, Peratrovich, Riley, R. Rivers, Rosswog, Smith, Stewart, Taylor, VanderLeest, Wien, and Mr. President

Nays: 22 - Barr, Boswell, Coghill, Cross, Gray, Harris, Johnson, King, Laws, Londborg, Marston, Metcalf, Nerland, Nolan, Poulsen, Reader, V. Rivers, Robertson, Sundborg, Sweeney, Walsh, and White

Absent: 2 - Doogan and McNealy

and so the amendment was adopted.

Mr. McNees asked unanimous consent that the Convention recess until 4:10 p.m. There being no objection, it was so ordered.

AFTER RECESS

The President asked if there were further amendments to Committee Proposal No. 16.

Mr. V. Fischer stated that the calendar showed consideration of the reports of the Committee on Style and Drafting were the next order of business.

The President stated that Mr. White's reconsideration of the amendment to Committee Proposal No. 16 brought the proposal before the Convention.

Mr. Hellenthal moved the adoption of the following amendment:

Delete Section 1.

Mr. Taylor seconded. After discussion by Mr. Hellenthal, Mr. Johnson, Mrs. Nordale, Mr. Hellenthal, Mr. V. Fischer, Mr. McLaughlin, Mr. Sundborg and Mr. Smith, the question was called. On voice vote the amendment failed.

There being no further amendments, Committee Proposal No. 16 was referred to the Committee on Engrossment and Enrollment.

The report of the Committee on Style and Drafting on Committee Proposal No. 5, Article II, The Legislature, was read.

Mr. Sundborg stated that a subcommittee of Style and Drafting consisting of Mr. Davis, Mr. Fischer and Mr. Sundborg had worked on the article and he asked Mr. Fischer to explain the changes made by the Committee and to answer any questions.

Mr. Fischer gave an explanation of the changes made in style.

After Mr. McNees asked several questions, Mr. Cooper requested a two-minute recess. There being no objection, it was so ordered.

#### AFTER RECESS

Mr. Hellenthal moved and asked unanimous consent for the adoption of the following amendment to Section 1:

Strike "be" and substitute the words "have been" and delete the words "who has been a resident".

The President stated that amendments were not in order at this time; only questions of the committee as to changes in language were in order.

After questions from Mrs. Sweeney, Mr. Hellenthal, Mr. Hurley, Mr. V. Rivers, Mr. Kilcher, Mr. Johnson and Mr. R. Rivers, Mr. Sundborg moved and asked unanimous consent that the report of the Committee on Style and Drafting as to Article II, The Legislature, be accepted. There being no objection, it was so ordered.

The President declared a short recess.

#### AFTER RECESS

Mr. Hellenthal moved the adoption of the following amendment:

Section 2, lines 7 and 8, strike "filing for" and insert "election to".

Mr. Knight seconded. Mr. Hinckel asked unanimous consent. Mr. Metcalf objected. After discussion by Mr. Sundborg, Mr. V. Rivers, Mr. Hellenthal, Mr. Taylor and Mr. McCutcheon, Mr. Hellenthal withdrew the amendment.

Mr. Hilscher moved and asked unanimous consent that the Convention recess until 7 p.m. The following committee announcements were made: Legislative Branch on recess; Direct Legislation at 6:45 p.m.; Suffrage, Elections and Apportionment at 6:45 p.m.; Ordinances at 6:30 p.m.; Style and Drafting throughout the dinner hour.

There being no objection to the unanimous consent request the Convention recessed until 7 p.m.

#### AFTER RECESS

Mr. White asked unanimous consent that the Journals of the 57th and 58th days be approved as read. There being no objection, it was so ordered.

Committee Proposal No. 5, Article II, The Legislature, as reported by the Style and Drafting Committee, was considered again.

Mr. Barr offered an amendment to the proposal.

The President stated committee amendments would be considered first.

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return Article II to second reading for the following specific committee amendment:

Page 2, Section 5, line 4, begin the section with the following sentence: "No legislator shall hold any other office or position of profit under the United States or the State."

There being no objection, the rules were suspended.

Mr. McCutcheon asked unanimous consent for the adoption of the amendment.

The President declared a short recess.

#### AFTER RECESS

There being no objection, ~~it was so ordered.~~ *The amendment was adopted.*

Mr. McCutcheon asked unanimous consent to suspend the rules to return Article II to second reading for the following specific committee amendment:

Section 5, page 2, beginning on line 9, strike lines 9 and 10 and insert the following: "This section does not prohibit the election of any person as governor, secretary of state or member of a constitutional convention or the employment of any person by a constitutional convention."

Mr. Riley objected for the purpose of inquiry. The President declared a short recess.

AFTER RECESS

Mr. McCutcheon asked that the phrase "or election to the Congress" be inserted at the end of the amendment.

After discussion the President declared another recess for the purpose of adding to the amendment.

AFTER RECESS

Mr. McCutcheon asked that the following words be added to the amendment after "election" on line 1: "appointment or succession".

There being no objection, the rules were suspended.

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

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific amendment:

Page 2, Section 6, line 12, after word "made" strike the words "or action taken". On line 13, strike the period after "duties" and add "while the legislature is in session".

There being no objection, the rules were suspended. Mr. McCutcheon asked unanimous consent for the adoption of the amendment. There being no objection, the amendment was adopted.

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific committee amendment:

Section 12, page 4, line 4, change "may" to "shall".

Mr. Hellenthal objected. Mr. McCutcheon so moved. Mr. Knight seconded. The roll was called with the following result:

Yeas: 53 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, 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, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien and Mr. President

Absent: 2 - Robertson and VanderLeest

and so the rules were suspended.

Mr. McCutcheon moved the adoption of the amendment. Mr. McNees seconded. On voice vote the amendment was adopted.

Mr. McCutcheon asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific committee amendment:

Page 5, Section 16, beginning on line 4, strike the words "and bills dealing with taxation or affecting expenditures" and insert in lieu thereof the following: "and bills to raise revenue".

There being no objection, the rules were suspended.

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

Mr. McCutcheon asked unanimous consent to suspend the rules to return the proposal to second reading for the following specific committee amendment:

Strike Section 18, page 5 and insert "Laws passed by the legislature become effective ninety days after enactment unless otherwise provided by law."

Mr. Johnson objected. Mr. R. Rivers so moved. Mr. Taylor seconded. Mr. White asked unanimous consent. There being no objection, the rules were suspended. Mr. McCutcheon moved the adoption of the amendment. Mr. McNees seconded.

After discussion by Mr. R. Rivers and Mr. Johnson, the President declared a short recess.

#### AFTER RECESS

Mr. Kilcher asked if the question could be divided.

The President called a recess to discuss the matter with the Rules Committee.

AFTER RECESS

The President ruled that a motion to divide the question would not be in order since the rules had been suspended for a specific amendment only.

After further discussion by Mr. Kilcher, Mr. Hurley, Mr. V. Rivers and Mr. Sundborg, the President declared a short recess.

AFTER RECESS

After Mr. Riley spoke, the question was called. The question being "Shall the Committee amendment to Section 18 be adopted?", the roll was called with the following result:

Yeas: 18 - Awes, Buckalew, Coghill, Collins, Cross, Doogan, H. Fischer, Hellenthal, Hilscher, Knight, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nolan, and Taylor

Nays: 33 - Armstrong, Barr, Boswell, Cooper, Davis, Emberg, V. Fischer, Gray, Harris, Hermann, Hinckel, Hurley, Johnson, Kilcher, King, Laws, Londborg, Nerland, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Absent: 4 - McLaughlin, Nordale, VanderLeest, and White

and so the amendment failed.

Mr. McCutcheon presented the following Transitional Provision related to Section 5 of Article II:

"The provisions of Section 5 of Article II of this constitution shall not prohibit the appointment of any member of the legislature first organized under this constitution to any state civil office or position created by this constitution or created during his first term."

The President referred the Transitional Provision to the Committee on Ordinances and Transitional Measures for inclusion in its report.

Mr. Riley asked unanimous consent for the suspension of the rules to return the proposal to second reading for the following specific amendment:

Page 5, lines 18 and 19, strike "except general appropriation acts, do not"; line 19 strike "until"; line 20 substitute "enactment" for "adjournment"; place period after "enactment" and strike the balance of the sentence.

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

Mrs. Hermann inquired into the use of "earlier" instead of "another" and incorporating the change in Mr. Riley's amendment. Mr. Armstrong rose to a point of order that the rules were suspended for a specific amendment and no amendments to the amendments were in order. The President stated that Mr. Armstrong's point of order was well taken.

Mr. Hellenthal objected to the unanimous consent request for the suspension of the rules.

Mr. Riley moved that the rules be suspended. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 50 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, White, Wien and Mr. President

Nays: 4 - Hellenthal, Hinckel, Laws, and McNees

Absent: 1 - Vanderleest

and so the rules were suspended.

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

#### AFTER RECESS

Mr. Riley moved the adoption of the amendment. Mr. Knight seconded. On voice vote the amendment was adopted.

Mr. Barr offered the following amendment:

Section 16, page 5, line 1, after the word "message" strike the comma and the balance of the sentence on lines 2 and 3 and substitute

the following: "The house receiving it shall immediately reconsider its passage, and, if passed, shall transmit it to the other house without delay."

Mr. Sundborg rose to a point of order to state that this amendment had been voted down previously.

Mr. Johnson rose to a point of order that under the suspension of the rules the matter could be taken up again.

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

Mr. Barr moved and asked unanimous consent for the suspension of the rules to return Article II to second reading for specific amendment. Mr. Coghill objected. Mr. Barr so moved. Mr. Johnson seconded. The roll was called with the following result:

Yeas: 21 - Armstrong, Barr, Boswell, Collins, Cross, Harris, Hurley, Johnson, Knight, Laws, Londborg, Metcalf, Nerland, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, and Mr. President

Nays: 33 - Awes, Buckalew, Coghill, Cooper, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Kilcher, King, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, White, and Wien

Absent: 1 - VanderLeest

and so the rules were not suspended.

Mr. R. Rivers moved to suspend the rules to return the proposal to second reading for the following specific amendment:

Section 18, lines 22 and 23, change "earlier" to "another"; line 23, put period after word "date" and strike balance of the section.

Mr. Knight seconded.

Mr. R. Rivers requested the privilege of the floor to explain the amendment.

The President declared a short recess.

#### AFTER RECESS

Mr. R. Rivers renewed his unanimous consent request for the privilege to speak on the amendment. Mr. Doogan objected.

The roll was called on the suspension of the rules with the following result:

Yeas: 38 - Armstrong, Boswell, Cooper, Cross, Doogan, Emberg, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Laws, Londborg, McLaughlin, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, Wien, and Mr. President

Nays: 16 - Awes, Barr, Buckalew, Coghill, Collins, Davis, V. Fischer, Gray, Johnson, Lee, McCutcheon, McNealy, McNees, Robertson, Taylor, and White

Absent: 1 - VanderLeest

and so the rules were suspended.

Mr. R. Rivers moved the adoption of the amendment. Mrs. Hermann seconded.

After discussion by Mr. R. Rivers, Mr. Hellenthal, Mr. McCutcheon and Mr. Barr, the question was called. On voice vote the amendment was adopted.

Mr. Sundborg asked unanimous consent that the article on the legislature be referred back to the Committee on Style and Drafting. Mr. Hellenthal rose to a point of order to inquire whether Style and Drafting would be confined to work on amendments offered this date only. The President stated that would be the instruction given to the Committee.

Mr. Sundborg asked Mr. McCutcheon if the Committee had considered the question of the time from which residence should start in the case of those filing for office.

Mr. McCutcheon stated that the Committee had decided to leave the article as is.

Mr. Sundborg moved and asked unanimous consent that the rules be suspended and that the Committee on Style and Drafting be instructed to insert the words "filing for office" in the Executive article in place of the language now there, "prior to his election". There being no objection, the Style and Drafting Committee was ordered to make that change.

The report of the Committee on Style and Drafting with regard to the Preamble and Declaration of Rights was read.

Mrs. Nordale explained the changes made by the Committee on Style and Drafting.

After discussion of the report by Mr. Taylor, Miss Awes, Mr. Hellenthal, Mr. Buckalew, Mr. R. Rivers and Mr. Robertson, Mr. Buckalew moved for a five-minute recess. Mr. V. Rivers seconded. On voice vote the motion failed.

After Mr. McNealy and Mr. McLaughlin spoke, Mr. Hellenthal requested and was granted the privilege of the floor.

After further discussion by Mrs. Nordale, Mr. Barr, Mr. McCutcheon, Mr. Coghill, Mr. Hurley, Mr. Armstrong, Mr. Taylor and Mr. McNealy, Mr. Harris moved that the reconsideration of his vote on Mr. Kilcher's amendment to Section 2 of Committee Proposal No. 16 be taken up at this time.

Mr. Hurley asked unanimous consent that the rules be suspended and the matter of the reconsideration of Mr. Harris' vote be made a first order of business at the next plenary session. There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent to revert to the introduction of committee reports. There being no objection, it was so ordered.

The report of the Committee on Style and Drafting submitting its redraft of the Article on Health, Education and Welfare was referred to the Rules Committee for assignment to the calendar.

Mr. White asked unanimous consent that the Convention revert to the business of introduction of motions. There being no objection, it was so ordered.

Mr. White moved and asked unanimous consent that the Rules Committee consider adopting rules regarding (a) the amending procedure during consideration of the report of the Committee on Style and Drafting and (b) reference of the report of the Committee on Style and Drafting to the full substantive committee prior to the time the report is submitted to the Convention. There being no objection the two matters were referred to the Rules Committee.

Mr. McNealy asked unanimous consent to revert to the introduction of committee reports. There being no objection, it was so ordered.

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

Mr. Hellenthal announced a meeting of the Committee on Suffrage, Elections and Apportionment at 1 p.m. Thursday. Miss Awes announced a meeting of the Committee on Bill of Rights at 1 p.m., Thursday.

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

Mr. Riley announced a meeting of the Rules Committee just prior to the plenary session Thursday.

Mr. Londborg asked unanimous consent that the Convention adjourn until 1:30 p.m., Thursday. Mr. Davis objected. Mr. Londborg so moved. Mr. V. Rivers seconded. The roll was called with the following result:

Yeas: 28 - Awes, Barr, Buckalew, Collins, Cross, Emberg, H. Fischer, Harris, Hellenthal, Hinckel, King, Laws, Londborg, Marston, Nerland, Nolan, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sweeney, Taylor, Walsh, and White

Nays: 26 - Armstrong, Boswell, Coghill, Cooper, Davis, Doogan, V. Fischer, Gray, Hermann, Hilscher, Hurley, Johnson, Kilcher, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nordale, Peratrovich, Riley, Sundborg, Wien, and Mr. President

Absent: 1 - VanderLeest

The Chief Clerk announced that the result of the roll call was 27 "yeas", 27 "nays" and 1 "absent", and the President declared the Convention still in session.

Mr. Hellenthal asked a question regarding Committee Proposal No. 7. Mr. V. Fischer answered the question.

Mr. McCutcheon rose to a point of order regarding taking up Mr. Harris' reconsideration at this time. The President ruled that since it had been put over by unanimous consent it was not before the Convention at this time.

Consideration of the Style and Drafting Report on the Preamble and Declaration of Rights continued.

After discussion of the report by Mr. R. Rivers, Mr. Hellenthal and Mr. Hurley, Miss Awes, Chairman of the Committee on Preamble and Bill of Rights, asked to make a statement regarding the fact that the Committee on Style and Drafting had met with representatives of the Committee on Bill of Rights and the changes made by the Committee had been approved.

Mr. Taylor moved that the Convention adjourn until 1:30 p.m., Thursday. Mr. Poulsen seconded. On voice vote the motion failed.

Mr. Sundborg moved and asked unanimous consent that the report of the Committee on Style and Drafting as to Article I, Preamble and Bill of Rights, be accepted by the Convention. Mr. Hinckel objected. Mr. Sundborg so moved. Mr. Riley seconded. On voice vote the report was accepted.

Mr. Doogan moved that the rules be suspended and Article I be advanced to third reading, read by title only and put upon final passage. Mr. McCutcheon seconded.

Mr. Londborg rose to a point of order regarding amendments.

The President stated it would take a suspension of the rules to amend at this time or after the article had been advanced to third reading.

Mr. Hellenthal rose to a point of information regarding a meeting Miss Awes had scheduled for Thursday which he understood was called for the purpose of discussing Article I with Style and Drafting.

The roll was called on the question of the suspension of the rules to advance the article to third reading with the following result:

Yeas: 17 - Boswell, Cross, Doogan, Gray, Harris, Johnson, King, Laws, Londborg, McCutcheon, Metcalf, Nolan, Riley, Robertson, Sweeney, Taylor, and Walsh

Nays: 37 - Armstrong, Awes, Barr, Buckalew, Coghill, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Knight, Lee, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, White, Wien, and Mr. President

Absent: 1 - VanderLeest

and so the rules were not suspended.

Mr. V. Fischer requested a fifteen-minute recess for the purpose of letting the Bill of Rights Committee hold a meeting. Mr. Doogan seconded. Mr. V. Fischer asked unanimous consent. There being no objection, it was so ordered.

#### AFTER RECESS

The President announced that the Chief Clerk had sent a note to the President shortly after the roll call relative to adjournment, advising that an error had been made in announcing the result of the

vote and that the correct result was 28 "yeas", 26 "nays" and 1 "absent", but he had not read the note immediately and since this constituted something which could not be undone, the business of the Convention continued.

Mr. Hinckel rose to speak on a matter of personal privilege. Mr. Sundborg spoke on a matter of personal privilege.

Miss Awes reported that the Committee on Preamble and Bill of Rights had met during the recess and had voted four to two to go along with the changes made by the Committee on Style and Drafting.

Mr. McNees also spoke to a question of privilege.

Mr. White moved the adoption of the following amendment to the Preamble:

Strike the preamble in Style and Drafting report and reinsert the preamble from the first enrolled copy. Mr. Metcalf seconded.

Mr. Riley rose to a point of order that the amendment would have to be considered under a suspension of the rules.

The President stated that the point of order was not well taken since the amendment merely sought to insert the language which had been adopted by the Convention.

After discussion by Mr. White, Mr. Hinckel, Miss Awes, and Mr. Cross, the question was called. On voice vote the amendment failed.

Mr. Hellenthal moved the adoption of the following amendment:

Delete Section 2 of the Style and Drafting Committee report and insert Section 2 of the first enrolled copy in its place.

Mr. Buckalew seconded. Mr. Taylor asked unanimous consent. Mr. McCutcheon and Mr. Doogan objected. After discussion by Mr. Hellenthal, Mr. Buckalew, Mr. McNealy, Miss Awes, Mr. McLaughlin, and Mr. Marston, Mr. Sundborg asked unanimous consent for the adoption of the amendment. Mr. McCutcheon objected.

Mr. Davis spoke on a matter of personal privilege regarding the work of the Committee on Style and Drafting. Mr. McCutcheon also spoke on a matter of personal privilege regarding the work of the Committee on Style and Drafting.

Mr. Hellenthal asked unanimous consent to withdraw his amendment. Mr. Poulsen objected.

The question being "Shall Mr. Hellenthal's amendment to Section 2 of the Committee on Style and Drafting report on Article I be adopted?", the roll was called with the following result:

Yeas: 27 - Awes, Barr, Boswell, Buckalew, Collins, Cooper, Emberg, Harris, Hellenthal, Hinckel, Hurley, Kilcher, King, McLaughlin, McNees, Marston, Metcalf, Nolan, Poulsen, Reader, Robertson, Rosswog, Smith, Stewart, Taylor, White, and Wien

Nays: 27 - Armstrong, Coghill, Cross, Davis, Doogan, H. Fischer, V. Fischer, Gray, Hermann, Hilscher, Johnson, Knight, Laws, Lee, Londborg, McCutcheon, McNealy, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Sundborg, Sweeney, Walsh, and Mr. President

Absent: 1 - VanderLeest

and so the amendment failed.

Mr. McNealy served notice of his intention to reconsider his vote on the Hellenthal amendment.

Mr. Metcalf submitted the following amendment:

Strike Section 3 of the report of the Committee on Style and Drafting and insert in lieu thereof Section 3 of the enrolled copy.

The President declared a short recess.

#### AFTER RECESS

Mr. Metcalf moved the adoption of the amendment. Mr. Barr seconded. The roll was called with the following result:

Yeas: 18 - Barr, Collins, Cooper, Hellenthal, Hinckel, Kilcher, Laws, McNees, Metcalf, Poulsen, Reader, R. Rivers, Robertson, Rosswog, Stewart, Taylor, White, and Wien

Nays: 36 - Armstrong, Awes, Boswell, Buckalew, Coghill, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hermann, Hilscher, Hurley, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Marston, Nerland, Nolan, Nordale, Peratrovich, Riley, V. Rivers, Smith, Sundborg, Sweeney, Walsh, and Mr. President

Absent: 1 - VanderLeest

and so the amendment failed.

Mr. McNealy served notice of his intention to reconsider his vote on Mr. Metcalf's amendment.

Mr. McLaughlin moved that the Convention adjourn until 1:30 p.m., Thursday. Mr. White seconded. On voice vote the amendment failed.

Mr. Barr requested and was granted the privilege of the floor.

Mr. McNealy moved the adoption of the following amendment:

Section 18, line 12, substitute "in civil causes" for "common law suit".

The President declared a short recess.

#### AFTER RECESS

Mrs. Sweeney moved that the rules be suspended and that the matter of Mr. McNealy's reconsideration of his vote on Mr. Metcalf's amendment be considered at this time.

Mr. McNealy rose to a point of order that it was his intention to reconsider his vote on Section 2 at this time and to withdraw his reconsideration of the Metcalf amendment and the amendment to Section 18.

Mrs. Sweeney withdrew her motion.

Mr. McNealy moved to suspend the rules to bring up his reconsideration of the vote on the amendment to Section 2 at this time. Mr. Knight seconded. On voice vote the rules were suspended.

After discussion by Mr. Harris, Mr. V. Fischer, Mr. McNealy, and Mr. Davis, the question was called. The question being "Shall Mr. Hellenthal's amendment to Section 2 be adopted?", the roll was called with the following result:

Yeas: 34 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hinckel, Hurley, Kilcher, King, Knight, Laws, McLaughlin, McNealy, McNees, Marston, Metcalf, Nolan, Poulsen, Reader, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, White, and Wien

Nays: 19 - Coghill, Cross, Davis, Doogan, Gray, Hermann, Hilscher, Johnson, Lee, Londborg, McCutcheon, Nerland, Nordale, Peratrovich, Riley, Sundborg, Sweeney, Walsh, and Mr. President

Absent: 2 - R. Rivers and VanderLeest

and so the amendment was adopted.

Mr. McNealy asked unanimous consent to withdraw his notice of reconsideration on Section 3. Mr. Barr objected. Mr. McNealy so moved. Mr. Doogan seconded. Mr. White objected.

Mr. V. Rivers served notice that he would move to rescind the action taken on Mr. White's amendment to the Preamble at a future time.

Mr. White withdrew his objection to Mr. McNealy's withdrawal of his motion to reconsider.

After discussion by Mr. Barr, Mr. Metcalf, Mr. Coghill, Mr. Cooper, and Mr. Hurley, Miss Awes asked if anyone could move reconsideration after notice had been given. The President stated that Miss Awes was correct that anyone can move the reconsideration once the notice has been given.

Mr. Davis asked unanimous consent that the rules be suspended and the Convention consider Mr. McNealy's motion to reconsider at this time. There being no objection, it was so ordered.

The President stated that the motion to withdraw his reconsideration made by Mr. McNealy was superseded by the unanimous consent action of the Convention to reconsider the amendment offered by Mr. Metcalf at this time. Mrs. Hermann requested permission to abstain, ~~since she had been absent during the debate.~~

The question being "Shall Mr. Metcalf's amendment be adopted?", the roll was called with the following result:

Yeas: 19 - Armstrong, Barr, Collins, Cooper, Harris, Hellenthal, Hinckel, Hurley, Kilcher, McNealy, McNees, Metcalf, Poulsen, R. Rivers, V. Rivers, Robertson, Smith, Stewart, and Wien

Nays: 34 - Awes, Boswell, Euck, G. Hill, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Hilscher, Johnson, King, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, Marston, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, Rosswog, Sundberg, Sweeney, Taylor, Welsh, White, and Mr. President

Absent: 1 - VanderLeest

Abstaining: 1 - Hermann

and so the amendment failed.

Mr. Davis moved that the Convention discharge its committee on Style and Drafting and appoint a new committee. Mr. Johnson seconded.

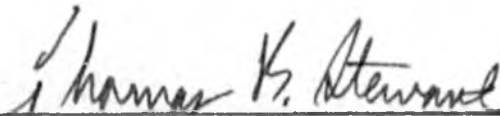
The President declared the motion out of order.

After discussion by Mr. Davis, Miss Awes, Mr. V. Rivers, Mr. Buckalew and Mr. McLaughlin, the President again stated that Mr. Davis' motion was out of order, that the Committee is a permanent committee of the Convention.

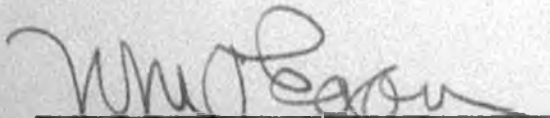
Mr. McLaughlin asked unanimous consent that the Convention adjourn until 1:30 p.m., Thursday.

Mr. Davis asked unanimous consent that the Style and Drafting Committee be allowed to make a substantive change in Section 18. There being no objection, it was so ordered.

There being no objection to the unanimous consent request, the Convention adjourned at 11:50 p.m. until 1:30 p.m., Thursday.

  
\_\_\_\_\_  
THOMAS B. STEWART  
Secretary

Attested:

  
\_\_\_\_\_  
WILLIAM A. EGAN  
President

Constitutional Convention

Journal, 51

Approved

Jan. 30, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SIXTY-THIRD CONVENTION DAY, Tuesday, January 24, 1956

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

The Invocation was given by the Rev. E. N. Gurr of the Pentacostal Church of God.

Roll call showed all members present. The President declared a quorum to be present.

Mr. Knight asked unanimous consent that the Journal for the fifty-sixth day be approved as read. There being no objection, it was so ordered.

Mr. Riley reported the following change in the calendar: Committee Proposal No. 14, election district descriptions, under second reading.

Mr. Sundborg asked unanimous consent that the election district descriptions of Committee Proposal No. 14 be considered in second reading at this time. Mr. Nolan objected because he would like to check the descriptions with the map. Mr. Sundborg withdrew his request for unanimous consent.

The report of the Committee on Style and Drafting on Committee Proposal No. 3, Initiative, Referendum and Recall, was read. Discussion of the changes in language made by the Committee followed. Mr. V. Fischer requested a two-minute recess. There being no objection, it was so ordered.

AFTER RECESS

A telegram addressed to President Egan from the members of the Anchorage Sportsmen's Association, criticizing the delegates for not specifically providing for the Fish and Wildlife in the constitution, was read and ordered filed.

A telegram addressed to President Egan from ~~Mr.~~ M<sup>r</sup> B. Sarvela, Northern Fishing Vessel Owners' Association of Sitka, requesting fisheries management policy be set forth in the Resource article of the constitution, was read and ordered filed.

63rd Day, Tuesday, Jan. 24, 1956

A telegram addressed to Delegate Benny White (presumably the delegate addressed was Barry White) criticizing the omission of provisions for fish and game in the constitution, was read and ordered filed.

A telegram addressed to Delegate Barry White from A. W. Long, Secretary, Anchorage Sportsmen's Association, stating that only by incorporating the Alaska Sportsmen's Council recommendation into the constitution will the fish and wildlife be safe from mishandling, was read and ordered filed.

A telegram addressed to Delegate Dorothy Awes from Jean A. Blanchard of Anchorage, urging provisions be made in the constitution for fish and wildlife, was read and ordered filed.

A telegram addressed to Delegate Stanley McCutcheon (presumably the delegate addressed was Steve McCutcheon) from Howard Houtz of Anchorage, criticizing the omission of provisions for the fish and wildlife in the constitution, was read and ordered filed.

#### CONSIDERATION OF REPORT OF COMMITTEE ON STYLE AND DRAFTING ON ARTICLE XI

Mr. Sundborg moved the adoption of the following committee amendment to the Style and Drafting Committee report on Committee Proposal No. 3 being Article XI:

Section 4, page 2, line 2, at the end of the line, change the word "title" to "proposition".

Mr. Taylor objected.

The President declared a short recess.

#### AFTER RECESS

Mr. Sundborg asked unanimous consent for the withdrawal of the committee amendment. There being no objection, it was so ordered.

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

Page 2, lines 2 and 3, strike "title and summary of" and insert in lieu thereof "ballot title and proposition summarizing".

There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent that the following committee amendment be adopted:

Section 5, line 12, strike "title and summary" and insert "ballot title and proposition summarizing".

There being no objection, it was so ordered.

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

Page 2, line 18, after the word "the" strike the word "defeat" and insert in lieu thereof the words "approval or rejection".

There being no objection, it was so ordered.

Mr. Taylor moved the adoption of the following amendment to Section 5:

Line 14, change "twenty" to "eighty".

Mr. Knight seconded. Mr. R. Rivers objected. After explanation by Mr. Sundborg, Mr. R. Rivers withdrew his objection.

The President declared a short recess.

#### AFTER RECESS

Mr. Sundborg asked unanimous consent for the adoption of Mr. Taylor's amendment. There being no objection, it was so ordered.

After discussion on Section 7, Mrs. Sweeney reported that there had been an error in the enrolled copy of the Proposal and the language which followed the word "safety" had been deleted by the Convention and the enrolled copy would be corrected accordingly.

Mr. Sundborg moved that the report of the Committee on Style and Drafting as to Article XI as amended be accepted by the Convention. Mr. McCutcheon seconded. Mr. Hellenthal requested a roll call. Mr. Metcalf asked unanimous consent that the report be accepted. Mr. Poulsen objected. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien and Mr. President

Nays: 5 - Hinckel, Laws, McCutcheon, Poulsen, and Reader

Absent: 3 - Davis, Hilscher and McLaughlin

and so the report was adopted.

Mr. McCutcheon moved that the rules be suspended and that Article XI be returned to second reading for specific amendment. Mr. Taylor asked unanimous consent.

Mr. V. Fischer rose to a point of information to have the amendment read.

Mr. Robertson stated that the amendment was to Section 7, line 2, to insert the words "create courts, define the jurisdiction or prescribe the rules thereof," after "appropriations,".

Mr. Kilcher objected to the unanimous consent request. Mr. Taylor seconded the motion. The roll was called with the following result:

Yeas: 47 - Armstrong, Awes, Barr, Boswell, Buckalew, Collins, Cooper, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Johnson, King, Knight, Laws, Lee, McCutcheon, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 5 - Coghill, Emberg, Kilcher, Londborg, and Peratrovich

Absent: 3 - Davis, Hilscher, and McLaughlin

and so the rules were suspended.

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

Section 7, line 2, after the word "appropriations," insert the words "create courts, define the jurisdiction or prescribe the rules thereof,".

The President declared a short recess.

#### AFTER RECESS

Mr. Robertson moved the adoption of the amendment. Mr. Taylor seconded. After discussion by Mr. Coghill, Mr. White, Mr. V. Fischer, Mr. McLaughlin, Mrs. Nordale, Mr. Hellenthal, Mr. Johnson, Mr. Taylor, Mr. McNees, Mr. Kilcher, Mr. Marston, Mr. Nolan and Mr. McCutcheon, Mr. Coghill moved that the Convention recess until 1:30 p.m.

The following committee announcements were made: Resources at 12:50 p.m. Engrossment and Enrollment at 1 p.m.

Mr. Hellenthal announced that anyone who would like to compare the election district descriptions with the map might do so between 1 p.m. and 4 p.m., in Room 404 of the Mines Building.

There being no objection to the unanimous consent request, the Convention recessed until 1:30 p.m.

#### AFTER RECESS

The question being "Shall Mr. Robertson's amendment to Section 7 of Article XI be adopted?", the roll was called with the following result:

Yeas: 39 - Awes, Boswell, Buckalew, Collins, Cooper, Cross, Davis, Doogan, H. Fischer, Harris, Hellenthal, Hermann, Hinckel, Johnson, King, Laws, Lee, McCutcheon, McLaughlin, McNealy, Marston, Metcalf, Nerland, Nordale, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, White, Wien and Mr. President

Nays: 10 - Coghill, Emberg, V. Fischer, Gray, Hilscher, Kilcher, Knight, McNees, Peratrovich, and VanderLeest

Absent: 6 - Armstrong, Barr, Hurley, Londborg, Nolan, and Walsh

and so the amendment was adopted.

The President referred the Article to the Rules Committee for assignment to the calendar.

Mr. Sundborg moved and asked unanimous consent that the rules be suspended, that the Article on the Initiative, Referendum and Recall be advanced to third reading, read by title only and placed on final passage. Mr. White and Mr. Cooper objected. Mr. Taylor seconded. The roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Kilcher, King, Knight, Lee, McCutcheon, McLaughlin, McNealy, McNees, Marston, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Sundborg, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Nays: 13 - Cooper, V. Fischer, Hilscher, Johnson, Laws, Londborg, Metcalf, Poulsen, Reader, Robertson, Rosswog, Sweeney, and White

Absent: 2 - Barr and Nolan

and so the rules were suspended.

Article XI was read the third time. After debate by Mr. Robertson, Mr. Sundborg, Mr. V. Fischer, Mr. Marston and Mr. Doogan, Mr. McCutcheon moved the previous question. Mr. Doogan seconded. On voice vote the previous question was ordered.

The question being "Shall Article XI, the Initiative, Referendum and Recall become a part of Alaska's State Constitution?", the roll was called with the following result:

Yeas: 43 - Armstrong, Awes, Boswell, Buckalew, Coghill, Collins, Cooper, Cross, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nerland, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, White, Wien, and Mr. President

Nays: 10 - V. Fischer, Johnson, Laws, Londborg, McCutcheon, McNaly, Poulsen, Reader, Robertson, and Walsh

Absent: 2 - Barr and Nolan

and so the article was adopted.

#### COMMITTEE REPORTS

Mr. Sundborg asked unanimous consent to revert to committee reports. There being no objection, it was so ordered.

Mr. Sundborg submitted the following report on the progress of the Committee on Style and Drafting:

Two articles of the constitution totalling ten pages had been adopted by the Convention. The articles which had passed second reading totalled 67 pages. The Committee had finished work on one additional article of 6 pages in length, leaving about 7 articles totalling around 50 pages still to go.

As a result of the work ahead for Style and Drafting, Mr. Sundborg asked whether the Convention would hold shorter plenary sessions so Style and Drafting could have more time to work.

The President suggested the possibility of not meeting until 1:30 p.m. daily for plenary sessions.

Mr. Johnson moved that the Convention adopt a policy that the plenary sessions begin at 1:30 p.m. daily for the next few days. Mr. Hellenthal seconded.

Mr. Cooper moved to amend the motion to 3 p.m.

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

#### AFTER RECESS

Mr. Doogan requested the privilege of the floor to discuss the need for working as long as possible in plenary session to get the work done.

After further discussion by Mr. Hellenthal, Mr. Sundborg, Mr. Taylor and Mr. Metcalf, the question was called. On voice vote the motion carried and the policy of meeting in plenary session from 1:30 p.m. on, was adopted.

Mr. Sundborg asked unanimous consent that the Convention adjourn at 5:40 p.m. this date. Mr. Doogan objected. Mr. Sundborg so moved. Mr. R. Rivers seconded. On voice vote the motion was adopted.

Mrs. Sweeney asked unanimous consent that the report of the Committee on Engrossment and Enrollment as to Committee Proposal No. 6a, which the Committee had found correctly engrossed and enrolled, be adopted. There being no objection, it was so ordered. Committee Proposal No. 6a was referred to the Committee on Style and Drafting.

#### SECOND READING OF PROPOSALS

Committee Proposal No. 16 was considered again.

The amendment offered by Mr. Smith to add a new Section 2 being before the Convention, discussion by Mr. McNealy, Mr. Smith, Mr. White, and Mr. R. Rivers followed. Mr. McCutcheon rose to a point of order during Mr. R. Rivers' argument to state he was arguing an amendment to the amendment and not the amendment. The President stated that Mr. McCutcheon's point of order was well taken.

After Mr. Buckalew spoke on the amendment, Mr. McCutcheon moved the previous question. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 27 - Awes, Buckalew, Collins, Cross, Doogan, H. Fischer, V. Fischer, Gray, Harris, Hilscher, Hinckel, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, Taylor, and VanderLeest

Nays: 27 - Armstrong, Barr, Boswell, Coghill, Cooper, Davis, Emberg, Hellenthal, Hermann, Johnson, Kilcher, King, Laws, McNealy, Nerland, Poulsen, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Walsh, White, Wien, and Mr. President

Absent: 1 - Hurley

and so the previous question was not ordered.

After further discussion by Mr. V. Rivers and Mr. Kilcher, Mr. Sundborg spoke regarding a transitional measure he would offer on the same subject. Mr. McCutcheon rose to object that the matter Mr. Sundborg was speaking on was not before the Convention.

Mr. Sundborg moved the adoption of the following amendment to the amendment:

Strike the language of the proposed amendment and substitute the following: "Section 2. Provisions of the act admitting Alaska to the Union which should require consent by the people of Alaska to any condition, or inclusion in the state constitution of any language, not expressed in this constitution shall be presented for ratification at the first general election at which a governor is chosen. If ratified, such provisions shall be incorporated in this constitution as though they were an original part hereof."

Mrs. Hermann rose to a point of order to state that the amendment destroys the original intent of Mr. Smith's amendment and was not acceptable.

The President declared a short recess.

#### AFTER RECESS

The President stated that Mrs. Hermann's point of order was well taken and that the amendment to the amendment was not in order at this time.

After further discussion on Mr. Smith's amendment by Mr. Hellenthal, Mr. Hinckel, Mr. Barr, Mr. Johnson, Mr. V. Rivers, Mr. McNeese, and Mr. Armstrong, Mr. Smith closed the argument. Mr. Coghill asked a question of Mr. Smith and Mr. V. Rivers requested a roll call vote. The roll was called with the following result:

Yeas: 46 - Armstrong, Aves, Boswell, Buckalew, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, Kilcher, Knight, Laws, Lee, Londborg, McCutcheon, McLaughlin, McNeese, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Poulsen, Reader, Riley, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, Walsh, White, Wien, and Mr. President

Nays: 7 - Barr, Coghill, Cooper, King, McNealy, Sundborg and Sweeney

Absent: 2 - Hurley and VanderLeest

and so the amendment was adopted.

Mr. White rose to speak on personal privilege regarding the amendment just adopted.

Mr. White served notice of intention to reconsider his vote on Mr. Smith's amendment to Section 2 of Committee Proposal No. 16.

Mr. Johnson rose to a point of order that Mr. White served notice under personal privilege.

The President stated that he was certain that it had not been Mr. White's intention to do so and recognized it as a separate request.

Mr. Taylor moved that the rules be suspended and that Mr. White's reconsideration be taken up at this time. Mr. Metcalf seconded. The roll was called with the following result:

Yeas: 17 - Collins, H. Fischer, Hinckel, Knight, Lee, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Peratrovich, Poulsen, Reader, V. Rivers, Taylor, Walsh, and Mr. President

Nays: 36 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Cooper, Cross, Davis, Doogan, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Johnson, Kilcher, King, Laws, Londborg, McNealy, Marston, Nolan, Nordale, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, White, and Wien

Absent: 2 - Hurley and VanderLeest

and so the rules were not suspended.

Mr. McNealy asked unanimous consent that Committee Proposal No. 17a be considered at this time and that Committee Proposal No. 17 be held in abeyance. There being no objection, it was so ordered.

Committee Proposal No. 17a was read the first time.

Mr. McNealy asked unanimous consent that the rules be suspended and that Committee Proposal No. 17a be advanced to second reading. Mr. Robertson had a question regarding material from C. P. 17 not being in 17a. The President declared a short recess.

AFTER RECESS

There being no objection, Committee Proposal No. 17a was read the second time.

Mr. Hurley moved the adoption of the following amendment to Section 2:

Line 2, page 1, change "Juneau" to "Palmer".

Mr. McCutcheon seconded.

After discussion by Mr. Hurley, Mr. V. Fischer, Mr. V. Rivers, Mr. Coghill, Mr. White and Mr. McNealy, the President declared a short recess.

AFTER RECESS

Mr. Taylor moved the adoption of the following amendment to the amendment:

After the word "Palmer" strike period and insert the words: "whenever the town of Palmer shall be able to provide a capitol building and other facilities comparable with the facilities and buildings available at Juneau."

The President ruled the amendment to the amendment out of order because it was not germane to the question.

The question being "Shall Mr. Hurley's amendment be adopted?", the roll was called with the following result:

Yeas: 12 - Davis, H. Fischer, Harris, Hurley, Kilcher, Laws, Londborg, McCutcheon, Poulsen, Reader, V. Rivers, and White

Nays: 40 - Armstrong, Awes, Barr, Boswell, Coghill, Collins, Cooper, Cross, Doogan, Emberg, V. Fischer, Gray, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Lee, McNealy, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, and Mr. President

Absent: 3 - Buckalew, McLaughlin, and VanderLeest

and so the amendment failed.

Mr. McNees moved the adoption of the following amendment:

Strike Section 2. Mr. Marston seconded.

Mr. Sundborg asked questions of Mr. McNees. Mr. Hurley rose to a point of order that questions should be directed through the Chair.

Further discussion followed by Mr. V. Rivers, Mr. Johnson, Mr. V. Fischer, Mr. Buckalew and Mr. McNealy. Mr. McCutcheon rose to a point of order that the Chairman of the Committee did not need to justify the section, that the question was whether the section should be retained or deleted. Mr. Armstrong asked Mr. McNealy to explain why he felt the section should be retained.

Mr. Emberg asked whether the seat of government would still be in Juneau during the transitional period if the section were deleted. Considerable discussion followed and it was stated that there could be a question as to whether the provision in the Organic Act would carry over.

The question was called and Mr. Robertson requested a roll call vote. The question being "Shall Mr. McNees' amendment be adopted?", the roll was called with the following result:

Yeas: 9 - Cross, V. Fischer, Hurley, Kilcher, Laws, McNees, Poulsen, V. Rivers, and White

Nays: 44 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cooper, Davis, Doogan, Emberg, H. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, Riley, R. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, Walsh, Wien, and Mr. President

Absent: 2 - Marston and VanderLeest

and so the amendment failed.

Mr. Kilcher asked for the reading of his proposed amendment.

Mr. R. Rivers stated he had an amendment on the Chief Clerk's desk which had been there before Mr. McNees' amendment had been considered and the President had stated it would be the next in order.

Mr. Kilcher rose to a point of order to inquire whether it was in order to assign priority to amendments.

Mr. V. Rivers requested a five-minute recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. Kilcher moved the adoption of the following amendment:

Section 2, line 2, change period to a comma and add "unless decided otherwise by law."

Mr. Poulsen seconded. Mr. Sundborg requested a roll call vote. The roll was called with the following result:

Yeas: 20 - Collins, Cross, Davis, H. Fischer, V. Fischer, Hellenthal, Hurley, Kilcher, Londborg, McNees, Poulsen, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Walsh, White, Wien, and Mr. President

Nays: 31 - Armstrong, Awes, Barr, Boswell, Cooper, Doogan, Emberg, Gray, Harris, Hermann, Hilscher, Hinckel, Johnson, King, Knight, Laws, Lee, McCutcheon, McLaughlin, McNealy, Metcalf, Nerland, Nolan, Nordale, Peratovich, Riley, Robertson, Stewart, Sundborg, Sweeney, and Taylor

Absent: 4 - Buckalew, Coghill, Marston, and VanderLeest

and so the amendment failed.

Mr. R. Rivers moved the adoption of the following amendment:

Section 2. Strike the section and substitute the following:

"Unless otherwise determined as hereinafter set forth the capital of the State of Alaska shall be at Juneau.

"Within 5 years from the admittance of Alaska as a State of the Union, the legislature shall establish a capital site survey commission to study the merits and demerits of potentially suitable sites for the permanent capital in line with the best interests of the people of the whole state. Upon completion of its studies the commission shall report to the Legislature and to the public. The legislature shall then provide for a referendum by the people at a statewide election or series of statewide elimination elections until a majority of the voters voting on the proposition have concurred on a particular site, after which the seat of government shall be retained at Juneau or changed as rapidly as feasible to the new site, as the case may be."

Mr. Hinckel seconded.

After discussion by Mr. R. Rivers, Mr. V. Rivers asked unanimous consent that the amendment be mimeographed. Mr. V. Fischer asked whether Mr. R. Rivers would not withdraw the amendment and submit a new amendment which had been revised.

Mr. Cross stated that the amendment was similar to the proposal adopted by the Resolutions Committee on the same subject.

Mr. Gray rose to a point of personal privilege. Mr. V. Rivers rose to a point of order to state that a delegate cannot debate under personal privilege.

Mr. Cooper objected to the unanimous consent request of Mr. V. Rivers.

The President declared a short recess.

#### AFTER RECESS

Mr. R. Rivers moved that the amendment be mimeographed. Mr. V. Rivers seconded. The President stated that since it was a suspension of the rules, it would require a two-thirds' vote. The roll was called with the following result:

Yeas: 15 - Barr, Boswell, Cross, Doogan, Gray, Lee, Londborg, McLaughlin, Nerland, Nordale, Poulsen, Reader, Riley, Smith, and Walsh

Nays: 37 - Armstrong, Awes, Coghill, Collins, Cooper, Davis, Emberg, H. Fischer, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Knight, Laws, McCutcheon, McNealy, McNees, Metcalf, Nolan, Peratrovich, R. Rivers, V. Rivers, Robertson, Rosswog, Stewart, Sundborg, Sweeney, Taylor, White, Wien, and Mr. President

Absent: 2 - Marston and VanderLeest

Abstaining: 1 - Buckalew

Before the result of the roll call was announced, Mr. V. Fischer stated that the rules provide for mimeographing of lengthy amendments.

The President stated that Mr. Fischer was correct.

The President stated that he was in error in putting the motion.

Mr. Barr moved to rescind.

Mr. Peratrovich stated that the motion was out of order since it could be reached by a motion to reconsider.

The President declared a short recess.

AFTER RECESS

The President announced that the motion had failed of adoption and the amendment was ordered mimeographed under the rules of the Convention.

Mr. Robertson rose to speak on a matter of personal privilege to state that Committee Proposal No. 4 adopted by the Resolutions Committee was not the same as Mr. R. Rivers' amendment.

Mr. Harris served notice of reconsideration on his vote on Mr. Kilcher's amendment to Section 2.

Section 20 of Committee Proposal No. 17a was considered at this time. Mr. McNealy asked Mr. Buckalew to explain the section.

A general discussion of the section followed by Mr. Buckalew, with questions from Mr. Johnson and Mr. Coghill.

Mr. Hellenthal moved the adoption of the following amendment to Section 20:

Delete lines 8 to 14 inclusive, on page 1 and line 1 on page 2 and the words "state legislature" on line 2 of page 2 and substitute a capital "T" in the word "the" on line 2 so that the last two sentences of the indented material are retained.

Mr. Johnson rose to a point of order that amendments were not in order at this time, that this was merely the discussion period.

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

Further discussion continued by Mr. Robertson, Mr. Emberg, Mr. Coghill, Mr. McCutcheon, Mr. V. Fischer, Mr. Lee and Mr. Barr.

The President declared a five-minute recess.

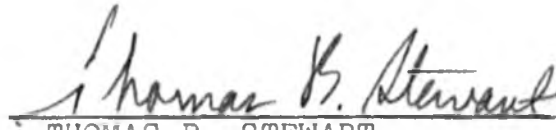
AFTER RECESS

Mr. Johnson moved and asked unanimous consent that the Convention adjourn until 1:30 p.m., Wednesday. The following committee announcements were made: Administration Wednesday morning at 10 a.m. at Apt. 1012, Polaris Building; Ordinances on adjournment; Style and Drafting on adjournment.

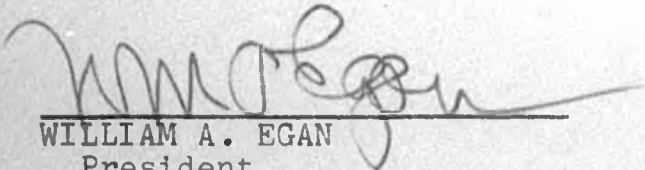
Mr. Coghill reported he had received another shipment of the report of the White House Conference on Education and had sufficient copies for all delegates.

Mrs. Hermann suggested that since there would be a great deal of work in connection with thanking various people for assistance, etc., during the Convention, that a committee should be appointed. Mr. Coghill reported that the Committee on Administration was already taking care of this.

There being no objection to the unanimous consent request, the Convention adjourned at 5:25 p.m. until 1:30 p.m., Wednesday.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President

Constitutional Convention

Journal/50

Approved

Jan. 28, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL FOR THE SIXTY-SECOND CONVENTION DAY, Monday, January 23, 1956

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

The Invocation was given by Major Robert A. Wood of Ladd Air Force Base, a member of the Branch Presidency of the Church of Jesus Christ of Latter Day Saints, Slaterville.

Roll call showed all members present. The President declared a quorum to be present.

A telegram from Mr. William L. Paul, Grand President of the Alaska Native Brotherhood, opposing deletion of Section 5 from the Resources Article, was read and ordered filed.

A letter from the Tanana Valley Sportsmen's Association, Fairbanks, expressing objection to and recommending corrective action in the case of certain constitutional matters, was read and ordered filed.

A letter from the University of Alaska Wildlife Club, recommending the inclusion of provision for wildlife administration in the constitution, was read and ordered filed.

Mr. Sundborg stated that the Committee on Style and Drafting needed time to finish work on the proposals which were in the Committee.

Mr. Buckalew suggested the Convention recess until 7 p.m.

The President stated that the Rules Committee had a calendar containing two items which should be considered before adjournment.

The President declared a short recess.

AFTER RECESS

Committee Proposal No. 2 was considered in third reading and read for the third time.

Mr. Robertson, Mr. Cooper, Mr. McLaughlin, Mr. Smith, Mr. R. Rivers, and Mr. McNealy spoke on the Proposal.

62nd Day, Monday, Jan. 23, 1956

The question being "Shall Committee Proposal No. 2, the article on the Judiciary, be adopted as a part of the Alaska State Constitution?", 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, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Johnson, Kilcher, King, Lee, McCutcheon, McLaughlin, McNees, Marston, Metcalf, Nerland, Nolan, Nordale, Peratrovich, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, and Mr. President

Nays: 6 - Coghill, Knight, Laws, Londborg, McNealy, and Poulsen

Absent: 2 - Buckalew and Riley

and so the Proposal was made a part of the Constitution.

Mr. Sundborg moved that the Convention rescind its action as to the amendment to change "shall" to "may" in line 1 of Section 1 of Committee Proposal No. 12. Mr. Metcalf seconded.

After discussion by Mr. Londborg, Mr. V. Fischer, Mrs. Nordale, Mr. Sundborg, Mr. Stewart and Mr. Johnson, Mr. Stewart suggested an amendment. Further discussion continued by Mr. Barr, Mr. McCutcheon, Mr. Nolan, Mr. R. Rivers and Mr. White.

The President declared a short recess.

#### AFTER RECESS

After further discussion by Mr. McLaughlin, Mr. Londborg and Mr. Coghill, Mr. Sundborg closed the argument.

The question being "Shall the Convention rescind its action on changing "shall" to "may"?", the roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Metcalf, Nerland, Nolan, Nordale, Riley, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, Wien, and Mr. President

Nays: 13 - Coghill, Cooper, Hinckel, Johnson, Laws, Londborg, McCutcheon, Marston, Peratrovich, Poulsen, Reader, Robertson, and White

Absent: 2 - Buckalew and McNealy

and so the action was rescinded.

Mr. Sundborg moved that the Convention rescind the action taken by striking Section 5 from Committee Proposal No. 8a. Mr. Boswell seconded.

Mr. Sundborg stated that if the action was rescinded he proposed to amend Section 5 to strike the words "and administration" from line 10.

Mr. Kilcher rose to a point of order that Mr. Sundborg was discussing an amendment which was not before the Convention.

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

Mr. Londborg rose to a point of order as to when rescinding action could be taken.

The President stated that a motion to rescind can be made after the time for a reconsideration motion has passed; he stated further that it was his opinion that at any time a motion to rescind would be in order.

The President declared a fifteen-minute recess.

#### AFTER RECESS

A telegram from Senator Marcus Jensen urging reconsideration of the action striking Section 5 from the Resources article, was read and ordered filed.

A telegram from ~~Reuel~~ M. Fleming, Secretary of the Juneau Vessel Owners, expressing their view that there should be inserted in the Constitution an article setting up a commission for fisheries, was read and ordered filed.

A telegram from Louise Juhnke, Secretary of the Anchorage Chapter of the Izaak Walton League of America, asking for the inclusion of submitted fish and game management proposals in the Constitution, was read and ordered filed.

A telegram from Albert S. Davis, President, ANB Camp No. 1, Sitka, recommending a commission to govern fish and another to govern game be inserted in the Constitution, was read and ordered filed.

A memorandum from the Director of the Alaska Department of Fisheries on behalf of the Alaska Fisheries Board, submitting the Board's recommendations regarding fish and fisheries provisions in the Constitution, was read and ordered filed.

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

Mr. Sundborg's motion to rescind action on striking Section 5 of Committee Proposal No. 8a being before the Convention, there was further debate by Mr. Coghill, Mr. V. Fishcer, Mr. McNealy, Mr. Marston, Mr. White, Mr. Smith, Mr. V. Rivers, Mr. R. Rivers, Mr. King, Mrs. Hermann and Mr. McCutcheon, after which the President declared a short recess.

#### AFTER RECESS

Further debate on the motion followed by Mr. Taylor and Mr. Emberg. The President then asked Mr. Sundborg to take the Chair so that he could speak on the motion. Mr. Stewart and Mr. McNees spoke on the motion. Mr. Doogan moved to recess. The motion died for lack of a second.

The President took the Chair. Mr. Sundborg closed the argument. The question being "Shall the Convention rescind its action on striking Section 5 of Committee Proposal No. 8a?", the roll was called with the following result:

Yeas: 20 - Boswell, Coghill, Cooper, H. Fischer, Gray, Johnson, King, Knight, Laws, Lee, McNealy, Marston, Nolan, Peratrovich, Riley, Sundborg, Sweeney, VanderLéest, Walsh, and Wien

Nays: 35 - Armstrong, Aves, Barr, Buckalew, Collins, Cross, Davis, Doogan, Emberg, V. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hinckel, Hurley, Kilcher, Londborg, McCutcheon, McLaughlin, McNees, Metcalf, Nerland, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Robertson, Rosswog, Smith, Stewart, Taylor, White, and Mr. President

and so the Convention did not rescind its action.

Mr. Sundborg asked unanimous consent that the Convention recess until 1:45 p.m. The following committee announcements were made: Ordinances at 1 p.m.; Style and Drafting at 1 p.m.

Mrs. Sweeney asked if it would be agreeable to release Committee Proposal No. 14 from the Engrossment and Enrollment Committee without the boundary descriptions. Mr. Hellenthal stated he had no objection.

Mrs. Sweeney asked unanimous consent for the adoption of the report of the Committee on Engrossment and Enrollment as to Committee Proposal No. 14 being correctly engrossed and the first enrolled copy correctly enrolled. There being no objection, it was so ordered.

McNealy, Marston, Nerland, Nordale, R. Rivers, Rosswog, Smith, Stewart, Sundborg, White, Wien, and Mr. President

Nays: 22 - Armstrong, Barr, Coghill, Cooper, Davis, Doogan, H. Fischer, Hinckel, Johnson, Lee, Londborg, McCutcheon, McNees, Metcalf, Nolan, Peratrovich, Poulsen, Reader, V. Rivers, Sweeney, Taylor, and Walsh

Absent: 3 - Riley, Robertson and VanderLeest

and so the amendment was adopted.

Mr. McNealy moved the adoption of the following committee amendment:

Strike Section 2.

Mr. Barr seconded. After discussion by Mr. McNealy and Mr. Barr, the question was called. On voice vote the amendment was adopted.

Mr. Smith announced that he had an amendment to insert a new Section 2.

The President asked if the Chairman of the Committee on Ordinances had any more amendments.

Mr. McNealy moved the adoption of the following committee amendment:

Strike Section 3.

Mr. Buckalew seconded. Mr. McNealy asked unanimous consent. There being no objection to the amendment, it was ordered adopted.

The President declared a short recess so that the Committee on Ordinances could discuss the proposed amendment.

#### AFTER RECESS

Mr. Smith moved the adoption of the following amendment:

"Section 2. All provisions of the Act admitting Alaska to the Union which reserves rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property made to Alaska, are consented to fully by the State of Alaska and its people."

Mr. Johnson seconded.

After discussion by Mr. Smith and Mr. McCutcheon, Mr. White asked to have the amendment held over until later.

The President announced that the Ordinance Committee had scheduled a talk by Mr. George H. Lehleitner before the Convention at 7 p.m. this date.

After discussion about having a longer time for committee meetings, Mr. Sundborg withdrew his unanimous consent request and asked unanimous consent that the Convention recess until 7 p.m.

Mr. McNealy asked unanimous consent to revert to the introduction of Committee reports. There being no objection, it was so ordered.

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

Mr. R. Rivers asked unanimous consent that the Convention stand at recess until 7 p.m. There being no objection, it was so ordered.

#### AFTER RECESS

The President introduced Mr. George H. Lehleitner of New Orleans, Louisiana, as a strong supporter of statehood for both Alaska and Hawaii who has worked unselfishly spending his efforts to further the cause of statehood for the two territories. Mr. Lehleitner spoke to the delegates on the "Tennessee Plan".

At the conclusion of his talk the President declared a ten-minute recess.

#### AFTER RECESS

Committee Proposal No. 16 was read the second time.

Mr. McNealy gave a brief explanation of the proposal.

Mr. McNealy moved the adoption of the following committee amendment:

Section 1, page 2, line 11, strike semicolon, insert a period and strike the balance of the section.

Mr. R. Rivers asked unanimous consent for the adoption of the amendment. Mr. McCutcheon objected. Mr. Buckalew seconded. After discussion by Mr. McNealy, Mr. McCutcheon, Mr. Hellenthal, Mr. Hinckel, Mr. Buckalew, Mr. McNees, Mr. V. Rivers and Mr. R. Rivers, Mr. McNealy closed the argument. The roll was called with the following result:

Yeas: 30 - Awes, Boswell, Buckalew, Collins, Cross, Emberg, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hilscher, Hurley, Kilcher, King, Knight, Laws, McLaughlin,

After Mr. Buckalew, Mr. McLaughlin, Mr. Hellenthal and Mr. Lee spoke, Mr. Kilcher requested a short recess. There being no objection, it was so ordered.

AFTER RECESS

Mr. McLaughlin asked unanimous consent that consideration of the amendment be held over for at least twenty-four hours. There being no objection, it was so ordered.

Mr. Emberg requested copies of the amendment be furnished all delegates. There being no objection, it was so ordered.

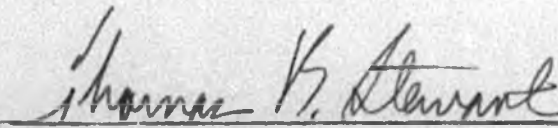
Mr. Johnson moved that the Convention adjourn until 9 a.m., Tuesday.

Mr. Sundborg asked unanimous consent to revert to committee reports. There being no objection, it was so ordered.

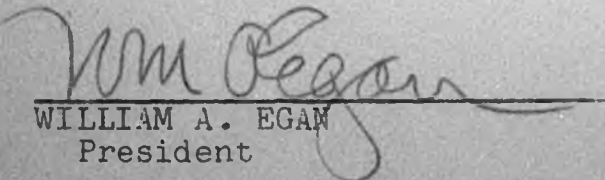
Mr. Sundborg submitted on behalf of the Committee on Style and Drafting their reports on C.P. #1 and C.P. #3, the articles on Suffrage and Elections, and Initiative, Referendum and Recall. The reports were referred to the Rules Committee for assignment to the calendar.

Mr. Hellenthal reported the descriptions of the election districts as a supplement to C.P. #14. The report was referred to the Committee on Rules for assignment to the calendar.

Mrs. Sweeney moved and asked unanimous consent that the Convention adjourn until 9 a.m., Tuesday. There being no objection, the Convention adjourned at 9:30 p.m. until 9 a.m., Tuesday morning.

  
THOMAS B. STEWART  
Secretary

Attested:

  
WILLIAM A. EGAN  
President