

Constitutional Convention
Journal/5
Approved 2/6/56

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE SEVENTH CONVENTION DAY, Monday, November 14, 1955

The Convention was called to order by President Egan at 9:30 ~~o'clock.~~ a.m.

The Rev. Felton Griffin, of the First Baptist Church of Anchorage, gave the Invocation.

Roll call showed all delegates present.

Communications from Governor Arthur B. Langlie, Governor of the State of Washington, and Honorable Douglas McKay, Secretary of the Interior, to Governor Heintzleman, expressing regret at not being able to be present at the opening ceremonies of the Convention and extending best wishes for a successful Convention, were read.

Invitation from the Home Economics Club, inviting the delegates to an open house and tea, Thursday, November 17, from 2 to 4:30, was read.

REPORTS OF STANDING COMMITTEES

Short recess was declared to distribute the Rules Committee report.

Mr. Riley asked unanimous consent that the report be read chapter by chapter and adopted, and that at the completion of the reading of Rule 60 ~~that~~ the report be adopted in its entirety to supersede any rules adopted previously. There being no objection, it was so ordered.

Mr. Riley read the following Chapter I of the proposed rules:

"Officers and Administrative Staff

Rule 1. The officers of the Convention shall be a President, a First Vice President, a Second Vice President, and a Secretary; the President and Vice Presidents to be elected from the Delegates by the vote of at least 28 delegates.

Rule 2. The Secretary of the Convention need not be a Delegate, and shall serve under the direction of the President as the principal administrative officer of the Convention.

Rule 3. The Secretary with the approval of the President and the Committee on Administration shall determine the administrative, clerical and custodial staff required by the Convention, and shall appoint and determine the compensation of such employees.

Rule 4.

a. The President pro-tem shall first entertain nominations for President of the Convention, shall recognize in order all who seek the floor, shall receive and state all nominations made, and shall allow ample time for all who seek recognition to be recognized and heard before entertaining a motion to close nominations.

b. A nominee may decline nomination only while nominations are open, but may withdraw from consideration for election at any time after the first ballot is taken.

c. Voting shall be by secret ballot and balloting shall continue by successive ballots until one candidate shall have received at least 28 votes: PROVIDED, however, that in the event no candidate receives as many as 28 votes in either the first or second balloting process, the low man (or, if there be a tie in low position as to votes received, those so tied) shall be removed from consideration on the third ballot and succeeding ballots; and, following the third and succeeding ballots wherein no nominee receives at least 28 votes, the low man or those so tied shall each time be eliminated from further consideration.

d. The first person who receives at least 28 votes on any one ballot shall be elected President of the Convention.

e. Nomination and election of other elective officers shall be conducted in the same manner as provided for the office of President."

Upon the completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter I, as read. There being no objection, it was so ordered.

Mr. Riley read the following Chapter II of the proposed rules:

"Duties of President and Vice Presidents

Rule 5. The President shall take the chair each day at the hour to which the Convention shall have adjourned. He shall call the Convention to order, and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

Rule 6. The President shall possess the powers and perform the duties herein prescribed:

(a) He shall preserve order and decorum, and, in debate, shall prevent personal reflections, and confine members to the question under discussion. When two or more members arise at the same time, he shall name the one entitled to the floor.

(b) He shall decide all questions of order, subject to appeal to the Rules Committee and thereafter to the Convention. On every appeal he shall have the right, in his place, to assign his reason for his decision. In case of such appeal no member shall speak more than once.

(c) He may substitute any member to perform the duties of the chair while he is present, but for no longer period than that day, except by special consent of the Convention.

(d) When the Convention shall be ready to go into Committee of the Whole, he shall name a chairman to preside.

(e) When necessary or required, he shall certify all official acts and all vouchers for payment of expenditures of the Convention.

(f) He shall designate and assign to seats or authorize the designation and seating of the persons who shall act as reporters for the public press and radio within the Convention Hall.

(g) He shall not engage in any debate, or propose his opinion on any question, except the assigning of his reasons for his decision on appeal therefrom, without first designating another Delegate to occupy the chair.

(h) He shall be entitled to vote on all questions in the same manner as other delegates except that he shall vote last.

(i) He shall declare the vote and announce the result according to the fact on all questions and divisions.

Rule 7. In the temporary absence of the President, or in event of his temporary inability to preside, his duties shall be performed by the First Vice President, or if he also be absent by the Second Vice President.

Rule 8. In the event of a vacancy in the office of the President or of either or both Vice Presidents or of the Secretary through death, resignation, or otherwise, or in the event of

absence from the Convention of any of these officers for more than 5 consecutive Convention days without the approval of the Convention, the Convention shall by majority vote of the elected Delegates elect another to fill such vacancy."

Upon completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter II as ~~the permanent rules.~~ *part of* There being no objection, it was so ordered.

Mr. Riley read the following Chapter III of the proposed rules:

"Duties of the Secretary

Rule 9. Under the direction of the President the Secretary shall have the following powers and perform the following duties:

- (a) He shall be the official custodian of and shall provide for the ultimate disposition of all roll calls, proposals, reports, records, books, documents and papers of the Convention.
- (b) He shall arrange to keep a journal of the proceedings of the Convention.
- (c) He shall prepare each day a calendar of the business of the Convention as provided by these rules.
- (d) He shall number consecutively each proposal of subject matter to be incorporated into the Constitution and, in other series, shall number each resolution, ordinance, or other action introduced for Convention consideration.
- (e) When necessary or required the Secretary with the President shall certify all official acts of the Convention.
- (f) He shall assign and supervise the work of all administrative, clerical, and custodial employees and shall be responsible for the printing or other reproduction of all proposals and other documents as required.
- (g) He shall arrange for the utilization of the services of such technical consultants as may be desired by the Convention and provide liaison between such consultants and the Convention.
- (h) He shall perform such other duties as are required of him by the President, these rules, or the Convention."

Upon completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter III as permanent rules. There being no objection, it was so ordered. *part of the*

Mr. Riley read the following Chapter IV of the proposed rules:

"Quorum and Majority

Rule 10. The presence of at least twenty-eight Delegates shall be necessary to constitute a quorum of the Convention, but a lesser number may meet and adjourn the Convention from day to day when necessary.

Rule 11. There being a quorum, a majority of Delegates present shall be sufficient for the adoption of any motion or resolution or the taking of any action except where the affirmative vote of a greater number shall be required by these rules."

Upon completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter IV as permanent rules. There being no objection, it was so ordered. *part of the*

Mr. Riley read the following Chapter V of the proposed rules:

"Standing Committees

Rule 12. The President shall appoint the members of and shall name the Chairmen of all Standing Committees unless the Convention shall otherwise order. The President may fill vacancies on Standing Committees in the same manner.

Rule 13. The Standing Committees of the Convention and the number of members thereof, respectively, shall be as follows:

- I Committee on Rules, nine members
- II Committee on Administration, nine members
- III Committee on Style and Drafting, nine members
- IV Committee on Ordinances, and Transitional Measures, nine members
- V Committee on Preamble and Bill of Rights, seven members
- VI Committee on Suffrage, Elections, and Apportionment, seven members
- VII Committee on Legislative Branch, seven members
- VIII Committee on Executive Branch, seven members
- IX Committee on Finance and Taxation, seven members
- X Committee on Resources, nine members

- XI Committee on Finance and Taxation, seven members
- XII Committee on Local Government, seven members
- XIII Committee on Direct Legislation, Amendment, and Revision, seven members
- XIV Committee on Resolutions and Recommendations, seven members

Rule 14. Each Delegate except the President shall be appointed to at least one but to no more than three Standing Committees.

Rule 15. The President shall be ex-officio member of all Standing Committees but shall not vote except to break a tie.

Rule 16. The respective Standing Committees shall have the following duties and functions and in addition shall consider and report upon any other matters referred to them:

(a) The Committee on Rules shall consider and report upon such changes in the rules of the Convention and changes in organization as shall be referred to it. It shall consider and report on appeals from rulings of the chair which may be referred to it. It shall determine appeals regarding the daily calendar of the Convention in accordance with these rules.

(b) The Committee on Administration shall generally oversee the administrative or business affairs of the Convention, including finances, personnel, printing, physical arrangements for the Convention, and related matters.

(c) The Committee on Style and Drafting shall examine and edit all proposals for inclusion in the Constitution which are referred to it for the purposes of avoiding inaccuracies, repetitions, inconsistencies, or poor drafting. The Committee shall have the authority to rephrase or to regroup proposed language or sections of the proposed Constitution but shall have no authority to change the sense or purpose of any proposal referred to it. The Committee shall also be empowered without reference back to the Convention to refer proposals submitted to it to other Committees which may have an interest in the proposal. Where a proposal referred to the Committee appears inconsistent or in conflict with a proposal already acted upon favorably by the Convention at second reading, the Committee shall undertake to resolve the inconsistency or conflict by reference to the Committees concerned. If the Committee shall fail to resolve any such inconsistency or conflict it shall notify the Convention and await its instructions.

(d) The Committee on Ordinances, and Transitional Measures shall be responsible for the consideration of ordinances specified by the Act creating the Constitutional

Convention and for the consideration of transitional measures which the Convention enacts in anticipation of statehood.

(e) The Committee on Resolutions and Recommendations shall consider resolutions and all other matters not germane to the work of other committees and shall make recommendations for action thereon.

(f) The remaining Standing Committees shall consider such proposals as are indicated by the titles of the respective committees. Such Committees shall draft and submit to the Convention for its consideration sections of the proposed Constitution pertaining to the business of the Committee.

Rule 17. Each Standing Committee shall submit to the Convention a report or reports, in writing, setting forth its recommendations on all matters referred to it. Any member or group of members of a Standing Committee may submit a minority report to the Convention. A petition signed by one-fourth of the elected Delegates shall require any Standing Committee to report to the Convention within the number of days specified in the petition.

Rule 18. No Standing Committee may hold meetings during the sessions of the Convention without permission of the Convention.

Rule 19. Each Standing Committee shall notify the Secretary of the time and place of meetings, and the Secretary shall make such notice public. All Committee hearings shall be public."

Upon completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter V as ~~permanent rules.~~ *part of the*

part of the Mrs. Hermann objected. Mr. Johnson moved to adopt Chapter V as permanent rules. Mr. Barr seconded.

Mr. White moved and asked unanimous consent that section (d) of Rule 16 be amended as follows: on the second line of "ordinances" insert a comma and add "including those". Mr. Kilcher objected. Mr. Fischer seconded. On voice vote the amendment was ordered adopted.

Mr. McNees asked unanimous consent for the adoption of the following Rule 13 amendment: section IX, delete "Finance and Taxation" and substitute in lieu thereof "Judiciary Branch". There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent for the adoption of the following amendments: Rule 13, section IV, strike the comma after "Ordinances".

Rule 16, section (d) line 1, delete the comma following the word "Ordinances".

Rule 16, section (d) line 4, insert a comma after "Convention". There being no objection the amendments were adopted.

Mr. Taylor moved to amend the last sentence in Rule 19 by changing the period to a comma and adding "except when in executive session". Mr. Sundborg objected. Mr. Buckalew seconded. After discussion Mr. Buckalew asked to withdraw his second. Mr. Taylor asked unanimous consent to withdraw his motion. There being no objection, it was so ordered.

Mr. Davis called for the question to adopt Mr. Johnson's motion.

said he
Mr. Barr had a question regarding Rule 16, and asked for a five minute recess to discuss the matter. There being no objection, it was so ordered.

AFTER RECESS

Mr. Barr moved and asked unanimous consent that the following amendment be adopted: Rule 16, section (c), page 7, third line from the bottom of the page, change "other" to "any" and "Committees" ~~be changed~~ to "Committee". There being no objection, it was so ordered.

The question being "Shall ~~Chapter~~ ^{Part of} Chapter V be adopted as the permanent rules?", on voice vote Chapter V was adopted.

Mr. Riley read Chapter VI of the proposed rules:

"Committee of the Whole

Rule 20. The Convention may upon motion resolve itself into a Committee of the Whole for the consideration of any matter. In forming the Committee of the Whole, the President shall appoint another Delegate as chairman to preside. A quorum of the Convention shall constitute a quorum for the Committee of the Whole.

Rule 21. All proposals, amendments, reports, resolutions, and other matters may be debated in the Committee of the Whole section by section, and recommendations with respect thereto shall be reported to the Convention.

Rule 22. The rules of the Convention shall be observed in the Committee of the Whole so far as they are applicable. Where there are no provisions, the proceedings shall be in accordance with Robert's Rules of Order, Revised.

Rule 23. A motion for the rising of the Committee of the Whole shall always be in order unless a member of the Committee is speaking or a vote is being taken, and shall be decided without debate."

Upon completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter VI as ^{part of the} permanent rules. Mr. R. Rivers objected. Mr. Riley moved. Mr. McCutcheon seconded.

Mr. R. Rivers asked unanimous consent for the adoption of the following amendment: Rule 21, insert a comma after "Whole". There being no objection, it was so ordered.

There being no further objections, Chapter VI was adopted by voice vote.

Mr. Riley read Chapter VII of the proposed rules as follows:

"Order of Business, and Roll Call

Rule 24. At meetings of the Convention the order of business shall be as follows (except at times set apart for the consideration of special orders):

1. Calling Convention to order
2. Prayer
3. Roll Call
4. Reading Journal of preceding day
5. Presentation of petitions, memorials and communications from outside the Convention
6. Reports of Standing Committees
7. Reports of Select Committees
8. Introduction and first reading of proposals
9. Reference of proposals
10. Motions and resolutions
11. Unfinished business
12. Special orders of the day
13. General orders of the day

Rule 25. The Secretary shall prepare for each Convention day a calendar of the general orders, setting forth the title of each matter for consideration. Consideration of the general orders of the day shall be in the following order:

1. Consideration by Committee of the Whole
2. Reports of the Committee of the Whole
3. Committee reports
4. Second reading and referral to the Committee on Style and Drafting
5. Action on reports of the Committee on Style and Drafting
6. Third reading and agreement.

Rule 26. If a matter is not considered in its order it shall lose its precedence for the day, but it shall appear on the calendar on the following Convention day in its regular order. Any matter may be made a special order of business for any particular day or time by a majority vote of the delegates present. Any matter having been made a special order for a particular day, and not having been reached on that day, shall be on the order of "Unfinished Business" on the next succeeding Convention day.

Rule 27. Except that the President's name shall always be called last on roll call votes, the names of Delegates shall be arranged alphabetically. At the first roll call of the Convention following adoption of this rule the roll shall be called starting with the first of such alphabetically arranged names. On each succeeding roll call the name next in order alphabetically shall be first called so as to rotate the order of voting through the entire list of Delegates.

Rule 28. In case of the absence of Delegates, the Delegates present shall take such measures as they shall deem necessary to secure the presence of absentees.

Rule 29. After a question has been stated by the President and the calling of the roll has begun, the President shall not recognize a Delegate for any purpose whatever until the call is completed; but nothing in this rule shall abridge the right of any Delegate to change or record his vote on any question previous to the announcement of the vote.

Rule 30. No member shall be entitled to abstain from voting on any roll call unless he shall have stated his intention to abstain before the voting starts. Upon any announcement of intention to abstain the Delegate making such announcement upon request of five Delegates may be required to state his reasons."

Upon completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter VII. There being no objection, it was so ordered.

Mr. Riley read Chapter VIII of the proposed rules as follows:

"Motions

Rule 31. When a motion is made it shall be stated by the President or, if in writing, it shall be read aloud before debate.

Rule 32. A motion may be withdrawn by the maker with consent of the second at any time before amendment or decision.

Rule 33. When a question is under consideration by the Convention only the following motions shall be received, which motions shall have precedence in the order stated:

Motion to, or for:

- | | | | |
|-----|--|---|------------------------------|
| (a) | Adjourn |) | |
| (b) | Recess |) | Not amendable or |
| (c) | Call of the Convention |) | debatable except |
| (d) | Lay on the table |) | as hereinafter |
| (e) | Previous question |) | provided. |
| (f) | Postpone indefinitely. | | Not amendable, but debatable |
| (g) | Postpone to a certain time. | | Amendable and debatable |
| (h) | Go into Committee of the Whole. | | " " " |
| (i) | Commit (or recommit) to Committee
of the Whole | | " " " |
| (j) | Commit (or recommit) to a
Standing Committee, or
to a Select Committee | | Amendable and debatable |
| (k) | Close debate at a specified
time. | | Amendable but not debatable |
| (l) | Amend. | | Amendable and debatable. |

Motions "g" through "k" inclusive, preclude debate on the main question. A motion to adjourn, to take a recess, and to adjourn for a longer period than one Convention day shall always be in order. A motion to adjourn for a longer period than one Convention day shall be amendable and debatable. Calls for information for division of a divisible question, for the yeas and nays, for a standing vote, for a vote by a show of hands, and a motion for reconsideration shall always be in order, but shall not be amendable or debatable.

Rule 34. An appeal from the decision of the chair must be taken at the time the ruling is made.

Rule 35. The previous question shall be put by the President in this form, "Shall the main question be now put?" It shall be admitted when demanded by a majority of the Delegates

present, and its effect shall be, if decided affirmatively, to end debate and bring the Convention to a vote upon pending amendments, if any, to the main question, and then upon the main question. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Rule 36. Notice of intention to move reconsideration of any vote must be stated on the day such vote is taken. A motion to reconsider must be made before the end of the first Convention day after the day on which such vote was taken and by a Delegate who voted in the majority. The same majority shall be required to adopt a motion to reconsider as was required to take the original action. When a motion for reconsideration is decided, that decision shall not be reconsidered. No question shall be twice reconsidered. No vote shall be reconsidered upon any of the following motions:

- (a) To adjourn;
- (b) To lay on the table;
- (c) To take from the table; or
- (d) For the previous question.

Rule 37. Any Delegate may call for the division of a question which is in its nature divisible. A motion to strike out and insert shall be deemed indivisible. A motion to strike having been lost, motion to amend or a motion to strike out and insert shall not be precluded.

Rule 38. No Delegate shall speak more than twice on one question, or longer than fifteen minutes the first, or longer than five minutes the second time, or more than once until other Delegates who have not spoken shall speak if they so desire, without first obtaining leave of the Convention. The mover of the proposition shall have the right to close the debate, provided that the person in charge of a proposal on third reading and final agreement shall have the right, if he desires, to close the debate and he may announce such desire at any time before the commencement of the vote on the question."

Upon completion of the reading, Mr. Riley asked unanimous consent for the adoption of Chapter VIII as permanent rules.

part of the

Mrs. Hermann objected. Mr. Riley moved. Mr. Sundborg seconded.

Mr. Barr asked unanimous consent that the following amendment be adopted: Rule 33, add a comma after "information". There being no objection, it was so ordered.

Mr. Sundborg asked unanimous consent for a five-minute recess for a Rules Committee meeting. Mrs. Hermann asked Mr. Sundborg to amend his motion to ten minutes. Mr. Sundborg accepted the amendment. There being no objection, it was so ordered.

AFTER RECESS

Mr. V. Rivers moved and asked unanimous consent that since the Rules Committee needed more time ~~that~~ the Convention recess until 1:30 p.m.

Mr. Coghill announced a meeting of the Committee on Administration at 1 o'clock.

There being no objection to the request for a recess, it was so ordered.

AFTER RECESS

Mr. Riley asked unanimous consent to withdraw his earlier motion for the adoption of Chapter VIII. There being no objection, it was so ordered.

Mr. Riley read the following Rules 33, 36 and 38.

"Rule 33. When a question is under consideration by the Convention only the following motions shall be received, which motions shall have precedence in the order stated:

Motion to, or for:

- | | | |
|--|-------|---------------------------------------|
| (a) Adjourn |) | |
| (b) Recess |) | Not amendable or |
| (c) Call of the Convention |) | debatable except |
| (d) Lay on the table |) | as hereinafter |
| (e) Previous question |) | provided. |
| (f) Postpone indefinitely. | | Not amendable, but debatable |
| (g) Postpone to a certain time. | | Amendable and debatable |
| (h) Go into Committee of the Whole. | " " " | " " " |
| (i) Commit (or recommit) to Committee of the Whole | " " " | " " " |
| (j) Commit (or recommit) to a Standing Committee, or to a Select Committee | | Amendable and debatable |
| (k) Close debate at a specified time. | | Amenable but not debatable |
| (l) Amend. | | Amendable and debatable. |

Motions "g" through "k" inclusive, preclude debate on the main question. A motion to adjourn, to take a recess, and to adjourn for a longer period than one Convention day shall always be in order; provided, however, that before a motion to adjourn is put to a vote, opportunity shall be given for announcements of notice of intention to move reconsideration as hereafter provided. A motion to adjourn for a longer period than one Convention day shall be amendable and debatable. Calls for information, for division of a divisible question, for the yeas and nays, for a standing vote, for a vote by a show of hands, and a motion for reconsideration shall always be in order, but shall not be amendable or debatable.

Rule 36. A motion for reconsideration may be made only by a Delegate who voted on the prevailing side. Notice of intention to move reconsideration of any vote must be stated on the day such vote is taken. A motion to reconsider must be made before the end of the first Plenary Session day after the day on which such vote was taken. The same majority shall be required to adopt a motion to reconsider as was required to take the original action. When a motion for reconsideration is decided, that decision shall not be reconsidered. No question shall be twice reconsidered. No motion for reconsideration shall be in order after the 72nd Convention day. No vote shall be reconsidered upon any of the following motions:

- (a) To adjourn;
- (b) To lay on the table;
- (c) To take from the table; or
- (d) For the previous question.

Rule 38. No Delegate shall speak more than twice on one motion, or more than once until other Delegates who have not spoken shall speak if they so desire, without first obtaining leave of the Convention. The mover of the proposition shall have the right to speak last, provided that the person in charge of a proposal on third reading and final agreement shall have the right, if he desires to speak last and he may announce such desire at any time before the commencement of the vote on the question."

Part of the
Mr. Riley moved and asked unanimous consent for the adoption of Chapter VIII as permanent rules. Mr. Sundborg moved and asked unanimous consent to change Rule 36 by deleting the first four words and substituting "A motion for reconsideration, as well as notice thereof,". There being no objection, it was so ordered. There being no further objection, Chapter VIII, as amended, was ordered adopted.

Mr. Riley read Chapter IX of the proposed rules as follows:

"Procedure for Drafting Constitution

Rule 39. Any subject matter to be incorporated in the Constitution shall be by proposal. A proposal shall be introduced only by one or more delegates or by a Standing Committee.

Rule 40. Each proposal shall be typewritten on white paper which is 8½" wide and 11" long with one original copy and five carbon copies thereof, and shall be dated and signed by the introducer(s) or by the Chairman of the Committee introducing it.

Rule 41. The caption of each proposal shall be:

'Constitutional Convention of Alaska

PROPOSAL _____

Introduced by _____
(Name of Delegate(s) or
Name of Committee)'

Each proposal shall contain a short title stating concisely the general nature of its subject matter. Thereafter the proposal shall state:

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

Rule 42. Each proposal upon introduction shall be delivered to the Secretary, who shall number all proposals as presented. At each session of the Convention the Secretary shall read the number and title of each new proposal, which shall constitute the first reading of the proposal.

Rule 43. Each proposal shall receive three separate readings in the Convention previous to being agreed upon, but no proposal shall be read twice on the same day. Except on the first reading all proposals shall be read in their entirety. Amendment of any proposal may be made only in second reading.

Rule 44. The regular order to be taken by proposals shall be as follows:

1. Introduction and first reading.
2. Reference to a Standing Committee by the President.
3. Report by Standing Committee.

4. Placed on the general orders on the following day.
5. Second reading and action on proposed amendments.
6. Reference to Committee on Style and Drafting.
7. Report by Committee on Style and Drafting.
8. Action on report of Committee on Style and Drafting, and action on amendments as to phraseology only.
9. Third reading and agreement.
10. Reference to the Committee on Style and Drafting for arrangement and numbering of sections and articles and for form.

Rule 45. The President shall refer each proposal introduced to the appropriate Standing Committee. Where a proposal embraces subject matter which falls within the proper consideration of two or more Standing Committees, the President may divide the proposal or he may refer it to one Standing Committee with instructions to consult with other Standing Committees.

Rule 46. The Convention may set a date after which no proposal shall be introduced, except by a Committee.

Rule 47. Each Standing Committee report recommending any matter for incorporation in the Constitution shall be accompanied by a Committee proposal containing a complete article or other appropriate subdivision or group of articles or subdivisions of the Constitution.

Rule 48. A report shall be made by the Standing Committee as to each proposal referred to it. Such report shall state whether the proposal has been:

- (a) adopted in whole or in part in a Committee proposal;
- (b) disapproved;
- (c) disposed of otherwise.

Rule 49. On the question of the agreement upon any proposal on third reading, the vote shall be taken by roll call and entered on the journal of the Convention. No proposal shall be declared adopted unless at least twenty-eight Delegates shall have voted in favor of its adoption.

Rule 50. After the Constitution has been framed and before final agreement thereon, the Convention shall refer the proposed Constitution to the Committee on Style and Drafting for final arrangement in proper order and form. After the report of said Committee, the Convention shall by the affirmative vote of at least twenty-eight Delegates agree upon the final form of the Constitution.

Rule 51. When the Convention shall have agreed upon the final form of the Constitution, the original and at least four copies thereof shall be signed by the President and by the Delegates and attested by the Secretary. Facsimile copies shall then be prepared and certified by the President and delivered to each Delegate."

part of the
Mr. Riley asked unanimous consent for the adoption of Chapter IX as permanent rules. Mr. Stewart suggested the following change in sentence structure in Rule 45: insert the phrase "to the appropriate Standing Committee" after "refer" and add a period after "introduced" and strike the remainder of the sentence. Mr. Riley accepted the change and incorporated it in his original motion. Mr. Smith objected to the unanimous consent. Mr. Riley moved. Mr. Sundborg seconded.

Mr. Smith moved the adoption of the following amendment to Rule 50: insert before first sentence "Every provision of the Constitution shall be open to amendment in substance until such time as the Convention shall have agreed upon the final form of the Constitution. Provided that any amendment provision shall be referred to the Committee on Style and Drafting for proper wording." Mr. Kilcher seconded.

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

AFTER RECESS

Mr. Nolan asked unanimous consent that Mr. Smith's amendment be referred to the Rules Committee. There being no objection, it was so ordered.

The President declared a recess until call of the chair so that the Rules Committee could consider the amendment.

AFTER RECESS

Mr. Riley, as Chairman of the Rules Committee, reported that it had decided to renew its request for adoption of Chapter IX as read.

Debate on Mr. Smith's motion ensued.

Mr. Johnson moved the previous question. Mr. McCutcheon seconded. On voice vote the previous question was ordered.

The question being "Shall Mr. Smith's motion amending Rule 50 be adopted by the Convention?", on voice vote the motion failed.

Mr. Kilcher moved that Mr. Riley's motion for adoption of Chapter IX be laid on the table until tomorrow. Mr. Kilcher's motion died for lack of a second.

The question being, "Shall Chapter IX be adopted as the permanent rules?", on voice vote the motion carried. *part of*

Mr. Riley read Chapter X of the proposed rules as follows:

"Resolutions and Ordinances

Rule 52. Consideration of ordinances required by the Act establishing the Constitutional Convention or otherwise as introduced by Delegates or Standing Committees shall follow the same procedure as is provided by these rules for proposals.

Rule 53. Resolutions relating to the business of the Convention may be introduced as provided by these rules and their consideration shall follow the same procedure as is provided by these rules for motions."

part of Mr. Riley asked unanimous consent for the adoption of Chapter X as the permanent rules. There being no objection, it was so ordered.

Mr. Riley read Chapter XI of the proposed rules as follows:

"General Provisions

Rule 54. When a motion to adjourn, or for recess, shall be carried, no delegate or officer shall leave his place until the adjournment or recess shall be declared by the President.

Rule 55. Any delegate may at any time rise and speak to a question of personal privilege.

Rule 56. No delegate rising to speak shall proceed until he shall have addressed the President and been recognized by him as entitled to the floor.

Rule 57. While the President is putting a question or a count is being had, no delegate shall speak or leave his place. While a member is speaking no delegate shall engage in any private discourse or pass between the speaker and the chair.

Rule 58. Only Delegates and Officers of the Convention shall be admitted to the floor of the Convention, except that the President shall designate, by name, representatives of the press, staff assistants, or others that may be admitted. Privileges of the floor may be extended by unanimous consent to other persons.

Rule 59. Any rule of the Convention may be suspended, repealed or amended, by a vote of at least two-thirds of the membership to which the Convention is entitled.

Rule 60. The rules of parliamentary practice set forth in Robert's Rules of Order, Revised shall apply in all cases which are not covered by or are not inconsistent with the rules of the Convention."

part of the
Mr. Riley asked unanimous consent for the adoption of Chapter XI as permanent rules. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent that Rule 6 (b) be adopted in the following form:

"He shall decide all questions of order, subject to appeal to the Convention. On every appeal he shall have the right, in his place, to assign his reason for his decision. In case of such appeal no member shall speak more than once."

superseding the action taken earlier regarding this particular rule. There being no objection, it was so ordered.

for
Mr. Riley asked unanimous consent to the adoption by the Convention of rules as adopted rule by rule throughout the day to be the permanent rules of this Convention and supersede all previous action taken.

Mr. Hellenthal asked unanimous consent that Rule 16 (c) be amended by changing the word "edit" in the first sentence to the word "word". Mr. Johnson objected. Mr. Hellenthal moved. Mr. Smith seconded. Mr. Hellenthal moved to amend his motion to make the word "word", "phrase". Mr. Barr objected. Mr. Sundborg seconded. On voice vote the amendment failed.

Mr. Riley's request for unanimous consent for the adoption of the rules being before the Convention, on voice vote the Rules were adopted.

Mr. Sundborg asked unanimous consent that the Secretary be instructed to prepare a complete copy of the rules as adopted and furnish such copy to each delegate. There being no objection, it was so ordered.

Mr. Sundborg moved and asked unanimous consent that the Secretary be instructed to write a letter to the Fairbanks Chamber of Commerce expressing the appreciation of the Convention for the

souvenir booklet, for the work it has done in helping to house the delegates, for the invitation it has extended to the Convention for the dinner and for the work of its hospitality committee generally. There being no objection, it was so ordered.

Mr. Robertson moved that "it is the policy and intent of this Convention that the Constitution should be a document of fundamental principles of basic law, and contain only the framework for state government, with all the details to be ordained in the discretion of future legislatures". Mr. Smith objected. Mr. Johnson seconded.

Mr. Sundborg moved to amend the motion to provide that Mr. Robertson's motion be referred to the Rules Committee for report. Mrs. Hermann seconded.

Mr. Robertson, with the consent of his second, moved to amend his original motion by withdrawing the words "policy and". There being no objection, it was so ordered.

Mr. Robertson stated he had no objection to his motion being referred to the Rules Committee.

The President ordered the motion referred to the Committee on Resolutions and Recommendations.

Mr. McCutcheon rose to a point of order stating there is no provision that a motion be referred to a Committee.

Mr. Hellenthal stated that Mr. Robertson's motion should properly be labeled a resolution so the referral was in order.

The President sustained Mr. Hellenthal and without objection referred the resolution to the Committee on Resolutions.

Mr. Coghill asked that the Convention take up at this time the report of the Committee on Administration which had been presented the previous day.

Mr. Coghill read the report in its entirety. (See Journal of Fifth Convention Day for copy of report.)

Mr. Coghill moved and asked unanimous consent for the adoption of the report. Mr. Buckalew objected. Mr. Barr seconded.

Mr. Sundborg moved and asked unanimous consent to amend item 6 under "Other Matters" as follows: strike "to date of final adjournment" and insert in lieu thereof "until the work of the Convention and its secretariat may be completed". There being no objection, it was so ordered.

Mr. Sundborg moved and asked unanimous consent that the following amendment be adopted: Subsection 1 under Secretariat, strike the last sentence. Mr. Hellenthal objected. Mr. Cooper seconded. On voice vote the amendment failed.

Mrs. Hermann called attention to an error in computation under B. SECRETARIAT.

Thereupon Mr. Coghill asked unanimous consent to make the following changes in totals:

3 Clerk-Typists @ \$21.00 per day, delete "3,360" and substitute "5,040"; Total Personal Services, delete "30,133" and substitute "31,813"; Total Secretariat Expenses, delete "73,008" and substitute "74,688"; Miscellaneous, delete "28,520" and substitute "25,840".

Mrs. Hermann moved the adoption of the following amendment: Item 2 under Secretariat, delete "final adjournment of the Convention." and substitute in lieu thereof "completion of his duties as determined by the President." Mr. V. Rivers seconded the motion and asked for unanimous consent. There being no objection, it was so ordered.

Mr. Fischer pointed out there was a conflict between the first paragraph of the report and item 6 under "Other Matters".

Mr. V. Rivers moved and asked unanimous consent that the following amendment be adopted: paragraph 1, third line from the end after "changes" delete comma, insert period and strike the remainder of the sentence. Mrs. Sweeney objected. Mr. Johnson seconded. On voice vote the amendment was adopted.

Mr. Buckalew moved for the adoption of the following amendment: Item 2 under Secretariat: strike "\$31.66" and substitute "\$37.00" and strike "\$12 per diem". Mr. Sundborg seconded.

Mr. Johnson rose to a point of order that Mr. Buckalew's motion was out of order because the Convention had already adopted that portion of the report. The President sustained Mr. Johnson.

Mr. White moved that further debate be postponed until tomorrow morning. Mr. Riley seconded.

Mr. Fischer asked unanimous consent to amend Mr. White's motion to include that the Committee on Administration be requested to obtain some cost estimates for ratification elections. Mr. White accepted the amendment.

The question being "Shall Mr. White's motion be adopted?", the roll was called with the following result:

Ayes: 18 - Awes, Buckalew, Collins, Cross, Emberg, V. Fischer, Gray, Hinckel, Laws, Marston, Nordale, Riley, R. Rivers, Rosswog, Sundborg, Walsh, White, Mr. President.

Nays: 36 - Armstrong, Barr, Boswell, Coghill, Cooper, Davis, Doogan, H. Fischer, Harris, Hellenthal, Hermann, Hilscher, Hurley, Johnson, Kilcher, King, Knight, Lee, Londborg, McCutcheon, McLaughlin, McNealy, McNees, Metcalf, Nerland, Nolan, Peratrovich, Poulsen, Reader, V. Rivers, Robertson, Smith, Stewart, Sweeney, VanderLeest, Wien.

Absent: 1 - Taylor

and so the motion failed.

Mr. McLaughlin asked unanimous consent to move the previous question. There being no objection, it was so ordered.

The question being "Shall the Report of the Committee on Administration be adopted?", on voice vote the report was adopted.

Mr. Barr moved that the Convention adjourn until 9:30 Tuesday morning. Mr. Stewart seconded. Mr. Barr withdrew his motion so that further business could be conducted.

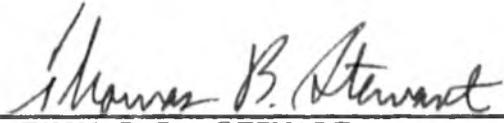
Mr. Johnson moved that the Journal of the previous day be considered read and approved. Mr. Doogan seconded. On voice vote the motion carried.

Mr. Sundborg announced a meeting of the Committee on Style and Drafting immediately following adjournment.

The President announced a meeting of the Committee Chairman on adjournment.

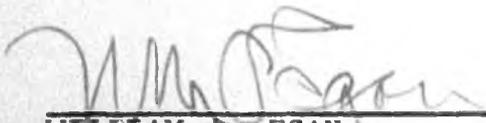
The President announced that the Rotary Club meets on Thursdays, the Lions Club on Wednesdays and the Kiwanis Club on Mondays.

Mr. Barr renewed his motion for adjournment and asked unanimous consent that the Convention adjourn until 9:30 Tuesday morning. There being no objection, it was so ordered.



THOMAS B. STEWART
Secretary

Attested:



WILLIAM A. EGAN
President