

Constitutional Convention  
Journal/33  
Approved Jan. 7, 1956

ALASKA CONSTITUTIONAL CONVENTION

JOURNAL OF THE FORTY-SECOND CONVENTION DAY, Monday, December 19, 1955

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

The invocation was given by the Rev. A. E. Purviance of the First Methodist Church of Fairbanks.

Roll call showed all members present except Mrs. Fischer, Mr. Hellenthal, Mr. McCutcheon, Mr. Nerland and Mr. Sundborg. The President declared a quorum to be present.

Mr. White presented the report of the Committee on Finance and Taxation containing Committee Proposal No. 9.

Committee Proposal No. 9 by the Committee on Finance and Taxation, entitled ARTICLE ON FINANCE AND TAXATION, was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Riley as Chairman of the Rules Committee reported that the Committee had no recommendation to make as to changing Rule 35 which had been referred to it for further study.

The President called for the reports of Committee Chairman on their proposals.

Miss Awes, Chairman, reported for the Committee on Preamble and Bill of Rights.

Mr. Cooper, vice-chairman, reported for the Committee on Suffrage, Elections and Apportionment.

The President announced that part of the sophomore and freshmen classes of the Fairbanks High School were present in the gallery, ~~as were Mr. and Mrs. Frank Morris, District Engineer from Nome.~~ *The Alaska Road Commission district Engineer from Nome, Mr. Frank Morrison and Mrs. Morris were introduced.*

Mr. Smith asked unanimous consent to revert to introduction of Committee reports. There being no objection, it was so ordered.

42nd Day, Monday, Dec. 19

Mr. Smith submitted the report of the Committee on Resources containing Committee Proposal No. 3.

Committee Proposal No. 3 by the Committee on Resources, entitled STATE LANDS AND NATURAL RESOURCES, was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. V. Rivers submitted the report of the Committee on the Executive Branch containing Committee Proposal No. 10.

Committee Proposal No. 10 by the Committee on the Executive Branch entitled ARTICLE ON THE EXECUTIVE was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mrs. Sweeney, vice-Chairman, gave a summary of the article presented by the Committee on the Legislative Branch.

Mr. V. Rivers gave a summary of the article presented by the Committee on the Executive Branch.

Mr. Smith and Mr. Riley reported on the article presented by the Committee on Resources.

Mr. Barr, vice-chairman and Mr. White, secretary, reported on the article presented by the Committee on Finance and Taxation.

Mr. Rosswog asked unanimous consent to revert to the submission of Committee reports. There being no objection, it was so ordered.

Mr. Rosswog presented the report of the Committee on Local Government containing Committee Proposal No. 6.

Committee Proposal No. 6, by the Committee on Local Government, entitled LOCAL GOVERNMENT was introduced, read the first time and referred to the Committee on Rules for assignment to the calendar.

Mr. Rosswog gave a summary of the article presented by the Committee on Local Government.

Committee Proposal No. 3 was considered again.

The President announced that the Chief Clerk had called to his attention shortly after adjournment Saturday the fact that she had incorrectly reported the roll call on the amendment to Section 4, line 20.

Mrs. Sweeney moved and asked unanimous consent that all action subsequent to the roll call in question be expunged from the Journal.

The President declared a short recess.

AFTER RECESS

Mrs. Sweeney asked unanimous consent to withdraw her motion. There being no objection, it was so ordered.

Mrs. Sweeney moved and asked unanimous consent that the Convention rescind its action on the amendment on line 20, page 2 which called to strike the words "amended or".

There being no objection, the action was rescinded.

Mrs. Sweeney moved and asked unanimous consent to expunge from the record the President's announcement of the vote on the amendment to strike all the words after "governor" on lines 20 and 21.

Mr. Riley objected only for clarification.

Mrs. Sweeney asked unanimous consent to withdraw her motion.

There being no objection, it was so ordered.

The President declared a short recess.

AFTER RECESS

With reference to the vote taken on the previous Saturday on the Hellenthal-Buckalew amendment to strike everything after the word "governor" on lines 20 and 21 of page 2, Mr. Riley moved and asked unanimous consent to expunge from the record the chair's erroneous announcement of the vote on that amendment and to show instead the corrected announcement. There being no objection, it was so ordered.

The President corrected ~~himself and announced~~ that the vote had been 27 yeas and 25 nays. *the earlier announcement of said vote by announcing*

Mr. Riley asked unanimous consent to expunge all further references in Saturday's Journal to the remainder of that sentence, since from that point forward there was no remaining *portion of that* sentence. There being no objection, it was so ordered.

Mr. Riley asked unanimous consent that the time be extended for reconsideration of ~~voting on~~ that particular vote to the first convention day following recess, on the condition that notice

of such reconsideration be given this date. There being no objection, it was so ordered.

Mr. Collins reported that the Committee on Direct Legislation had met and were working on an amendment that might prevent a lot of further discussion of Section 4.

Mr. McNealy moved and asked unanimous consent that the reconsideration of his vote be taken up at this time. There being no objection it was so ordered.

Mr. Riley asked unanimous consent that debate be allowed. There being no objection, it was so ordered.

After Mr. Taylor, Mr. McNealy, Mr. Marston, Mr. Buckalew, Mr. White, Mr. Boswell, Mr. V. Rivers, Mr. Cooper and Mr. Harris spoke. The roll was called on the amendment to change "15%" to 10% with the following result:

Yeas: 27 - Coghill, Collins, Davis, Doogan, Emberg, Harris, Hermann, Hilscher, Hinckel, Hurley, Kilcher, King, Knight, Lee, McLaughlin, McNees, Marston, Metcalf, Nordale, Peratrovich, Riley, R. Rivers, V. Rivers, Smith, Stewart, Taylor, VanderLeest.

Nays: 23 - Armstrong, Awes, Barr, Boswell, Buckalew, Cooper, Cross, V. Fischer, Gray, Johnson, Laws, Londborg, McNealy, Nolan, Poulsen, Reader, Robertson, Rosswog, Sweeney, Walsh, White, Wien, Mr. President.

Absent: 5 - H. Fischer, Hellenthal, McCutcheon, Nerland, Sundborg.

And so the amendment was ordered adopted.

Mr. Davis moved recess until 1:30 p.m. Mr. R. Rivers seconded. Mrs. Sweeney objected.

Mr. Rosswog announced a meeting of the Committee on Local Government for 1:15 p.m.

Mr. Boswell requested a short meeting of the delegates who will remain in Fairbanks during the recess to discuss hearings.

Mr. Coghill announced a meeting of the Committee on Administration at 1:00 p.m.

Mr. Cross announced a meeting of the Committee on Resolutions on recess.

Mr. Barr asked if Mr. Davis would amend his motion to 2:00 p.m. Mr. Davis agreed. On voice vote the Convention recessed until 2:00 p.m.

AFTER RECESS

Mr. Coghill announced that any delegate requesting information during the recess should address his communication to the secretariat at Constitution Hall; there would be someone on duty at all times.

Students from the Fairbanks High School were present in the gallery and were welcomed by President Egan.

Mr. R. Rivers moved the adoption of the amendment to Section 4 of Committee Proposal No. 3 presented Saturday by Mr. Hellenthal-Smith, Davis, R. Rivers and Sundborg. Mr. Davis seconded. On voice vote the amendment was adopted. ✓

Mr. White moved the adoption of the following amendment to Section 5, page 2, lines 22-25, strike the first sentence and insert in lieu thereof: "The Initiative and referendum may not be used as a means of earmarking revenues, for making or defeating appropriations of public funds, or for local or special legislation." Mr. Buckalew seconded. Mr. R. Rivers asked unanimous consent. ✓

After discussion by Mr. McLaughlin, Mr. Barr, Mr. Gray, Mr. Hinckel, Mr. McLaughlin and Mr. R. Rivers, there being no objection, the amendment was ordered adopted. ✓

*Relating*  
Mrs. Wien asked unanimous consent for the privilege of the floor for the Manager of the Fairbanks Chamber of Commerce, Mr. A. H. Derr. Without objection the privilege of the floor was granted to Mr. Derr who gave a Christmas message and wished the delegates a pleasant journey and expressed the hope they would return safely to Fairbanks to complete their work.

Mr. Londborg moved the adoption of the following amendment to Section 4, page 2. After the word "signatures" in the next to the last sentence of the R. Rivers amendment, delete rest of the sentence and substitute the following: "from each of two-thirds of the election districts of the state with signatures equalling not less than 3% of the number of voters casting ballots for governor in each such district in the preceding general election at which a governor was elected." Mr. White objected. Mr. Johnson seconded.

Mr. R. Rivers requested the privilege of the floor to speak

on the advisability of leaving Committee Proposal No. 3 in second reading until after the recess.

Mr. Riley spoke on a matter of personal privilege to state that he planned to serve notice of reconsideration of his vote on the amendment which had been the subject of discussion at the morning session and on which time had been extended for reconsideration until the first convention day after the recess which would automatically hold Committee Proposal No. 3 in second reading.

Mr. Taylor moved to table Mr. Londborg's amendment. Mr. Coghill seconded. The roll was called with the following result:

Yeas: 24 - Boswell, Coghill, Collins, Cross, Emberg, Gray, Hilscher, Hinckel, Hurley, King, Knight, Lee, McLaughlin, Marston, Metcalf, Nordale, Peratrovich, R. Rivers, V. Rivers, Smith, Stewart, Taylor, Wien, Mr. President.

Nays: 25 - Armstrong, Awes, Barr, Buckalew, Cooper, Davis, Doogan, V. Fischer, Harris, Hermann, Johnson, Kilcher, Laws, Londborg, McNealy, McNees, Nolan, Poulsen, Reader, Riley, Robertson, Rosswog, Sweeney, Walsh, White.

Absent: 6 - H. Fischer, Hellenthal, McCutcheon, Nerland, Sundborg, VanderLeest

And so the motion lost.

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

Mr. Riley served notice that he wished to reconsider his vote concerning the amendment inserting a period after the word "governor" on page 2 of Committee Proposal No. 3.

Mr. R. Rivers moved that the Convention forego any further action on Committee Proposal No. 3 until after the hearing recess, January 4, 1956.

Mr. Coghill moved and asked unanimous consent that the Convention adjourn until after its hearings January 4, 1956 at 9 a.m. Mr. Davis objected. Mr. V. Rivers seconded. The roll was called with the following results:

Yeas: 28 - Awes, Barr, Coghill, Collins, Cross, Emberg, Hinckel, Hurley, Johnson, King, Knight, Laws, Londborg, McLaughlin, Marston, Noland, Nordale, Poulsen, Reader, R. Rivers, V. Rivers,

Robertson, Stewart, Sweeney, Taylor, Walsh,  
Wien, Mr. President.

Nays: 21 - Armstrong, Boswell, Buckalew, Cooper, Davis,  
Doogan, V. Fischer, Gray, Harris, Hermann,  
Hilscher, Kilcher, Lee, McNealy, McNees,  
Metcalf, Peratrovich, Riley, Rosswog, Smith,  
White

Absent: 6 - H. Fischer, Hellenthal, McCutcheon, Nerland,  
Sundborg, VanderLeest

And so the Convention adjourned until January 4, 1956 at 9 a. m.

*Katherine T. Alexander*

KATHERINE T. ALEXANDER

Chief Clerk

Attested:

*William A. Egan*

WILLIAM A. EGAN  
President