

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. Hellenthal 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. Peratovich 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, Aves, 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.

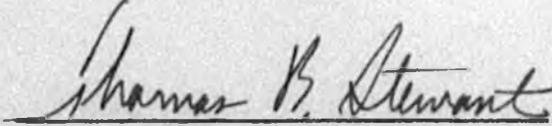
There being no objection, the resolution was ordered adopted and spread on the Journal.

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.

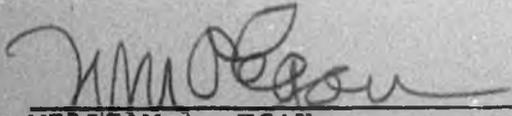
Mr. Riley asked unanimous consent that the Convention adjourn until 2 p.m. Mr. McNees asked unanimous consent that the reconsideration of his vote on C. P. No. 17a be held over. The President stated that the reconsideration would automatically be held until C. P. No. 17a was on the calendar again.

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