

Constitutional Convention
Journal/31
Approved Jun. 7, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE THIRTY-NINTH CONVENTION DAY, Friday, December 16, 1955

The Convention was called to order at 9:05 o'clock a.m. by President Egan.

The Invocation was given by the Rev. Victor Alfsen of the Presbyterian Church of Fairbanks.

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

An invitation from the Business Administration Fraternity at the University of Alaska, inviting the delegates to attend the annual Christmas dance December 16, was read.

Mr. Rosswog reported that the Report of the Local Government Committee had been approved by the Committee and would be in the delegates' hands as soon as the staff could produce it.

Mr. Sundborg moved and asked unanimous consent for a ten-minute recess to allow the delegates to ~~organize~~ *organize* into committees for the purpose of working out the details of the recess hearings. There being no objection, it was so ordered.

AFTER RECESS

The President announced a meeting of Committee Chairmen at 12:30 o'clock p.m.

Mr. Rosswog announced a meeting of the Committee on Local Government at noon.

Mr. Smith announced a meeting of the Committee on Resources at noon.

Mr. Sundborg called the attention of the delegates to the progress chart prepared by Mr. Hurley's subcommittee of the Style and Drafting Committee.

Mr. Sundborg asked that the Convention hear reports from the delegates as to scheduled hearings.

Mr. Gray reported the Juneau hearings would be held on the 27th and 28th at 2 o'clock p.m., probably in the Senate Chambers.

Mr. V. Rivers reported that the Anchorage delegation had elected Mrs. Helen Fischer, Chairman and Miss Awes, secretary.

Mr. Boswell reported that he had been elected Chairman of the Fairbanks hearings and Mrs. Wien, secretary. The hearings were scheduled for the 28th or 29th.

Mr. Sundborg announced that Mr. Gray had been elected Chairman of the Juneau hearings.

Mr. Hurley announced that hearings would be held in Wasilla on the 21st, Palmer the 29th, Grange Hall the 27th, and at the Kiwanis the 22nd.

Mr. Smith announced the Ketchikan hearings would be held the 27th or 28th.

Mr. Hinckel reported the Kodiak hearings were scheduled for the 22nd at the Elks Club.

Mrs. Hermann reported Mr. McNees had been elected Chairman of the Nome hearings and she would act as secretary. The hearings would begin on the 28th.

Mr. Coghill reported the Nenana hearings would be held at the Civic Center at 8 o'clock p.m., the 27th.

Mr. Knight stated hearings would be held the 27th in the Sitka School auditorium.

Mr. Lee stated he would hold hearings in Petersburg on the 27th and 28th. He added that he planned to go to Kake at his own expense for a hearing.

Mr. Emberg reported he would hold hearings on the 27th and 28th at Dillingham. He added he hoped to go to Naknek, Egegik and Ugashik if the schedule permitted.

Mr. Metcalf reported the Seward hearings would be held December 23rd.

Mr. Rosswog announced the Cordova hearings were scheduled for the 27th or 28th.

Mr. Harris announced the Valdez hearings would be held the 27th or 28th.

Mr. King stated the Haines hearings had been established for the 27th.

Mr. Londborg stated he would hold hearings at the Unalakleet School on the 27th.

Mr. Kilcher stated he would hold hearings in Homer about the 28th.

Mr. Taylor asked unanimous consent to withdraw the amendments on the Clerk's desk to Committee Proposal No. 1.

The President announced the presence in the gallery of a group of the Fairbanks High School sophomores and freshmen and the Commissioner of Agriculture Mr. James E. Wilson.

Mr. R. Rivers stated that this would be the time for Mr. Kilcher to make his motion.

The President stated that the matter would be postponed at Mr. Kilcher's request.

The President referred Committee Proposal No. 1 to the Committee on Engrossment and Enrollment.

The President called for the second reading of Proposal No. 5.

Mr. Smith and Mrs. Sweeney rose to a point of information to inquire why the calendar had been changed and Proposal No. 5 placed ahead of Proposal No. 3.

The President announced a fifteen-minute recess.

AFTER RECESS

The President returned the wooden gavel borrowed from the Fairbanks High School to Mr. Dennis Cook, Vice President of the *student body* of the Fairbanks High School.

Mrs. Hermann, reporting for the Rules Committee, stated the Committee had reversed the position of the Proposals on the calendar and Committee Proposal No. 3 would be considered at this time.

Mr. Hurley asked unanimous consent to speak on a matter of personal privilege to state he believed that the Convention should go into Committee of the Whole to discuss the proposal before the amendments are submitted.

The President stated that although there was no motion before the Convention he would allow discussion of how to proceed for information purposes.

After discussion by Mr. Barr, Mr. V. Rivers, Mr. Hinckel, Mr. Sundborg and Mr. Kilcher, Mr. Sundborg moved and asked unanimous consent that the Convention proceed to consider Committee Proposal No. 3 by first having it read the second time and then resolving into a Committee of the Whole for a discussion of the proposal with the soundscribing to continue during the Committee of the Whole session and that a record be kept by the stenotypist; also in the beginning of the Committee of the Whole session the Chairman appoint one or more persons to prepare a report of the Committee of the Whole on what transpired in the Committee. Mr. Metcalf objected. Mr. Knight seconded.

The question being "Shall the Rules be suspended to follow the suggestion made by Mr. Sundborg?", the roll was called with the following result:

Yeas: 40 - Armstrong, Awes, Barr, Boswell, Buckalew, Coghill, Collins, Cross, Davis, Doogan, Emberg, H. Fischer, V. Fischer, Gray, Harris, Hellenthal, Hermann, Hinckel, Hurley, Knight, Lee, Londborg, McCutcheon, McLaughlin, Marston, Nerland, Nordale, Peratrovich, V. Rivers, Rosswog, Smith, Stewart, Sundborg, Sweeney, Taylor, VanderLeest, Walsh, White, Wien, Mr. President

Nays: 10 - Cooper, Johnson, Kilcher, Laws, McNealy, Metcalf, Nolan, Poulsen, Reader, R. Rivers

Absent: 5 - Hilscher, King, McNees, Riley, Robertson

and so the rules were suspended.

Mr. Smith moved and asked unanimous consent that the Convention stand at recess until 1:30 o'clock p.m. Mr. Sundborg objected. Mr. Marston seconded.

Mr. Smith explained that the Resources and Executive Committees had work to complete on their proposals and if they had a couple of hours they would be able to finish.

The question being "Shall the Convention recess until 1:30 o'clock p.m.?", the roll was called with the following result:

Yeas: 29 - Armstrong, Barr, Boswell, Coghill, Collins, Cross, Doogan, Emberg, Harris, Hellenthal, Johnson, Knight, Laws, Londborg, McLaughlin, Marston, Nerland, Nordale, Reader, R. Rivers, V. Rivers, Rosswog, Smith, Stewart, Sweeney, Walsh, White, Wien, Mr. President

Nays: 21 - Awes, Buckalew, Cooper, Davis, H. Fischer, V. Fischer, Gray, Hermann, Hinckel, Hurley, Kilcher, Lee, McCutcheon, McNealy, Metcalf, Nolan, Peratrovich, Poulsen, Stewart, Taylor, VanderLeest

Absent: 5 - Hilscher, King, McNees, Riley, Robertson

and so the Convention recessed until 1:30 o'clock p.m.

AFTER RECESS

another group The President announced that visitors in the gallery included ~~part of the~~ *students* sophomore and freshman ~~classes~~ of the Fairbanks High School.

Committee Proposal No. 3 was read the second time.

Mr. Smith asked unanimous consent to revert to the business of committee reports. There being no objection, it was so ordered.

Mr. Smith reported that the Article on Resources had been completed and would be available for all delegates before the recess for hearings.

Mr. Sundborg moved and asked unanimous consent that the Convention resolve itself into a Committee of the Whole to discuss Committee Proposal No. 3.

COMMITTEE OF THE WHOLE

The President asked Mr. R. Rivers to take the Chair.

Mr. Rivers appointed Mr. Sundborg, Mr. V. Rivers and Mrs. Nordale to record the proceedings of the Committee of the Whole.

REPORT OF THE COMMITTEE OF THE WHOLE

"Committee Report

COMMITTEE OF THE WHOLE - December 16, 1955

Ralph Rivers
Chairman

(George Sundborg
(Victor Rivers
Recording sub-committee (Katherine Nordale

"The Committee of the Whole heard extended general discussion on Committee Proposal No. 3. During the discussion many members of the Committee on Direct Legislation, Amendment and Revision and various other delegates on the floor discussed the merits of the Initiative and Referendum.

"Roll call votes were taken on the following:

Shall the Committee recommend to the Convention that all reference to the Initiative in the proposal under consideration be stricken?

Motion FAILED

Shall the Committee recommend to the Convention that all reference to the Referendum in the proposal under consideration be stricken?

Motion FAILED

"The Committee then voted to rise and report the above findings to the Convention.

Respectfully submitted

/s/ Ralph J. Rivers

Ralph J. Rivers
Chairman
Committee of the Whole"

AFTER RECESS

Mr. Davis proposed the following amendment to Committee Proposal No. 3: Section 4, page 2, line 20, insert after the word "nor" the words "may it be". Mr. Sundborg asked unanimous consent for the adoption of the amendment. There being no objection, it was so ordered. ✓

Mr. Davis moved and asked unanimous consent for the adoption of the following amendment to Committee Proposal No. 3:

Section 5, page 2, line 24, insert a comma after the word "funds", delete the word "or" and insert "of" in lieu thereof, change the word "nor", the next to last word in the line, to "or". There being no objection, it was so ordered. ✓

Mr. Johnson moved the adoption of the following amendment to Section 4: Page 1, line 18, strike word "eight" at the end of the line and insert in lieu thereof the word "fifteen". Mr. McNealy seconded.

Mr. Sundborg, Mr. Londborg, Mr. Barr, Mr. Marston, Mr. Kilcher, Mr. Gray, Mr. V. Rivers, Mr. Taylor, Mr. Boswell, Mr. Hurley, Mr. Rosswog, Mr. Buckalew, Mr. Cooper, Mr. Hinckel, Mr. Hilscher and Mr. McNealy spoke on the amendment.

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

Yeas: 25 - Armstrong, Awes, Barr, Boswell, Buckalew, Cross, Doogan, V. Fischer, Gray, Hinckel, Johnson, Laws, Londborg, McCutcheon, McNealy, Nerland, Nolan, Poulsen, Reader, Rosswog, Sweeney, Walsh, White, Wien, Mr. President

Nays: 23 - Coghill, Collins, Cooper, Davis, Emberg, Harris, Hermann, Hilscher, Hurley, Kilcher, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nordale, Peratrovich, R. Rivers, V. Rivers, Smith, Stewart, Taylor

Absent: 7 - H. Fischer, Hellenthal, King, Riley, Robertson, Sundborg, VanderLeest ✓

and so the amendment was adopted.

Mr. Buckalew called attention to the presence of Mr. George McNabb, member of the 21st Territorial Legislature.

Mr. V. Rivers rose to a point of order to state he believed it took a majority of all members to which the body is entitled to adopt an amendment.

The President declared a recess.

AFTER RECESS

The President announced that the amendment was adopted because a majority of the members present voted for the amendment. He further stated that he would like to call the attention of the body to Rule 49 which provides that a proposal in third reading and final passage must be adopted by a majority of all the members to which the Convention is entitled.

Mr. Davis pointed out that Rule 11 bears out the President's position on the point of order raised by Mr. V. Rivers.

Mr. Knight moved the Convention adjourn until 9 o'clock a.m., Saturday. Mr. Buckalew objected. Mr. Coghill seconded.

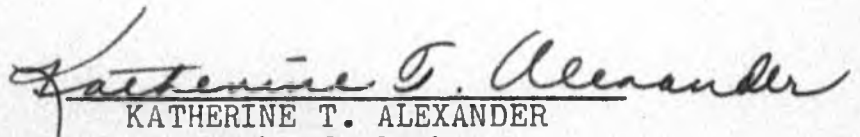
The question being "Shall the Convention adjourn until 9 o'clock a.m., Saturday?", the roll was called with the following result:

Yeas: 29 - Awes, Barr, Boswell, Coghill, Collins, Cross, Davis, Doogan, Hellenthal, Hilscher, Johnson, Knight, Laws, McLaughlin, McNees, Marston, Nerland, Nolan, Nordale, Poulsen, Reader, R. Rivers, V. Rivers, Smith, Stewart, Sweeney, Taylor, Walsh, Wien.

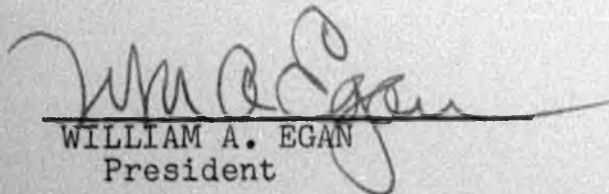
Nays: 17 - Armstrong, Buckalew, Cooper, Emberg, V. Fischer, Gray, Hermann, Hinckel, Hurley, Kilcher, Lee, McCutcheon, Metcalf, Peratrovich, Rosswog, Sundborg, Mr. President

Absent: 9 - H. Fischer, Harris, King, Londborg, McNealy, Riley, Robertson, Vanderleest, White

and so the Convention adjourned until 9 o'clock a.m., Saturday.


KATHERINE T. ALEXANDER
Chief Clerk

Attested:


WILLIAM A. EGAN
President